



BUSINESS PAPER  
ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 31 July 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

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Submitted to Council: 31 July 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, 31 July 2019** commencing at **2:00pm**.

Yours sincerely

Jack O'Hara  
GENERAL MANAGER

## INDEX

- 1. Apologies
- 2. Confirmation of Previous Minutes
  - 2.1 Minutes of the Ordinary Meeting held on Wednesday, 26 June 2019 at Walcha Council Chambers, Hamilton Street, Walcha. WO/2019/01579
- 3. Business Arising
- 4. Declarations of Interest
- 5. Mayoral Minute
- 6. Senior Officers Reports
  - 6.1 Walcha Draft Development Control Plan WO/2019/01691
  - 6.2 Walcha Local Strategic Planning Statement WINT/2019/04002
  - 6.3 Walcha Crown Land Management Plan WO/2019/01134
  - 6.4 Macdonald River Feasibility Study Finalisation Report  
WO/2019/01862
  - 6.5 Request for funding for Weekly Playgroup in Woolbrook  
WO/2019/01760
  - 6.6 Playground Design Estimate WO/2019/01856
  - 6.7 Review of Purchasing Policy WO/2019/01775
  - 6.8 Ward Boundaries Review WO/2019/01763
  - 6.9 2018-2019 Final Rates Reconciliation WO/2019/01677
  - 6.10 2019-2020 Initial Rates Reconciliation WO/2019/01677
- 7. Notices of Motion
  - 7.1 Nil
- 8. Matters of Urgency  
(Resolution to admit matters of urgency before being further considered by Council).

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



9. Management Review Report WO/2019/01752

10. Committee Reports

- 10.1 Minutes of the Walcha & District Beautification & Tidy Towns Committee Meeting held on Wednesday, 19 June 2019 at the Council Chambers, Hamilton Street, Walcha. WO/2019/01854
- 10.2 Minutes of the Walcha Council Youth Advisory Committee Meeting held on Thursday, 20 June 2019 at the St Patrick’s Primary School. WINT/2019/03828
- 10.3 Minutes of the Walcha Preschool Advisory Committee Meeting held on Tuesday, 25 June 2019 at the Walcha Preschool, Uralla Road, Walcha. WO/2019/01573

11. Delegates Reports

- 11.1 Draft Minutes of the Namoi Unlimited Board Meeting held on Tuesday, 2 July 2019 at the Liverpool Plains Shire Council Chambers. WI/2019/08841

12. Committee of the Whole

12.1

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,  
26 June 2019:**

**Matters arising from the Minutes of the Ordinary Meeting held on Wednesday,  
26 June 2019:**

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



## ORDINARY MEETING OF COUNCIL

held on

Wednesday, 26 June 2019

at

2:05pm

at

Walcha Council Chambers

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

**IN ATTENDANCE:** Mr JG O'Hara, General Manager, Mr DJM Reeves, Director – Engineering Services, and Ms L Cumming, Contract Planner.

**1. LEAVE OF ABSENCE:**

194 **RESOLVED** on the Motion of Councillors Heazlett and Wellings that Leave of Absence be granted to Councillor Lyon, due to business commitments, and Councillor Kealey, due to family commitments.

MINUTES



**2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 29 MAY 2019:**

195 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the Minutes of the Ordinary Meeting held on Wednesday, 29 May 2019, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record with the alteration of Minute 193 to record Councillor Lyon voting **AGAINST** this Motion.

**3. BUSINESS ARISING**

Nil.

**4. DECLARATIONS OF INTEREST**

Item 6.2 – Development Application 10.2019.44 – Freak Festival WO/2019/01361

Councillor Ferrier declared a pecuniary interest in this item due to being a Officer Bearer on the Walcha Jockey Club.

**5. MAYORAL MINUTE**

As the Local Government Act 1993 was amended in August 2016 to include that Councillors have a responsibility “to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillors,” Local Government NSW has setup an online portal to self assess individual Councillors level of skill. This is called the *PD IN A BOX*, (personal development in a box) and is available online. Hopefully all Councillors will have a copy of this by now. Council has a responsibility to offer courses to assist in this process.

Recently Walcha has run an Audit and Risk Improvement Course and Uralla the Code of Conduct Course. The collaborative approach between Councils to these opportunities, and being held locally eases the cost burden while providing enough participants to promote debate.

Council must also list in its’ Annual Report it’s expenditure and Councillor participation in these programmes. There is a list of courses that are available and the General Manager is willing to organising ones that Councillors feel they are deficient in.

Participation in these courses can only make us more productive community representatives.

196 **RESOLVED** on the Motion of Mayor Noakes that the Mayoral Minute be **NOTED**.

**6. SENIOR OFFICERS REPORT**

197 **RESOLVED** on the Motion of Councillors Heazlett and Wellings that the Senior Officers’ Reports be **RECEIVED** for further consideration.



**6.1 Development Application 10.2019.45 – D Ludwig – Breeding Kennels  
WO/2019/01362**

198 **RESOLVED** on the Motion of Councillors Heazlett and Wellings that Council approve the Development Application 10.2019.45 for Dog Breeding Kennels on Lot 19 DP 5142 being 34 Berman Street, Woolbrook subject to the conditions within the Development Assessment Report which are:

1. The proposed development is to be carried out strictly in accordance with the details set out on the application form and any other supporting information submitted with the application.

**Note:** Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 of the *Environmental Planning & Assessment Act, 1979* for Council’s consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development application will have to be submitted to Council.

2. The breeding operation is to comply with the NSW Industry & Investment *Animal Welfare Code of Practice – Breeding dogs and cats* at all time.
3. An annual vet audit as per the Australian Association of Pet Breeders standards is to be carried out, with the results being forwarded to Council.
4. All dog waste to be collected on a daily basis and composted or disposed of at a licenced landfill on a frequency of 1 per week in summer and 1 per fortnight in winter.
5. Appropriate shelters and automatic water stations are to be provided for all animals and is to be located in all kennel areas.
6. A maximum of 6 breeding bitches, 3 breeding males and 3 litters of puppies are to be located onsite ay any one time.
7. Shade cloth screening is to be erected along the dog run fence against the adjoining property.
8. Further landscaping is to be planted, including advanced species along the boundary between the two adjoining properties. This is to screen the neighbouring dwelling from the dog runs.

Being a Planning matter a **Division** was called prior to voting on this matter and the result was as follows:

**For:** Councillors: Noakes, Blomfield, Ferrier, Heazlett, Kermode and Wellings.

**Against:** Nil.

**Absent:** Kealey and Lyon.

**Declared Interest:** Nil.

**6.2 Development Application 10.2019.44 – Freak Festival WO/2019/01361**

Clr Ferrier left the Meeting and took no part in the debate.



199 **RESOLVED** on the Motion of Councillors Kermode and Wellings that Council APPROVE Development Application 10.2019.44 being Lot 7016 DP 94120, Lot 543 DP 75602 being the Walcha Racecourse and Lot 8 DP 1167213 being John Oxley Oval and Lot 41 DP 1130075 being McHattan Park and Lots 410, 411, 412 and 413 DP 756502 and Lot 3 DP 1210503 being Bergen-Op-Zoom for a festival subject to the conditions of consent within the Development Assessment Report which are:

1. The proposed development is to be carried out strictly in accordance with the details set out on the application form and any other information submitted with the application.

**Note:** Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 of the *Environmental Planning & Assessment Act, 1979* for Council’s consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development application will have to be submitted to Council.

2. **Staging Detail**

- a) This approval is a staged development with deferred commencement for each stage. The staging details would consist of:  
Stage 1 – Festival to be held on 15 – 17 November 2019  
Stage 2 – Festival to be held on (date to be confirmed) 2020  
Stage 3 – Festival to be held on (date to be confirmed) 2021
- b) Stage 2 & 3 may only proceed after a debriefing session has been completed with all stakeholders at the end of each festival, and any issues arising have been addressed in the relevant Management Plans relating to the next stage.

3. **Plans of Management**

- a) The following Plans of Management are to be prepared, submitted to and approved by Council a minimum of 4 weeks prior to each festival commencing:
  - Operational Plan
  - Traffic Management Plan
  - Emergency Management Plan
  - Waste Management Plan
  - Food Strategy & Safe Handling
  - Communication Plan
  - Drug & Alcohol Management Plan
  - Security Plan
- b) These Plans are to detail the finer detail for all operational matters.
- c) The Emergency, Drug & Alcohol, and Security Plan will require the additional signoff of relevant emergency services prior to submission to Council for approval.





**4. Land Reinstatement**

At the end of each festival, all areas of the festival footprint, as far as practicable, will be restored to the condition in which it was before the commencement of each festival.

**5. Signage**

- a) All external and internal signage is to be installed in such a manor as to not cause a public danger.
- b) All signage is to be removed at the end of each festival.
- c) Signage is to be provided clearly marking the location of potable water.
- d) Signage is to be installed in the glamping area, clearly marking the water is bore water.
- e) A pick up and set down point is to be clearly marked for all busses, taxis and private vehicles is to be clearly signposted.
- f) A grey water disposal point is to be clearly indicated and signposted.
- g) All emergency service facilities are to be clearly signposted and marked on the Event Map.

**6. Pedestrian Safety**

- a) Pedestrian safety is to be ensured at all times.
- b) Pedestrian safety lanes are to be provided as required.

**7. Camping**

- a) A site plan is to be prepared clearly marking and numbering each site camp site.
- b) Each site is to be clearly marked, individually numbered, outlined and signposted.
- c) A register is to be kept of all occupants.
- d) A plan is to be provided for each event clearly marking Emergency Service Vehicle access through and around the camping area.
- e) No generators are to be utilised onsite.

**8. Vehicle Management**

- a) All vehicles are to be managed onsite and offsite.
- b) Access is to be clearly marked and maintained for all emergency service vehicles.
- c) A pick up and set down point is to be clearly marked for all busses, taxis and private vehicles.
- d) All vehicles are to be allowed on the septic tanks or trench areas.

**9. Water**

- a) Potable water is to be made available during the event.
- b) Provision is to be made for fire fighting during each event.



- c) Any taps that lead to a non potable water supply are to be marked accordingly.

**10.Sewer**

- a) Suitable amenities are to be made available onsite.
- b) The existing septic tanks are to be pumped out, before, during and after each festival.
- c) Clear and suitable access is to be provided for the septic pump out service.
- d) A grey water disposal point is to be provided onsite.

**11.Waste**

- a) A recycling service is to be provided onsite.
- b) A separate garbage and recycling bay is to be provided for the storage of uncollected garbage and recycling. Provision is to be made to prevent access by the general public and it is to have a suitable safe access for collection services.
- c) All garbage and recycling is to be collected on a daily basis.

**12.Security & Emergency Services**

- a) Security is to be provided onsite 24 hours a day.
- b) Provision is to be made for suitable fire fighting service for each festival, onsite 24 hours a day.
- c) A clear emergency route is to be clearly marked and maintained through and around the perimeter of all events and facilities for each festival.

**13.Food**

- a) All food services are to comply with the provisions of the NSW Food Authority and all relevant food standards.
- b) A food shop inspection on each food stall will be carried out on the day before the festival commencement from 3:30pm. The cost of these inspections will be invoiced directly to and will be the responsibility of the Festival Organiser.
- c) Each food stall is to ensure that it has the relevant Food Safety Supervisor Certificate displayed.

**14.Rides**

- a) An inspection will be carried out on each amusement ride on the day before the festival commencement from 3:30pm. The cost of these inspections will be invoiced directly to and will be the responsibility of the Festival Organiser.
- b) Each amusement ride is to ensure that it has the relevant WorkCover Registration onsite.



**15. Wheelies & Stoppies**

- a) Any damage to Darjeeling Road surface is to be reinstated at the cost of the Festival Organiser, to the satisfaction of the Council.

Being a Planning matter a **Division** was called prior to voting on this matter and the result was as follows:

**For:** Councillors: Noakes, Blomfield, Heazlett, Kermode and Wellings.

**Against:** Nil.

**Absent:** Kealey and Lyon.

**Declared Interest:** Ferrier.

Clr Ferrier returned to the Meeting and was informed of the resolution.

**6.3 Development Application 10.2019.47 – John Oxley Oval Primitive Camping Ground  
WO/2019/01360**

200 **RESOLVED** on the Motion of Councillors Ferrier and Wellings that Council:

- a) Approve Development Application 10.2019.47 being Lot 8 DP 1167213 John Oxley Sports Field for primitive camping subject to the following conditions of consent contained within the Development Assessment:

- 1. The proposed development is to be carried out strictly in accordance with the details set out on the application form and any other information submitted with the application.

**Note:** Any proposal to modify the terms or conditions of this consent, whilst still maintaining substantially the same development to that approved, will require the submission of a formal application under Section 4.55 of the *Environmental Planning & Assessment Act, 1979* for Council’s consideration. If amendments to the design result in the development not remaining substantially the same as that approved by this consent, a new development application will have to be submitted to Council.

- 2. There is to be no camping on the sports fields.
- 3. There is to be no parking outside of the grounds. All parking is to be contained within the camping area.
- 4. Each event is to have a site plan clearly marking and numbering each site.
- 5. Each site is to be clearly marked, individually numbered, outline and signposted.
- 6. A plan is to be provided for each event clearly marking Emergency Service Vehicle access through and around the camping area.
- 7. A register is to be kept of all occupants by booking group.
- 8. The entry and exit location, and bus and taxi pick up and set down point, is to be approved per event.
- 9. Signage is to be erected on ground in a clear location, indicating the nearest RV Dump point.



- 10. A grey water disposal point is to be clearly indicated and signposted for each event.
  - 11. Potable water is to be provided onsite, and is to be clearly signposted.
  - 12. Provision is to be made for fire fighting during each event.
  - 13. Pedestrian safety lanes are to be provided as required.
  - 14. Security is to be provided onsite 24 hours a day.
  - 15. An application is to be made under Section 68 of the *Local Government Act, 1993* for a primitive camping ground.
- b) Given delegation to the General Manager to prepare a commercial agreement tailored as per the individual requirements of each event, to be utilised for each event booking.

Being a Planning matter a **Division** was called prior to voting on this matter and the result was as follows:

**For:** Councillors: Noakes, Blomfield, Ferrier, Heazlett, Kermodie and Wellings.

**Against:** Nil.

**Absent:** Kealey and Lyon.

**Declared Interest:** Nil.

**6.4 Draft Walcha Strategic Heritage Action Plan 2019 – 2029**

**WO/2019/01347**

- 201 **RESOLVED** on the Motion of Councillors Ferrier and Wellings that Council:
- 1. **ADOPT** the Draft Walcha Strategic Heritage Action Plan (2019-2029); and
  - 2. Send an expression of appreciation to NSW Office of Environment & Heritage for the grant funding and acknowledgement of the quality of the future strategic direction the Walcha Strategic Heritage Action Plan (2019-2029) present stakeholders within the Walcha Local Government Area.

**6.5 Adoption of Draft 2019 – 2020 Operational Plan including 2019 -2020 Budget, Fees & Charges and Rates & Charges**

**WO/2019/01421**

202 **RESOLVED** on the Motion of Councillors Blomfield and Wellings that in accordance with the provisions of Section 405 and 406 of the *Local Government Act 1993* Council **ADOPT** the 2019 – 2020 Draft Operational Plan which includes the 2019 – 2020 Revenue Policy and 2019 – 2020 Fees & Charges.

203 **RESOLVED** on the Motion of Councillors Blomfield and Wellings that in accordance with Section 494 of the *Local Government Act 1993*, Council make and levy the Rates and Charges for 2019 – 2020 for the General, Water and Sewerage Funds, and Waste Management Charges as detailed in the Report **FURTHER THAT** the General Manager be authorised to arrange for the preparation and the service of the 2019 – 2020 rate notices.



**6.6 Local Government NSW Annual Conference** **WO/2019/01357**  
204 **RESOLVED** on the Motion of Councillors Kermode and Heazlett that the Mayor and the General Manager attend the Local Government NSW Annual Conference.

**6.7 Water Fund 2018 – 2019 Income Budget** **WO/2019/01421**  
205 **RESOLVED** on the Motion of Councillors Kermode and Wellings that the Report be **NOTED**.

**6.8 Audio Webcasting of Council Meetings** **WO/2019/01426**  
206 **RESOLVED** on the Motion of Councillors Kermode and Wellings that Council delays making a decision to install an audio recording system until the Office of Local Government Consultation is complete and distributed.

**6.9 Depot Stocktake as at 28 May 2019** **WO/2019/01431**  
207 **RESOLVED** on the Motion of Councillors Wellings and Heazlett that stock value adjustments totalling \$362.95 write on be made to inventory items detailed in the schedule.

**7. NOTICE OF MOTION**

**7.1 Notice of Motion Number 11 – Christmas in July** **WO/2019/01436**  
208 **RESOLVED** on the Motion of Mayor Noakes that Council provide a budget allocation of \$2,000 from Working Funds for a *Christmas in July* function to thank all staff for their efforts over the previous twelve months.

**7.2 Notice of Motion Number 12 – Walcha Lions Park** **WO/2019/01449**  
209 **RESOLVED** on the Motion of Councillors Wellings and Kermode that the General Manager investigate the cost of engaging an architect to redesign the Lions Park playground and toilet block and report back to Council at the next meeting.

**8. MATTERS OF URGENCY**

**Golf Club Request for Council to be Sponsor for My Community Project Funding**  
The Chairperson declared this matter a Matter of Urgency.

210 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the matter of Council being the Sponsor for the Walcha Golf Club Limited Project under the *My Community Projects* Funding be considered as a matter of urgency.

211 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that Council **AGREE** to be the Sponsor for the Walcha Golf Club Limited Project application under the *My Community Projects* Funding.



**9. MANAGEMENT REVIEW REPORTS**

**WO/2019/01311**

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

**10. COMMITTEE REPORTS**

Nil.

**Afternoon Tea**

The Meeting adjourned at 3:30pm for afternoon tea and reconvened at 4:00pm.

**11. DELEGATE REPORTS**

**11.1 Clr Heazlett Delegates Report from New England Zone NSW Public Libraries Meeting held in Armidale on Thursday, 30 May 2019.**

**WO/2019/01490**

**11.2 New England Bush Fire Management Committee Meeting Minutes held at the New England Fire Control Centre Armidale on Tuesday, 21 May 2019.**

**WI/2019/06130**

**11.3 Minutes of the Country Mayors Association Meeting held at Parliament House, Sydney on Friday, 31 May 2019.**

**WI/2019/06625**

**12. COMMITTEE OF THE WHOLE**

**12.1 Referral to Committee of the Whole – Doubtful Debts to be Written Off**

**WO/2019/01437**

213 **RESOLVED** on the Motion of Councillors Kermode and Heazlett that, in accordance with the provisions of Section 10 of the *Local Government Act, 1993*, the matters of Doubtful Debts to be Written Off be referred to be discussed in Committee of the Whole and close the Meeting to the public for the reason that the report relates to the personal hardship of any resident or ratepayer.

**12.2 Referral to Committee of the Whole – Truck Signage Promotion and Truck Wash Bay Tender**

**WO/2019/01459**

214 **RESOLVED** on the Motion of Councillors Kermode and Heazlett that, in accordance with the provisions of Section 10 of the *Local Government Act, 1993*, the matters of Truck Signage Promotion and Truck Wash Bay Tender be referred to be discussed in Committee of the Whole and close the Meeting to the public for the reason that the reports relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



**12.3 Referral to Committee of the Whole – Serious Breach of Privacy**

**WO/2019/01457**

215 **RESOLVED** on the Motion of Councillors Kermode and Heazlett that, in accordance with the provisions of Section 10 of the *Local Government Act, 1993*, the matter of Serious Breach of Privacy be referred to be discussed in Committee of the Whole and close the Meeting to the public for the reason that the report relates to personal matters concerning particular individuals (other than Councillors).

216 **RESOLVED** on the Motion of Councillors Wellings 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 a report relates to the personal hardship of a resident or ratepayer; two reports relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and a report relates to personal matters concerning particular individuals (other than Councillors).

217 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kermode and Ferrier.

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.

**2.1 Write off Bad Debts** **WINT/2019/03597**

The Committee **RECOMMENDED** on the Motion of Ferrier and Blomfield that Council write-off the balance of the accounts listed within the Report.

**2.2 Truck Signage Promotion** **WINT/2019/03608**

The Committee **RECOMMENDED** on the Motion of Kermode and Wellings that Council place a sign on one of the hard sided truck owned by Rob Dale and the matter be referred back to Council’s Tourism Advisory 355 Committee to design a suitable logo.

**2.3 Serious Breach of Privacy** **WINT/2019/03453**

The Committee **RECOMMENDED** on the Motion of Kermode and Wellings that Council **NOTE** the Report.



**2.4 Tender for the Construction of the Walcha Truck Wash Bay**

**WINT/2019/03680**

The Committee **RECOMMENDED** on the Motion of Wellings and Kermode that Council authorise the General Manager to award the Construction of the Walcha Truck Wash Bay Tender to JTM Earthmoving Pty Ltd **FURTHER THAT** allocate \$150,480 from Council’s Infrastructure Reserve for expenditure within the 2019-2020 Financial Year.

**ADOPTION OF COMMITTEE OF THE WHOLE**

218 **RESOLVED** on the Motion of Councillors Heazlett and Kermode that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 26 June 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 4:45PM.**





Item 6:  
Senior Officers'  
Reports

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Item:** 6.1 **Ref:** WO/2019/01691  
**Title:** Walcha Draft Development Control Plan (DCP)  
**Author:** Contract Town Planner  
**Previous Items:** Not Applicable  
**Attachment:** DCP 1 – Rural Residential Subdivision – WINT/09/1794  
 DCP 2 – Guidelines for the Erection of Advertisements and Advertising Structures – WINT/09/1795  
 Draft Walcha Development Control Plan – WINT/19/4000

**CSP Ref:**

*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 consider the Draft Walcha Development Control Plan (DWDCP) and adoption. The DWDCP is to support the controls contained within the *Walcha Local Environmental Plan 2012*.

Division 3.6 of the *Environmental Planning and Assessment Act 1979* outlines the purpose and how a development control plan is to be made.

Currently Council has two development control plans being:

1. DCP 1 – Rural Residential Subdivision
2. DCP 2 – Guidelines for the Erection of Advertisements and Advertising Structures.

**Report:**

Further to the report to Council on 22 May 2019, The Draft Walcha Development Control Plan has been publically advertised and submissions invited during the period Wednesday 29 May 2019 to Wednesday 26 June 2019.

This diagram shows where in the hierarchy of the *Environmental Planning & Environmental Act 1979*, development control plans sit.

Currently Council has two development control plans being:

1. DCP 1 – Rural Residential Subdivision Adopted 3 December 1997
2. DCP 2 – Guidelines for the Erection of Advertisements and Advertising Structures – Adopted 28 September 2005



Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Both which are attached, are still current and the information contained within has been taken up within the DWDCP. But, neither fully support nor reflect current legislative standards, and they do not consider other relevant local issues (ie parking, landscaping etc), nor do very little to support the *Walcha Local Environmental Plan 2012*. Hence a review was undertaken and the Draft Walcha Development Control Plan was prepared.

***How development control plans are made***

1. A draft plan is prepared by council.
2. Public exhibition is undertaken for 28 days and submissions invited. Anyone may make a written submission during the submission period.
3. All submissions, the draft plan, with any amendments, is considered and adopted by council.
4. The plan comes into force after public notice of its adoption.

***Please Note:*** Council is not required to consult with any State Agencies including the Department of Planning & Environment. Council will provide an updated copy of the final Walcha Development Control Plan to be uploaded on the NSW Planning Portal. ([www.planningportal.nsw.gov.au/find-a-property](http://www.planningportal.nsw.gov.au/find-a-property))

**Legal Issues:**

The Walcha Development Control Plan is being prepared as per the provisions of Division 3.6 of the *Environmental Planning and Assessment Act 1979*. It is a guideline however must be considered in the evaluation and assessment of development proposals pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

**Financial Implications:**

The cost of the public notice, and the work of the consultant in its preparation.

**Environmental Implications:**

Nil

**Social Implications:**

Community members are asked to contribute to and understand the development guidelines within the Walcha Development Control Plan and how it will support the *Walcha Local Environmental Plan 2012*.

**Management Plan Implications:**

Nil

**Policy Implications:**

Nil

**RECOMMENDATION:**                      **That Council adopt the Walcha Development Control Plan.**

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Submitted to Council:                      31 July 2019

..... General Manager ..... Mayor



WALCHA

DEVELOPMENT CONTROL PLAN

RURAL RESIDENTIAL SUBDIVISION

1998

*Dated 3 December 1997*

1  
**SHIRE OF WALCHA**  
**DEVELOPMENT CONTROL PLAN**  
**RURAL RESIDENTIAL SUBDIVISION**

**CITATION**

1. This Plan may be cited as "Walcha Development Control Plan No. 1 Rural Residential Subdivision".

**AIMS, OBJECTIVES, ETC.,**

2. The general aims of this Plan are:-
  - a) To ensure that subdivision for rural/residential development occurs on land which is not prime crop and pasture land;
  - b) To ensure that adequate services are available for rural/residential development;
  - c) To ensure that fragmented and isolated development of rural land does not occur
  - d) To ensure that adequate arrangements in respect of the control of noxious weeds and the minimisation of risk from bush fire have been made.

**LAND TO WHICH PLAN APPLIES**

3. This Plan applies to land in the Shire of Walcha which is zoned 1(a) (General Rural) and 7(d) (Environmental Protection-Scenic)

**RELATIONSHIP TO ENVIRONMENTAL PLANNING INSTRUMENT**

4. This Plan conforms with the provisions of the Walcha Local Environmental Plan 1998 and provides more detailed provisions than are contained in the Local Environmental Plan.

**DATE FROM WHICH PLAN APPLIES**

5. This Plan shall apply from the date on which the Walcha Local Environmental Plan 1998 applies.

**SHIRE OF WALCHA**  
**DEVELOPMENT CONTROL PLAN**  
**RURAL RESIDENTIAL SUBDIVISION**

**DEVELOPMENT CONTROLS**

6.
  - 1) This Clause applies to land in Zone No. 1(a) which is within a radius of two (2) km of the township of Walcha.
  - 2) Council consent for the subdivision of land referred to in Sub-Clause (1) and the subsequent erection of a dwelling on each allotment shall not be granted unless each allotment has an area not less than two (2) hectares.
  - 3) When considering an application for subdivision of land referred to in Sub-Clause (1) Council shall take into consideration:-
    - a) The desirability of providing a range and mix of allotment sizes;
    - b) The size of each proposed allotment in relation to its suitability to accommodate the proposed development and the disposal of wastes;
    - c) Whether adequate services are available to each allotment;
    - d) Whether sealed access roads are available to each allotment.
    - e) Whether provision has been made for the control of noxious weeds and the minimisation of the risk to development from bush fire hazards.
  - 4) Council may consent to the creation of allotments to which this Clause applies, having a minimum allotment size of 1000m<sup>2</sup>, for the purposes of a dwelling, where the allotments are connected to Council's reticulated sewerage scheme.
7.
  - 1) This Clause applies to land in Zone No. 1(a) which is within a radius of between two (2)km and five (5)km of the township of Walcha.
  - 2) Council consent for the subdivision of the land referred to in Sub-C Clause(1) and subsequent erection of a dwelling on each allotment shall not be granted unless each allotment created has an area of not less than 20 ha.

**SHIRE OF WALCHA**  
**DEVELOPMENT CONTROL PLAN**  
**RURAL RESIDENTIAL SUBDIVISION**

- 3) When considering an application for subdivision of land referred to in Sub-Clause (1) Council shall take into consideration:-
- a) The desirability of providing a range and mix of allotment sizes;
  - b) The size of each proposed allotment in relation to its suitability to accommodate the proposed development and the disposal of wastes;
  - c) Whether adequate services are available to each allotment;
  - d) The type of road construction proposed for allotments within a radius of between two (2)km and five (5)km of the township of Walcha;
  - e) Whether provision has been made for the control of noxious weeds and the minimisation of the risk to development from bush fire hazards.

**SERVICES**

**Road Access**

8. a) **Within Zone No. 1(a):-**
- I. Each allotment to be created within a two (2)km radius of the township of Walcha will have frontage to a bitumen sealed road with access to Walcha. The road shall be constructed to Council's standards for rural roads; or
  - II. Each allotment to be created within a radius of between two (2)km and five (5)km of the township of Walcha will have frontage to a bitumen sealed road. The road shall be constructed to Council's standards for rural roads by the developer.

**SHIRE OF WALCHA**  
**DEVELOPMENT CONTROL PLAN**  
**RURAL RESIDENTIAL SUBDIVISION**

**Water**

9. a) **Within Zone No. 1(a):-**
- I. Each proposed allotment to be created within a radius of two (2)km from the township of Walcha is to be connected to a reticulated public water supply; or
  - II. Each proposed allotment to be created within a radius of between two (2)km and five (5)km of the township of Walcha is to be of sufficient size to enable the provision of an adequate potable water supply and a bulk water supply for fire fighting purposes.

**Waste Disposal**

10. Each allotment to be created under the provisions of this Plan is to contain sufficient area for the on-site disposal of effluent in accordance with the requirements of Council and Department of Health.

**Utility Services**

11. Each proposed allotment to be created under the provisions of this Plan shall be capable of being connected to a reticulated electricity supply and a telephone service. Written confirmation from the relevant public authority that these services are available shall be provided to Council.

**NOXIOUS WEEDS**

12. Each application for subdivision of land in accordance with this Plan must be accompanied by a Plan of Management for the control of noxious weeds. Conditions of consent may be imposed by Council with respect to the control of noxious weeds.

**BUSH FIRE**

13. Council will require each application for subdivision of land in accordance with this Plan to be accompanied by an assessment of the risk to development from bush fire.



**SHIRE OF WALCHA**  
**DEVELOPMENT CONTROL PLAN**  
**RURAL RESIDENTIAL SUBDIVISION**

Such assessment will be required to provide details of the methods proposed to minimise the risk to development from bush fire, including, but not limited to:-

- a) Provision of fire trails;
- b) Provision of adequate tanker access;
- c) Provision of suitable hazard reduction zones around the designated building sites.

**DOCUMENTATION TO BE SUBMITTED**

14. The following documentation will be required to be submitted to Council for consideration with each application for subdivision of land in accordance with the Plan:-

- a) A minimum of three (3) copies of plans, drawn to a suitable scale, showing:-
  - I. Proposed allotment layout;
  - II. Existing contours and drainage lines;
  - III. Existing vegetation;
  - IV. Existing buildings;
  - V. Proposed building sites;
  - VI. Proposed roads;
  - VII. Proposed access driveways.
  - VIII.
- b) Details of the proposed method of effluent disposal;
- c) Details of the arrangements to be made for the provision of water, electricity and telephone services to each allotment.
- d) A Plan of Management for the control of noxious weeds;

**SHIRE OF WALCHA**  
**DEVELOPMENT CONTROL PLAN**  
**RURAL RESIDENTIAL SUBDIVISION**

- e) An assessment of the bush fire risk in respect of development proposed on the land and details of the methods proposed to minimise any identified risk;
- f) An assessment of the flood liability of the land and, if required, the measures proposed to reduce flooding risk.

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# WALCHA COUNCIL



## DEVELOPMENT CONTROL PLAN NO. 2

# GUIDELINES FOR THE ERECTION OF ADVERTISEMENTS AND ADVERTISING STRUCTURES

**CONTENTS**

General	3
Name of Plan	3
Operation of the Plan	3
Land to which this Plan Applies	3
Aims and Objectives	3
Relationships to Other Plans and Legislations	3
Application of the Plan	3
Definitions	3
Advertising Structures (LEP requirements)	4
Development Consent	4
New Advertisement and Advertising Structures	4
Duration of Consent	5
Matters for Consideration	5
General	5
State Environmental Planning Policy No 64	5
What General Provision Apply to all Applications	5
Advertisement and Advertising Structures in Rural Zones	5
Sandwich Boards	6
Temporary Advertisement and Advertising Structures	7
Advertisement and Advertising Structures Prejudicial to Traffic Safety	7
Ongoing Maintenance	7
Appendix	8

## **1.0 GENERAL**

### **1.1 Name of Plan**

This plan shall be known as the “Walcha Council - Development Control Plan No. 2 – GUIDELINES FOR THE ERECTION OF ADVERTISEMENTS AND ADVERTISING STRUCTURES.

### **1.2 Operation of the Plan**

This plan is made by Council in accordance with Section 72 of the Environmental Planning and Assessment Act, 1979, as amended (EP & A Act) and the associated regulations.

This plan came into force on 28<sup>th</sup> September 2005, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation, 1980. This plan may only be varied in the manner provided for in the Environmental Planning and Assessment Act.

### **1.3 Land to Which This Plan Applies**

This Plan applies to all lands zoned Zone No. 1(a) (General Rural Zone) and Zone No. 2(v) (Village or Urban Zone) under the provisions of the Walcha Local Environmental Plan 2000.

### **1.4 Aims and Objectives**

The aims of the Plan are to ensure that advertisements and advertising structures:-

- (a) Are compatible with the desired amenity and visual character of an area; and
- (b) Provide effective communication in suitable locations; and
- (c) Are of high quality design and finish; and
- (d) Are regulated under Part 4 of the Act; and
- (e) Provide time-limited consents for the display of certain advertisements.

### **1.5 Relationships to Other Plans and Legislations**

1.5.1 Where there is an inconsistency between this Plan and any environment planning Instrument applying to the same land, then the provisions of the Environmental Planning Instrument shall prevail. An Environmental Planning Instrument includes a State Environmental Planning Policy, a Regional Environmental Plan, a Local Environmental Plan and a deemed Environmental Planning Instrument.

1.5.2 Where there is an inconsistency between this Plan and any other development control plan in force, the provisions of the later development control plan shall prevail.

### **1.6 Application of the Plan**

Where a development application is lodged which relates to land which this Plan applies, Council shall take the provisions of this Plan into consideration in determining that application.

Compliance with the provisions of this Plan does not necessarily imply that Council will consent to an application. Council must take into consideration those matters listed under Section 79(c) of the Act.

In special circumstances, Council may consent to an application which departs from the provisions of this Plan, which will be considered on merit only and where an application also satisfies the aims and objectives of this Plan.

### **1.7 Definitions**

In this Plan:-

“Advertisement” means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.

“Advertising Structure” means a structure that is principally designed for, or that is used for, the display of an advertisement.

“Business identification Advertisement and Advertising Structure” means an advertisement, which in respect of any place or premises to which it is fixed contains all or any of the following:-

- (a) A reference to the identification or description of the place or premises;
- (b) A reference to the identification or description of any person residing or carrying on an occupation at the place or premises;
- (c) Such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there;
- (d) Particulars relating to the activities, goods, commodities or services dealt with or provided at the place or premises;

“DCP” means Development Control Plan No. 2.

“LEP” means Walcha Local Environmental Plan 2000.

“Real Estate Advertisement and Advertising Structure” means an advertisement in respect of a place or premises to which it is affixed which contains only a notice that the place or premises is or are for sale or letting together with particulars of the sale or letting is not displayed for more than 7 days after letting or completion of the sale of the premises or place that the advertisement and advertising structure relates.

“Temporary Advertisement and Advertising Structure” means an advertisement of a temporary nature which:-

- (a) announces any local event of a religious, educational, cultural, political, social, or recreational character or relates to any temporary matter in connection with such an event; and
- (b) does not include advertising of a commercial nature (except for the name (s) of an event’s sponsor)

“The act” means the Environmental Planning and Assessment Act.

## **2.0 ADVERTISING STRUCTURES (LEP REQUIREMENTS)**

A person may erect an advertising structure:

- (a) Without development consent, only where the advertisement on or to be placed on the structure indicates or is to indicate:
  - i. The purpose for which premises on the land are, or are to be, used, or
  - ii. The goods or services sold or provided from premises on the land, or
  - iii. That premises on the land are available for sale or available for lease, or
- (b) Only with development consent, if the advertising structure is to be used for displaying an advertisement indicating the location of local commercial services, tourist facilities or places of historic, scientific or scenic interest and the consent authority is satisfied that the advertising structure will not interfere with the amenity of the area.

## **3.0 DEVELOPMENT CONSENT**

### **3.1 New Advertisement and Advertising Structures**

With the exception of advertisement and advertising structures described in the Walcha Local Environmental Plan, advertisements and advertising Structures require the development consent of the Walcha Council.

If the development proposal involves the erection of an advertising structure, in addition to development consent, applicants must obtain a Construction Certificate. All building work must be carried out in accordance with the provisions of the Building Code of Australia and the structure certified by a qualified and practising Structural Engineer.

### **3.2 Duration of Consent**

Permanent advertisement and advertising structures ancillary to approved/permissible development will normally receive unlimited approval. Approval for individual advertisement and advertising structures in rural areas will be issued for a maximum of five (5) years. **It is the applicant's responsibility to ensure that development consent remains current and valid, as the period of approval may vary.**

An extension to the consent may be sought under Section 95A of the EPAA. Continuing approval is subject to compliance with relevant planning controls and the condition of the advertisement and advertising structure at the time of the re-assessment.

Such an application should be made no less than ninety (90) days prior to the expiry date, to enable council sufficient processing time.

## **4.0 MATTERS FOR CONSIDERATION**

### **4.1 General**

When considering a development application for advertisements or advertising structures the Council shall take the following matters into consideration:

- (a) the objectives of this plan;
- (b) the effect of the proposal on the landscape or scenic quality of the locality;
- (c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of the proposed development;
- (d) the relationship of the advertisement and advertising structure to the public to which it is directed, especially whether it or the advertising contained within is:
  - Appropriate in size and scale to the lawful speed of travel of any motor vehicles on an adjacent road.
  - Appropriate to the purpose of the public place
- (e) Any other appropriate matter under Section 79c of the Environmental Planning and Assessment Act, 1979.
- (f) The level of safety of the travelling public will be determined by referring the application to the Local Traffic Committee

### **4.2 State Environmental planning Policy No 64**

Council will also use the assessment criteria identified in SEPP 64 (appendix 1).

## **5.0 WHAT GENERAL PROVISION APPLY TO ALL APPLICATIONS?**

This clause outlines Councils policies – “what is allowed” and “what is not allowed”.

### **5.1 Advertisements and advertising structures in rural zones are permitted only where the advertisement and advertising structure (s) is/are either:**

- (a) A “temporary advertisement and advertising structure” as defined
- (b) Advertisements and advertising structures placed on land for the specific purpose of directing the travelling public to places where:
  - The advertisement and advertising structure related to a building or place; and
  - The principal purpose of the advertisement and advertising structure is to direct the travelling public to that building or place.

- (c) The size of the advertisement and advertising structure is to be no smaller than four (4) square metres and no larger than nine (9) square metres. The length of the structure is to be no more than double the height of the structure and the height of the structure is to be no more than double the length of the structure. (This does not apply to temporary advertisements and advertising structures).
- (d) Council will not permit the erection of any advertisements and advertising structures within 5km of the Walcha town boundary.
- (e) No advertisement or advertising structure will be permitted within 1.5km from an existing advertisement and advertising structure.
- (f) Advertisement and advertising structures may be permitted on both sides of the road on private property adjacent to the road reserve.
- (g) Advertisement and advertising structures are to be constructed utilising single supports located immediately adjacent to the advertisement and advertising structures. Support stays will not be permitted.
- (h) The distance from the ground to the top of the advertisement shall not be more than six (6) metres.
- (i) Advertisement and advertising structures may be double facing. If they are not double faced they will be required to be treated to present an “aesthetic pleasing” surface to road users.
- (j) Luminous material may be used subject to it not having a negative impact on the road users.
- (k) Only one advertisement and advertising structure per business / organisation will be permitted on each of the approaching roads to Walcha.

#### **6.0 SANDWICH BOARDS**

Council will consider applications for sandwich boards to be displayed on the footpath or road reserve in the 2(v) Village or Urban Zone.

Sandwich boards are to meet the following standards:

- (a) The structure must be no more than 1.2m in height and 0.9m in width;
- (b) The information on the advertisement is to relate to the business name, hours of operation, services provided and the like;
- (c) The application for a second structure for any one business will be considered on its merits. Instances where a second structure may be considered include corner allotments, or, shops with long frontages and more than one entrance;
- (d) The structure must be placed in front of the business, or if the structure would not be readily visible if placed in front of the business, it may be placed at the front of the allotment;
- (e) The structure may advertise two adjoining businesses, that is, one advertisement for business A on one side and one advertisement for business B on the other, and may be placed on the boundary of the adjoining shop front;
- (f) The advertisement must be positioned so that it does not impede pedestrian or vehicular traffic and is not a safety hazard;
- (g) The advertisement must only be displayed during in business opening hours, and must be able to be repositioned easily (i.e. cannot be chained, bolted or tied down at any time);
- (h) Prior to the display of the sandwich board, the applicant must provide proof to Council with the application that public liability insurance of not less than five million dollars has been obtained and which indemnifies Council against any actions, claims and proceedings in respect of the structure and the advertisement displayed thereon.



### **7.0 TEMPORARY ADVERTISEMENT AND ADVERTISING STRUCTURES**

Council will consider applications for temporary advertisement and advertising structures to be displayed on the footpath or road reserve in the 2(v) Village and Urban Zone and the 1(a) General Rural Zone.

- (a) These advertisement and advertising structures must not be displayed earlier than twenty eight (28) days before the day on which the event is to take place and must be removed within seven (7) days after the event.
- (b) These advertisement and advertising structures may include banner type advertisement and advertising structures.
- (c) Council will not permit advertisement and advertising structures to extend from one side of the street / road to the other.
- (d) An application is to be lodged for every event; Council will waiver the total cost of the Development Application Fee.

### **8.0 ADVERTISEMENT AND ADVERTISING STRUCTURES PREJUDICIAL TO TRAFFIC SAFETY**

Council will regard advertisement and advertising structures as prejudicial to the safety of the travelling public (and require their removal) if:

- (a) they obscure or interfere with road traffic advertisement and advertising structures;
- (b) they obscure or interfere with the view of a road hazard or on-coming vehicle or any other vehicle or person or other obstruction which should be visible to drivers and other road users
- (c) they give instructions to traffic by the use of the words "halt", "stop" or other directions or initiate traffic advertisement and advertising structures in respect of shape, colour etc.
- (d) they can be programmed; move; use flashing or chasing lights or are highly reflective or intense enough to impair a driver's vision or to distract the driver's attention;
- (e) They are situated where road conditions require higher levels of driver concentration, eg where sight distance is limited on curves, at important intersections, near traffic signals near level crossings, at merging and diverging traffic sites or within the driver decision distance (generally 100-200 metres) at such locations.

### **9.0 ONGOING MAINTENANCE**

The responsibility for the care and maintenance of the advertisement and advertising structures rests with the landowner.

All advertisement and advertising structures must be maintained to an adequate standard. Council will take any necessary action to ensure that damaged, dilapidated or unsafe advertisement and advertising structures are repaired, replaced or removed.

In this regard the following will apply:

- (a) A letter will be sent to the property owner requesting the repair or removal of the non complying advertisement and advertising structure within seven (7) days.
- (b) If no response is received, a *Notice of Intention to Serve an Order* will be issued under Section 121H of the EPAA specifying when an Order will be issued, the terms of the proposed Order and the period for compliance with the proposed Order.
- (c) If no response is received within fourteen (14) days, an order will then be issued under Section 121B of the EPAA for removal of the advertisement and advertising structure.
- (d) If the order is not complied with and the advertisement and advertising structure is not removed within the stated time frame, Council may issue a Penalty Infringement Notice (PIN 8188) and remove the advertisement and advertising structure with all costs recoverable from the owner of the land.

**APPENDIX 1 – STATE ENVIRONMENTAL PLANNING POLICY NO. 64 SCHEDULE 1 – ASSESSMENT CRITERIA**

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- 1. Character of the area**
  - Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
  - Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?
- 2. Special areas**
  - Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?
- 3. Views and vistas**
  - Does the proposal obscure or compromise important views?
  - Does the proposal dominate the skyline and reduce the quality of vistas?
  - Does the proposal respect the viewing rights of other advertisers?
- 4. Streetscape, setting or landscape**
  - Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
  - Does the proposal screen unsightliness?
  - Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
  - Does the proposal reduce clutter by rationalising and simplifying existing advertising?
  - Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
- 5. Site and building**
  - Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
  - Does the proposal respect important features of the site or building, or both?
  - Does the proposal show innovation and imagination in its relationship to the site or building, or both?
- 6. Associated devices and logos with advertisements and advertising structures**
  - Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?
- 7. Illumination**
  - Would illumination result in unacceptable glare?
  - Would illumination affect safety for pedestrians, vehicles or aircraft?
  - Would illumination detract from the amenity of any residence or other form of accommodation?
  - Can the intensity of the illumination be adjusted, if necessary?
  - Is the illumination subject to a curfew?
- 8. Safety**
  - Would the proposal reduce the safety for any public road?
  - Would the proposal reduce the safety for pedestrians or bicyclists?
  - Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?



WALCHA COUNCIL  
Draft Development Control Plan 2019

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Adopted x XXX XX



## Table of Contents

<b>CHAPTER 1 - GENERAL PROVISIONS .....</b>	<b>5</b>
1.1 Amendment of the plan .....	5
1.2 Interpretation of Legislative References .....	6
1.3 Repeal of the plan .....	6
1.4 Relevant Local Environmental Plan .....	6
1.5 Planning Pathways.....	7
1.6 State Environmental Planning Policies (SEPPs) .....	7
1.7 National Construction Code (NCC) .....	7
1.8 Dial Before You Dig .....	7
1.9 Planting of Vegetation.....	8
1.10 Natural Water Systems .....	8
1.11 Variations .....	8
<b>CHAPTER 2 - NOTIFICATION PROCEDURES .....</b>	<b>9</b>
2.1 Purpose.....	9
2.2 Aims and Objectives.....	9
2.3 Notification Procedures and Guidelines for Applications.....	9
2.4 Notification of Amendments prior to determination .....	14
2.5 Integrated, Designated Development and other Categories of Development .....	16
<b>CHAPTER 3 - RESIDENTIAL DEVELOPMENT.....</b>	<b>17</b>
3.1 About this Chapter .....	17
3.2 Where this Chapter applies.....	17
3.3 General Advice to Applicants for Residential Development.....	17
3.4 Density Requirements.....	17
3.5 Setbacks .....	19
3.6 Building Height.....	20
3.7 Open Space.....	21
3.8 Landscaping .....	21
3.9 General Controls for Multi Dwelling Housing.....	22
3.10 General Controls for Secondary dwellings .....	23
3.11 Relocated dwellings.....	23
3.12 Solar Access .....	24
3.13 Privacy.....	24
3.14 Views.....	25
3.15 Services .....	25
3.17 Constraints when Developing "Older Lots" or Converting Existing Buildings .....	26
3.18 Flood Liable Land .....	26
3.19 Adaptable Housing Provisions .....	27
3.20 Medium Density Housing Development Associated with Commercial or Retail Development....	28
3.21 Residential Flat Buildings .....	29
3.22 Koala Habitat.....	29
3.23 Driveway Safety.....	29



<b>CHAPTER 4 - RURAL DEVELOPMENT .....</b>	<b>30</b>
4.1 About this Chapter .....	30
4.2 Where this Chapter applies.....	30
4.3 Aims and Objectives .....	30
4.4 General Controls .....	30
4.5 Vehicular Access Requirements .....	32
4.6 Environmental Considerations – Requirements .....	33
4.7 Flooding.....	33
4.8 Land Use Buffers.....	33
4.9 Services .....	33
4.10 Farm Dams .....	34
4.11 Waterfront Land .....	34
<b>CHAPTER 5 – ANCILLARY DEVELOPMENT AND SHED CONVERSION .....</b>	<b>36</b>
5.1 About this Chapter .....	36
5.2 Where this Chapter applies.....	36
5.3 Aims and Objectives .....	36
5.4 Detached Studios .....	37
5.5 Fencing and Walls .....	38
5.6 Retaining Walls.....	38
5.7 Outbuildings, Carports & Detached Garages .....	39
5.8 Conversion of a Shed to a Dwelling.....	39
<b>CHAPTER 6 - SUBDIVISION .....</b>	<b>43</b>
6.1 About this Chapter .....	43
6.2 Where this Chapter applies.....	43
6.3 General Advice to Applicants for Subdivision.....	43
6.4 General Subdivision Controls.....	44
6.5 Subdivision in Residential Areas.....	45
6.6 Subdivision in Rural and Rural Residential Areas.....	47
6.7 Subdivision in Commercial and Industrial Areas.....	51
<b>CHAPTER 7 - DEVELOPMENT IN COMMERCIAL AND INDUSTRIAL AREAS.....</b>	<b>53</b>
7.1 About this Chapter .....	53
7.2 Where this Chapter applies.....	53
7.3 General Advice to Applicants.....	53
7.4 Aims and Objectives .....	53
7.5 Controls.....	54
7.6 Zone B2 Local Centre – Specific Considerations.....	55
<b>CHAPTER 8 - ACCESS AND PARKING .....</b>	<b>57</b>
8.1 About this Chapter .....	57
8.2 Where this Chapter applies.....	57
8.3 Aims and Objectives .....	57
8.4 Access and Traffic Generation.....	57
8.5 Vehicular Crossover and Driveway Width.....	57
8.6 Parking Controls.....	60



<b>CHAPTER 9 - HERITAGE .....</b>	<b>64</b>
9.1 About this Chapter .....	64
9.2 Where this Chapter applies.....	64
9.3 General Advice to Applicants.....	64
9.4 Heritage Controls .....	64
9.5 CBD - General Controls .....	66
9.6 CBD – Signage Controls .....	67
<b>CHAPTER 10 – SHIPPING CONTAINERS .....</b>	<b>70</b>
10.1 About this Chapter .....	70
10.2 Where this Chapter applies.....	70
10.3 Exempt Development .....	70
10.4 Controls.....	70
<b>CHAPTER 11 - ERECTION OF ADVERTISEMENTS AND ADVERTISING STRUCTURES .....</b>	<b>72</b>
11.1 About this Chapter .....	72
11.2 Where this Chapter applies.....	72
11.3 Aims and Objectives .....	72
11.4 General Requirements .....	72
11.5 Advertisements and advertising structures in rural zones.....	73
11.6 Sandwich Boards .....	73
11.7 Temporary Advertisement and Advertising Structures .....	74
11.8 Advertisement and Advertising Structures Prejudicial to Traffic Safety .....	74
11.9 Ongoing Maintenance.....	74
11.10 SEPP 64 (Schedule 1) – Assessment Criteria .....	75
<b>CHAPTER 12 – DEVELOPMENT IN GATEWAY AREAS .....</b>	<b>77</b>
12.1 About this Chapter .....	77
12.2 Where this Chapter applies.....	77
12.3 Aims and Objectives .....	77
12.4 General Advice to Applicants for Development.....	77
12.5 Acceptable Solutions .....	77
<b>CHAPTER 13 – STATEMENT OF ENVIRONMENTAL EFFECTS REQUIREMENTS .....</b>	<b>79</b>
13.1 What Is a Statement of Environmental Effects? .....	79
13.2 Requirements .....	79



## DEFINITIONS

This DCP adopts the terms and definitions of Walcha Council LEP 2012. (WLEP). **Additional terms** used throughout this DCP are defined below.

**1% AEP Flood** - the flood with a chance of occurrence of one in one hundred in any one year. *Note: This is the preferred description to the 1:100 year ARI event.*

**adjoining land** - land which abuts an application site or is separated from it only by a roadway, pathway, driveway or similar thoroughfare.

**Advertiser** - in relation to an advertisement or an advertising structure, means

- the person who caused the advertisement to be displayed or the advertising structure to be erected or
- the owner of the building or land, or the occupier of land, on which the advertisement is displayed or the advertising structure is erected.

**AHD**- Australian Height Datum.

**ancillary development** - development on land for a purpose that is ancillary or incidental to a use under the WLEP 2012.

**application site** - the parcel of land to which a Development Application relates and includes all lands required for the carrying out of the application proposal.

**Area** - of an advertisement in the form of a sign means the area within the outline of that sign or, where one side is larger than the other, the area within the outline of the larger side; or for any other sign (e.g multi-sided signs), one third of the total surface area of the sign.

**asset protection zone (APZ)** - is a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack.

**Code SEPP** - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

**contaminated land** - land in, on or under which any substance is present at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

**clearing (native vegetation)**

Clearing is defined as cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation. Clearing therefore includes:

- any type of ploughing that kills native groundcover
- the under-scrubbing of native forests



- herbicide spray drift that kills or destroys native vegetation, or
- thinning of native woodlands.

This includes clearing of individual plants and applies to all layers of vegetation from groundcover to canopy trees. Activities such as pruning, lopping or slashing of native groundcover, that do not kill the native vegetation, are not considered clearing. Burning that does not kill native vegetation or substantially reduce the composition and proportion of native species may not be considered as clearing, check with the Local Land Service (LLS). Because the definition of native vegetation does not include dead vegetation, the removal of dead timber is not considered clearing.

***detached studio means a habitable building that is used for purposes ancillary to a dwelling house such as a home office, entertainment area, art studio or guest room and:***

- a) is established in conjunction with a dwelling house, and*
- b) is on the same lot of land as the dwelling house, and*
- c) is separate from the dwelling house, and*
- d) is not used as a separate dwelling house, and*
- e) does not contain any cooking facilities.*

***directional sign*** - a sign erected for purposes of directing vehicular or pedestrian traffic, advising or restricting the public.

***EP&A Act*** - the *Environmental Planning and Assessment Act 1979* (as amended).

***flood investigation report*** - a report prepared by an appropriately qualified and experienced professional that reviews the history of flooding in an area, where modelling is not available. The review would draw upon historical information, including from landowners, physical evidence in the locality of any historical events, extrapolation (suitably qualified) from known information or events, and any other such information as might be considered by the professional to be relevant in estimating the flood height of the site.

***flood liable land*** - is synonymous with flood prone land, i.e. land susceptible to flooding by the *probable maximum flood* event. Flood liable land refers to the whole floodplain, and not just that part below the *flood planning level*.

***flood planning area*** - is the area of land below the flood planning level and thus subject to flood related development controls.

***flood planning level (FPL)*** - the level of a 1% AEP flood event plus 0.5 metres freeboard.

***floodplain risk management plan*** - a plan adopted pursuant to the principles of the Floodplain Development Manual.

***floodplain development manual*** - the NSW Government Floodplain Development Manual the management of flood liable land dated April 2005 as Gazetted by the NSW Government on 6 May 2005, or any Gazetted update of this.

***flood prone land***- (see flood liable land).





**flood storage area** - (flood impact category) a planning control for the purpose of limiting development that would displace floodwater. Ultimately, flood storage areas are defined by mapping and are limiting on development, but not to the extent where development would be totally prohibited.

**floodway** - (flood impact category) a planning control for the purpose of excluding buildings, earth embankments and other forms of development from an area of land where significant volume of water flows during floods. Ultimately, floodways are defined by mapping and are restrictive on development, however floodways can be moved, realigned or altered depending on the merits of the case, as agreed by Council.

**front building line** - a line drawn parallel with the primary street frontage at the point of a building closest to the street. This line is expected to be no closer to the street frontage than specified for the primary street frontage setback.

**WLEP** means the Walcha Council Local Environmental Plan 2012.

**habitable room** - refers to any room or area used for normal domestic activities, including living, dining, family, lounge, bedrooms, kitchen etc, but excludes service and amenity areas such as ensuite, bathroom, storerooms, laundry and garages.

**hazardous material** - anything that, when produced, stored, moved, used or otherwise dealt with without adequate safeguards to prevent it from escaping, may cause injury or death or damage to life, property or the environment.

**integrated development** - is development (not being Exempt or Complying) that, in order for it to be carried out, requires development consent and one or more approvals set out in Clause 91 of the *Environmental Planning and Assessment Act 1979 (as amended)*.

**land** - includes any building or part building erected on the land.

**landscaped area** - refers to any part of the site, at ground level, that is permeable and consists of soft landscaping, turf or planted areas, rockeries and pebbled areas, for the purpose of reducing stormwater run-off. It excludes driveways, parking areas, drying yards or other service areas, undercrofts, roofed areas (excluding eaves <450mm wide), outdoor rooms, balconies, terraces, decks and verandahs.

**Native vegetation** - means any of the following types of indigenous vegetation:

- trees (including any sapling or shrub, or any scrub),
- understorey plants,
- groundcover (being any type of herbaceous vegetation),
- plants occurring in a wetland.

Vegetation is indigenous if it is of a species of vegetation, or if it comprises species of vegetation, that existed before European settlement.

Native vegetation does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the *Fisheries Management Act 1994* applies.



A **natural water system** is a naturally occurring watercourse, waterway, lake, wetland, lagoon, estuary and/or other water body.

**neighbouring land** - means any land, other than adjoining land, which is near to a development site (and may include land in a neighbouring local Council area).

**notification plan** - the plan showing a site plan, height and external elevations of buildings, which accompanies a Development Application.

**owner** -

- every person who jointly or severally, whether at law or in equity, is entitled to the land for any estate of freehold in possession
- in the case of land that is the subject of a strata scheme under the *Strata Titles Act 1973*, or a leasehold strata scheme under the *Strata Titles (Leasehold) Act 1986*, the Owners' Corporation
- in the case of land that is community, precinct or neighbourhood parcel within the meaning of the *Community Land Development Act 1989*, the Association for the parcel

**probable maximum flood (PMF)** - the largest possible flood that could conceivably occur.

**private open space** - refers to the areas external to a building, located behind the front facade, that serve as an extension of the home and are used for private dining, entertaining and recreational purposes and includes terraces, balconies, alfresco areas etc.

**Regionally significant development (regional development)** includes:

- General development over \$30 million
- Council related development over \$5 million
- Crown development over \$5 million
- Eco-tourist facilities over \$5 million
- Particular designated development (certain extractive industries and waste management facilities)

**remnant native vegetation** is any native vegetation other than regrowth. Regrowth means any native vegetation that has regrown since the earlier than 1 January 1990 in the case of other land, or the date specified in a PVP (in exceptional circumstances being a date based on existing rotational farming practices).

**residential development** - dwellings, residential flat buildings, motels, boarding houses, hostels, caravan parks, units for the aged and any place where persons would ordinarily be expected to reside and sleep.

**Statement of Environmental Effects (SEE)** is the record of the environmental assessment, which necessitates a process of identifying and discussing the planning and environmental information relevant to the site or proposal.



## CHAPTER 1 - GENERAL PROVISIONS

This plan is known as the Walcha Council Development Control Plan (DCP) 2019. It applies to the Walcha Council Local Government Area (LGA).

### Date adopted by Council

X XXX 2019

### Amendments

Date and description of amendments:

AMENDMENT DATE	CHAPTER	DESCRIPTION

### Disclaimer

The hyperlinks to various State or Federal Government legislation have been included in this Development Control Plan in good faith and were current at the time that this document was prepared.

Applicants, landowners and any person(s) using the hyperlinks should ensure that the relevant legislation or policy is the most up-to-date version. This information may be obtained from the relevant government authority administering the legislation.

The purpose of this Plan is to provide guidelines, objectives and controls for people who wish to carry out development in the Walcha Council LGA.

The DCP should be read in conjunction with the Walcha Council Local Environmental Plan 2012 and any relevant State and Regional Environmental Planning policies, bearing in mind that a proposal may be affected by more than one chapter of the DCP.

Prospective applicants are encouraged to discuss their development proposals at an early stage via Council's pre-lodgement advice service with relevant staff to ensure compliance with the requirements of the DCP.

### 1.1 Amendment of the plan

The plan may be amended in accordance with the provisions of the Regulations under the *Environmental Planning and Assessment Act 1979*.



## 1.2 Interpretation of Legislative References

Various references are made to legislation in this DCP. Legislation may include Acts, Regulations and Environmental Planning Instruments. Where such legislation changes during the currency of this DCP, reference in the DCP to the legislation should be taken as a reference to the most recent version of that legislation or as a reference to legislation that has replaced the referenced legislation. 'Hyperlinks' embedded into the digital version of the DCP will direct the reader to the relevant legislation. Alternatively, current NSW legislation can be found at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).

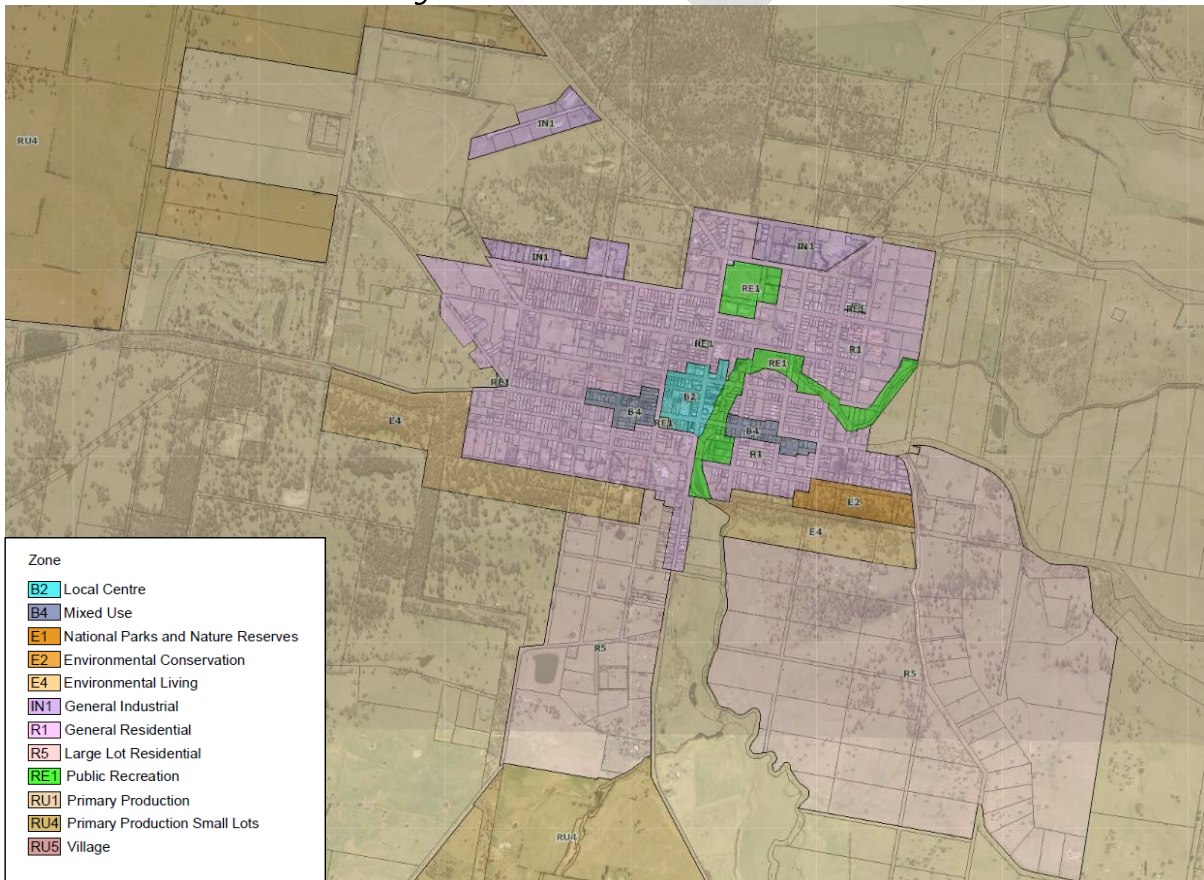
## 1.3 Repeal of the plan

The plan may be repealed under the provisions of the *Environmental Planning & Assessment Regulation 2000*.

## 1.4 Relevant Local Environmental Plan

The plan relates to Walcha Council Local Environmental Plan 2012 (WLEP), as amended. In the event of any conflict between this DCP and that Plan, WLEP takes precedence.

*WLEP Zones for Walcha and surrounding area*



Source: NSW Planning & Environment



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## 1.5 Planning Pathways

There are three distinct planning pathways that most developments will need to follow. These are outlined below.

### Exempt Development

Under the [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) (the Codes SEPP), development of a minor nature can be undertaken without the need for formal approval to be obtained. If undertaking such work without approval, the onus is on the developer to ensure that the works are in fact exempt from approval. This can be done through direct reference to the Codes SEPP, or by contacting Council's planning staff.

### Complying Development

Under the Codes SEPP, a range of specified development can be undertaken via a simplified approvals process called Complying Development. Various conditions must be met for the development to be undertaken as Complying Development including meeting the requirements of the Building Code of Australia. Further details about development that is classified as Complying Development can be found in the [Codes SEPP](#) at the [NSW Legislation](#) website.

Council planning staff members are also available to advise whether a proposed development can be undertaken as Complying Development and what documentation and other requirements are needed.

### Local Development Application

Development that requires approval by Council is known as 'local development'. This DCP provides additional information about design and planning considerations that must be taken into account as part of the assessment of a DA. Applicants should refer to the relevant chapters of the DCP in order to check the matters they will need to attend to prior to lodgement of a DA.

## 1.6 State Environmental Planning Policies (SEPPs)

SEPPs apply to certain development that involves matters or issues of relevance to the State. The full list of SEPPs is found at the [NSW Planning and Environment](#) website.

## 1.7 National Construction Code (NCC)

The NCC (formerly the Building Code of Australia) applies for all building construction works. Irrespective of any other control in this document, the requirements of the NCC will take precedence.

## 1.8 Dial Before You Dig

Dial Before You Dig is a free national referral service designed to assist in preventing damage and disruption to Australia's vast infrastructure networks which provide essential services we use every day. Underground pipes and cables carry vital services such as water, electricity, communications and gas - damaging them can cause widespread disruption and in some cases isolate entire communities from these essential basic services. There is also the risk of personal injury and incurring significant financial penalties if you damage underground infrastructure. If you wish to enquire on underground assets, please use the following link: [Dial Before You Dig](#).



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### *1.9 Planting of Vegetation*

As a general rule, any vegetation that is planted as part of a development proposal should be located so as to avoid present or future interference with infrastructure including roads, buildings, water and sewer lines or service easements. This will require consideration of the type of the vegetation and its root system.

### *1.10 Natural Water Systems*

Natural water systems should be maintained in a natural state including maintaining riparian vegetation and habitat such as fallen debris. Unless extraordinary circumstances exist, filling, redirecting, piping, capping or otherwise modifying natural water systems will not be permitted.

### *1.11 Variations*

Council may consider variations to the standards required of development in this DCP. Variations will be considered where development meets the aims and objectives of a particular control in an alternative way and results in a better environmental outcome. Request for variations to DCP controls must be received in writing with details of the reasons and justification for the variation provided. Development that relies on multiple non-compliances and/or significant departures from the DCP controls may require determination by the full Council.



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## CHAPTER 2 - NOTIFICATION PROCEDURES

### 2.1 Purpose

This Chapter of the DCP outlines Council's policy for community notification in the assessment of development applications and the formulation of development guidelines and policies. The Chapter also outlines the necessary procedures involved in carrying out such notification.

### 2.2 Aims and Objectives

- Clearly state Council's requirements for the notification of development applications and formulation of guidelines and policy.
- Provide for public participation in the DA process for certain development proposals.
- Allow for a reasonable time for inspection and making submissions on applications while recognising the obligations of the Council to determine applications within prescribed periods.
- Provide a direct avenue of access to the application process by affected residents and owners who wish to express their concerns about proposals to Council staff, Councillors or the relevant Council Committee.
- Explain matters for which the Council will have regard when forming its opinion as to whether or not the enjoyment of adjoining land may be detrimentally affected by a proposed development.
- Specify the circumstances when notification is not required.
- Detail the form that notification will take and an applicant's responsibility to provide a notification plan.

### 2.3 Notification Procedures and Guidelines for Applications

This section provides detailed guidelines on procedural processes that must be followed when notifying the community of applications. This plan provides for two levels of public consultation that an application may be subject to. These are **notification** and **advertising**.

#### Notification of Applications

Adjoining landowners will be given notice of an application if, in the opinion of Council, land adjoining the development may be detrimentally affected by a development proposal. The following issues will be considered in the assessment and determination of a development:

- Views to from the land
- Overshadowing
- Privacy and amenity
- Noise, odour, dust, light spill or other polluting emissions
- Proposed hours of use for the development
- The scale or bulk of the proposed development
- The positioning of the development in relation to site boundaries.
- Notification shall be undertaken in accordance with Table 2.1.

N = Neighbour notification  
A = Advertising  
O = Permitted without consent<sup>1</sup>

Table 2.1 Notification Matrix

	ZONING – WALCHA LOCAL ENVIRONMENTAL PLAN 2012														
LAND USE	RU1	RU4	RU5	R1	R5	B2	B4		IN1	SP1	RE1	SP2	E2	E4	
Agricultural produce industry >\$1.0mill	N	A N	A N						A N						
Airstrip	O	A N													
Amusement centre			N A			N	N								
Animal boarding or training establishment	N								N						
Backpackers accommodation	N	N	N			N	N							N	
Brothel (sex services premises)							N A		N A						
Bulky goods premises						N A	N A								
Camping grounds	N		N								N				
Caravan park			N A	N A		N A					N A				
Cellar door premises	N	N	N		N	N	N							N	
Cemetery	N		N										N		
Child care centre			N	N	N	N								N	

<sup>1</sup> Note that the DCP does not apply to development permitted without consent.



	ZONING – WALCHA LOCAL ENVIRONMENTAL PLAN 2012														
LAND USE	RU1	RU4	RU5	R1	R5	B2	B4		IN1	SP1	RE1	SP2	E2	E4	
Community facility	N		N	N	N	N	N		N		N	N	N	N	N
Correctional centre	N A	N A					N A								
Crematorium	N A	N A	N A		N A										
Depot	N	N	N		N				N						
Dwelling				N	N	N	N								
Eco-tourist facilities	N A	N A	N A										N A	N A	
Entertainment facility			N A			N	N				N			N	
Extractive industry	N	N A													
Forestry	O	O													
Function centre	N A	N A	N A			N A	N A								
Funeral home	N A	N A	N A		N A	N	N								
Hazardous industry	N A								N A	N A					
Helipad	O		N		N				N						
Home business				N		N	N								

	ZONING – WALCHA LOCAL ENVIRONMENTAL PLAN 2012														
LAND USE	RU1	RU4	RU5	R1	R5	B2	B4		IN1	SP1	RE1	SP2	E2	E4	
Hotel or motel accommodation			N	N		N	N								
Information or education facility	N	N	N	N	N	N	N				N		N	N	N
Intensive livestock agriculture (feedlot/dairy(restricted))	N A														
Livestock processing industry	N A								N A						
Mortuary	N	N	N		N	N	N		N						
Multi dwelling housing			N	N	N		N								
Neighbourhood shop			N	N	N	N	N		N	N				N	
Passenger transport facility			N A			N	N				N				
Place of public worship	N	N	N	N	N	N	N								
Pubs		N A	N A			N A	N A								
Recreation areas	N	N	N			N	N				N		N	N	
Recreation facility (indoor)			N	N		N	N		N		N				
Recreation facility (major)											N				
Recreation facility (outdoor)	N	N	N		N						N				
Registered club			N A			N	N								
Residential flat building			N	N		N	N								

	ZONING – WALCHA LOCAL ENVIRONMENTAL PLAN 2012														
LAND USE	RU1	RU4	RU5	R1	R5	B2	B4		IN1	SP1	RE1	SP2	E2	E4	
<i>Restaurants or cafes</i>	N	N	N			N	N								
<i>Restricted premises</i>						N A	N A		N A						
<i>Secondary dwellings</i>			N	N			N								
<i>Seniors housing</i>			N	N			N		N					N	
<i>Serviced apartments (Airbnb)</i>			N	N		N	N								
<i>Service station</i>	N	N	N		N A	N	N		N						
<i>Shed greater 4.8 in height</i>			N	N	N	N	N						N	N	
<i>Take-away food and drink premises</i>			N			N	N		N						
<i>Vehicle repair station</i>			N			N	N		N						
<i>Veterinary hospitals</i>	N	N	N A		N	N	N		N						
<i>Windfarm</i>	N A	N A													N A



Upon lodgement of an Application, Council will assess who may be detrimentally affected in terms of the matters to be considered.

*Note: Council may also broaden the extent of notification following any inspection of the development site, or increase the length of notification.*

#### Persons to be Notified

Written notice of a Development Application will be sent to those persons who appear to the Council to own or occupy adjoining land within 20 metres of the development land boundary or impacted land if, in the Council's opinion, the enjoyment of the land may be detrimentally affected by the development proposal.

#### Other Referrals

Certain Development Applications require notification and/or referral to other government authorities. Notice will also be given to the adjoining Councils listed below, if the proposed development is located in proximity to the LGA boundaries of:

- Uralla Shire Council
- Armidale Regional Council
- Tamworth Regional Council
- Kempsey Shire Council
- Port Macquarie Hastings Council
- Mid-Coast Council
- Upper Hunter Council

**Integrated Development** is development that requires consent or a permit from another Government agency. Council must refer Integrated Development to the relevant agency and include their General Terms of Approval in the development consent.

## 2.4 Notification of Amendments prior to determination

#### Amendments prior to Determination

An applicant may make amendments to an application at any time before its determination, subject to Council's acceptance of those amendments. In these circumstances, Council will re-notify:

- Those persons who made submissions on the original application; and
- Any persons who own adjoining or neighbouring land (including those persons who were previously notified of the application) who may in Council's opinion potentially be detrimentally affected by the proposal as amended.

*Note: If re-notification is required, further sets of plans for this purpose must be provided by the applicant.*

#### Modification of an Approval (after Determination) under Section 4.55:

An applicant may lodge an application to modify an approval (under Section 4.55 of the *EP&A Act*) if Council is satisfied that the development, as proposed to be modified, remains substantially the same



development as that originally approved. Council will re-notify persons who made a submission to the original application and any persons who own adjoining or neighbouring land only where, in Council's opinion, those persons could be detrimentally affected by the proposal as amended. Submissions received in relation to the modified proposal will be considered in Council's assessment of the application.

**Notification Period:** A person may inspect a plan and make a submission within the (minimum) 14 day notification period.

*Note: For "advertised" and "designated development" the length of the notification period varies and will be in accordance with the advertising requirements of the Environmental Planning and Assessment Regulations (2000), unless a longer period is determined by Council.*

#### **Form of Submissions from Persons Notified & the General Public**

Submissions made in respect of applications must be in writing and addressed to the General Manager. Submissions must clearly indicate the name and address of the person making the submission and details of the proposal to which the submission relates. Should an objection be part of the submission, the reasons for the objection are to be provided. All submissions are to be accompanied by a form declaring any donations or gifts to an elected member of Council or a Council staff member (as set out in the form available for such declarations available from Council or Council's website).

Petitions submitted will be required to identify a single contact person. Should this not be provided, Council will provide one written response to the first signatory of a petition.

#### **Consideration of Submissions**

Council staff will consider all submissions received within the specified time period before determining under delegated authority or reporting a Development Application to the full Council. In making a determination the content of a submission must be balanced with the Council's statutory obligations. Submissions form a part of the assessment process of a development application.

#### **Applicant to be advised of Objections**

Written submissions cannot remain confidential as they may be used to assist in negotiations with the owner/applicant of the proposal or be included in Council business papers. The applicant, on request, will be advised of the terms of any objection and is entitled to read all submissions received. Where applications are amended in response to objections received, comments may be sought from previous objector/s.

#### **Notification of Determination**

Following determination of an application, submission makers will be advised in writing of Council's decision as soon as practical.

#### **Advertising of Applications**

If Council considers that a development proposal has the potential to have a wider impact than nearby property owners or have a special community interest, Council may decide to advertise the application in the local print media (i.e. newspapers). A person may inspect a plan and make a submission within the advertising period which will be a minimum of 14 days.



#### Advertising & Notification Costs

The applicant shall pay the Council a fee in accordance with Council's adopted Schedule of Fees and Charges to cover the cost of advertising and notification of an application.

### *2.5 Integrated, Designated Development and other Categories of Development*

Statutory notification requirements exist under the *EP&A Act* for certain categories of development such as:

- Integrated Development;
- Designated development;
- Regional Development; and
- Other types of Approvals, including assessment of "activities" under Part 5 of the *EP&A Act*.

These must be advertised and exhibited in accordance with the requirements as outlined in the *EP&A Act* and the Regulations.

*Note: The requirements of the EP&A Act and Regulations are mandatory.*

*Regional Development is assessed by Council and determined by the Joint Regional Planning Panel. Regional Development is advertised for a minimum of 30 days.*



## CHAPTER 3 - RESIDENTIAL DEVELOPMENT

### 3.1 About this Chapter

This chapter provides the development controls for low and medium density residential development (Class 1, 2 and 3 buildings) in the Walcha LGA. The purpose of this chapter is to provide local controls and guidance so that development for housing enhances the overall character and amenity of neighbourhoods.

### 3.2 Where this Chapter applies

This chapter applies to residential development including ancillary development undertaken on residential land zoned R1, R5, RU5 and E4 in the Walcha LGA.

### 3.3 General Advice to Applicants for Residential Development

#### Aim

The aim of this chapter is to enhance and protect the amenity of residential areas by:

- Providing design controls for residential development;
- Setting reasonable and attainable environmental standards for solar access, privacy, protection of views, vehicular access, parking and landscaping; and
- Recognising that zones require controls that match the zone objectives and that lower density development should be subject to less stringent controls as their amenity impacts are lower.

*Note: Applicants are strongly advised to seek the services of qualified architects, town planners, landscape designers, surveyors and civil engineers, to accurately document development proposals. All drawings submitted shall bear the names of the persons responsible for the design.*

Council must be able to assess the impact of the proposed development on any adjoining residences, together with the wider environmental implications. Development applications should be accompanied by a Statement of Environmental Effects. Information setting out the requirements of a Statement of Environmental Effects is provided at Chapter 11.

*Note: In cases where a development proposal fails to meet one or more of the controls listed in this plan, an amendment to, or redesign of the proposal may be warranted or the application should be withdrawn with partial refund of application fees.*

### 3.4 Density Requirements

#### Objectives

- To provide density controls to enhance and protect the amenity of new and existing residential areas.
- To ensure that the density of residential development is appropriate to the scale and character of each location.



- To ensure that development provides a variety and choice of dwelling types and sizes where possible.

**Controls:**

**Minimum Site Area per Dwelling**

Table 3.1 below establishes the estimated densities for each zone and the number of dwellings a site could potentially accommodate. These controls should be used as a guide only, to determine the maximum development potential of a site. In practice, site dimensions and design constraints (e.g. potential overshadowing, easements, development in the vicinity of heritage items, car-parking requirements, floor area and setbacks) may prevent the estimated maximum being achieved.

**TABLE 3.1 MINIMUM SITE AREA PER DWELLING**

Zone	Dwelling Use / Size	Site area per dwelling (1)
R1	Single dwelling within serviced lot	1 dwelling / 450 m <sup>2</sup>
	Dual Occupancy - Attached	1 dwelling / 225 m <sup>2</sup>
	Dual Occupancy - Detached	1 dwelling / 600 m <sup>2</sup>
	Attached dwellings	1 dwelling / 450 m <sup>2</sup>
	Multi dwelling housing and residential flat buildings	1 dwelling / 200 m <sup>2</sup>
R5	Dwellings	1 dwelling / 2 ha
	Dual Occupancies (attached)	1 dwelling / 1 ha
	Dual Occupancies (detached)	1 dwelling / 2 ha
RU5	Single dwelling within serviced lot	1 dwelling / 500 m <sup>2</sup>
	Single dwelling within un-sewered lot	1 dwelling / 3,000 m <sup>2</sup>
	Dual Occupancy (attached or detached) (2) and (3)	1 dwelling / 3,000 m <sup>2</sup>
B2	Dwellings	Merit based
	Shop top housing	Merit based
B4	Dwellings	Merit based
	Shop top housing	Merit based
E4	Dwellings	Merit based

**Notes:**

(1) Not including the area of any access handle.

(2) Higher density residential development is generally unsuitable within un-sewered land.

(3) Site coverage is dependent on the land capability for onsite wastewater management.





### 3.5 Setbacks

#### Objectives

- To maintain the existing character of the streetscape in residential areas;
- To allow an outlook to and surveillance of the street; and
- To ensure attractive streetscapes through consistency in setbacks in new developments.

#### Controls:

- a) No continuous section of wall built along a side boundary shall be longer than 10 metres or exceed 50% of the length of the boundary or the length of any adjoining wall of the boundary, whichever is lesser.
- b) In established residential areas (infill development) the front setback should generally be consistent with the established setback/building line of adjoining buildings. In other areas, the setbacks controls in Table 3.2 apply.

TABLE 3.2 MINIMUM SETBACKS

Zone	Housing type	Setback
R1 RU5	Dwelling / Dual Occupancy	Street 6m to main frontage –if corner allotment 3m to secondary frontage.  Side/Rear Single storey – 900 mm (subject to compliance with the NCC. Walls greater than 3 m in height - 2 m
R1 RU5	Multi dwelling housing and residential flat buildings up to two storeys	6m to main frontage – if corner allotment 3m to secondary frontage  Side/Rear – 3 m
R5	Dwelling / Dual Occupancy	Front – 15 m Side/Rear – 3 m
B2	Shop top housing, multi dwelling housing and residential flat buildings	Merit assessment.

Subject to compliance with the fire-resistance rating requirements prescribed in the current version of the National Construction Code of Australia (NCC) and ensuring there is no adverse impact on the privacy or solar access of adjoining properties, side or rear walls which are less than 3 metres in height may be built to within 900mm of the boundary.



### 3.6 Building Height

#### Objectives

- To ensure that buildings minimise impacts on adjoining properties from overshadowing, overlooking and excessive bulk and scale;
- To minimise the impact of elevated housing developments in areas of predominantly single storey housing; and
- To ensure that the height of new development is not excessive and relates well to the local context.

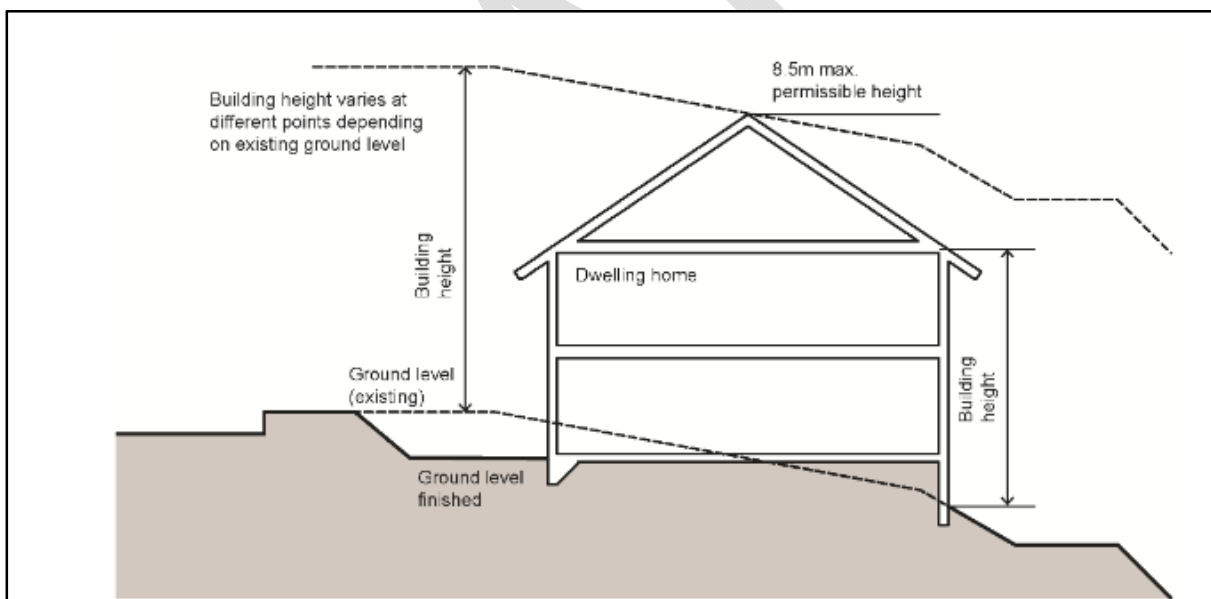
#### Controls:

- a) The Maximum Building Height for R1 General Residential zoned land is 8.5 m.
- b) The Maximum Building Height for all other zones is merit based, however must not exceed 10 m.

#### Maximum Height

The maximum height of the building at any point shall be measured from the **natural ground level** to the ridge of the roof. This height should not be more than 8.5 metres. Measuring building height on sloping sites is illustrated in Diagram 3.1 below.

Diagram 3.1 – Building Height



Source: Codes SEPP

Development Applications for buildings of two (2) storey and greater may require shadow diagrams, prepared in accordance with the Solar Access guidelines in this chapter.



### 3.7 Open Space

#### Objectives

- To ensure that residential development provides an adequate amount of functional private open space that is appropriate to the context of the location;
- To protect privacy and amenity of neighbouring properties; and
- To ensure that areas provided are suitably located and landscaped to obtain adequate sunlight and protection from prevailing winds.

#### Controls:

- a) Dwellings, dual occupancies and multi dwelling housing shall include no less than:
  - a. 125 m<sup>2</sup> of **landscaped area** per dwelling
  - b. 35 m<sup>2</sup> of **private open space** (POS) per dwelling
- b) POS areas are to have a minimum dimension of 4 m and a maximum gradient of 1 in 10.
- c) POS can include balconies, courtyards and terraces.
- d) At least half of the POS area should receive 3 hours or more of sunlight between 9am – 3pm on June 21 (winter solstice).
- e) Residential flat buildings and shop top housing are to have a balcony with a minimum area of 12 m<sup>2</sup> and a minimum dimension of 2m with direct access from the main living area of the dwelling. The positioning of POS areas is not to unreasonably compromise the POS of other nearby dwellings (on the same site or on adjacent properties).

### 3.8 Landscaping

#### Objectives

- To reduce the visual impact of new development and to maintain and enhance existing streetscape and landscape character.
- To preserve significant trees and landscape elements.

New plantings should be selected having regard to their future maintenance requirements and likely growth. In general, any substantial tree or shrub should be a minimum horizontal distance of 4 metres from the external wall of a building or the line of any underground service pipes (details available from Council).

#### Controls:

- a) Existing mature trees should be retained and incorporated in the development wherever possible.
- b) Attached Dwellings, Multi Dwelling Housing and Residential Flat Buildings:
  - A Landscape Plan should be prepared by an appropriate person (Landscape Architect, Landscape Designer or the like) and shall include details of site features, hardstand areas, fencing treatment, number and type of plant species, location of services and mains and planting locations.
  - The Landscape Plan shown be drawn to scale (1:100 or 1:200).



- Where common open space areas are provided, low maintenance gardens are preferable.

In assessing the suitability of landscape plans, Council will give thorough consideration to the following:

- adequacy of sunlight;
- privacy of open space and adjoining developments;
- ease of maintenance;
- whether tree size at maturity will be in scale with the bulk of the building and open space;
- the practicality of landscaped areas for use by the people who live in the proposed development; and
- location of trees in relation to services.

### *3.9 General Controls for Multi Dwelling Housing*

#### **Objectives**

- To achieve a coherent site layout that provides a pleasant, attractive, manageable and resource efficient living environment;
- To ensure that streetscape, amenity and energy efficiency are considered at the outset of the design process; and
- To encourage site planning and building design that optimizes solar access to land and buildings.

#### **Controls**

- a) "Gun Barrel" type multi dwelling housing developments will not be supported by Council.
- b) A driveway, which serves a maximum of three dwellings, is to have a minimum paved width of 3m within a 4.5 m wide formation.
- c) Generally, the internal driveways and crossovers associated with multi dwelling housing development shall have a minimum clear trafficable width of 5.5 metres. However, a minimum of 4.5 metres may be acceptable where justified in an assessment of site access requirements and traffic usage
- d) A shared driveway, which serves three or more dwellings, is to have a minimum paved width of 4.5m at the street, continuing at this width to a depth of 6m.
- e) Driveways, manoeuvring areas and parking areas are generally to be designed in accordance with the provisions of AS2890.1 Parking Facilities: Off-Street Parking. Car parking spaces are to be adequately delineated and maintained at all times.
- f) All vehicles must enter and leave the site in a forward direction.
- g) The location of visitor parking facilities should be evident from the street so that their use is encouraged
- h) The use of decorative paving e.g. interlocking pavers, grasscrete etc for access and visitor parking is strongly encouraged.
- i) Development proposals over more than one lot will require lot consolidation (plan of subdivision) as part of the development.
- j) Minimum separation between habitable room windows of facing dwellings:
  - a. Ground and 1st floor level – 9m
  - b. Above 1st floor level 12m
- k) Bin storage and drying areas to be:
  - a. concealed from view from the street



- b. clothes lines and hoists shall be located at the rear of multi dwelling housing developments and adequately screened from adjoining roads.
- c. clearly shown on the site plan.

### *3.10 General Controls for Secondary dwellings*

Secondary dwellings may be complying development under [State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#). This SEPP also specifies criteria which cannot be used by a consent authority as grounds to refuse consent to a secondary dwelling.

#### **Objectives**

- To ensure the efficient use of land and infrastructure.
- To maintain the character, amenity and environmental values of the area.

#### **Controls**

- a) A new (additional) vehicular access point is not to be constructed to a site for the purposes of a secondary dwelling, unless the access is from a rear laneway or side street. There is only to be one vehicle entrance for both dwellings from the primary frontage of the site.
- b) When constructed in an area without a reticulated water supply, it must be demonstrated that sufficient rainwater tank water can be provided.
- c) When constructed in un-sewered areas, an on-site wastewater disposal assessment must be provided to demonstrate that the existing system has the capacity for the secondary dwelling or, alternatively, the wastewater system must be upgraded to Council's on-site sewage management system specifications.
- d) A minimum of 50 square metres of private open space must be retained on the site for shared-use by the occupants of both the primary and secondary dwelling. The private open space must have minimum dimensions of at least 4 metres and a core area with minimum dimensions of at least 5 x 5 metres is to be provided.

### *3.11 Relocated dwellings*

#### **Objective**

- To protect the amenity of new and existing residential controls.
- To ensure the development does not detract from the amenity of neighbouring properties or the streetscape.
- To ensure all compliance with the National Construction Code

#### **Controls**

- a) Dwelling not to be moved onto site before development consent is issued.
- b) no work is to commence on the re-erection of the dwelling all regulatory approvals have been obtained.
- c) Compliance with the National Construction Code and BASIX is to be ensured.



### 3.12 Solar Access

#### Objective

- To minimise overshadowing of adjoining properties/buildings whilst maximising solar access to the development site.

#### Controls:

- a) Residential development shall be designed to ensure that the habitable rooms of adjoining residential buildings, and the major part of their landscaped open space, have at least four (4) hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).
- b) Residential development shall be designed to ensure that the habitable rooms of the proposed development and the major part of their private open space have at least four (4) hours of sunlight between 9.00am and 3.00pm on 21 June (winter solstice).
- c) New buildings should not obscure sunlight to habitable rooms or open space adjoining buildings during winter months.

#### Shadow Diagrams

For applications involving development of two storeys or higher, Council may require an applicant to prepare a shadow diagram showing the impact of a proposal on adjoining residential buildings and their landscaped open space. Shadow diagrams may also be required for a single storey development depending on the size, orientation, level and slope of the allotment.

**Note: A Building Sustainability Index (BASIX) certificate will be required for all BASIX affected buildings.**  
[www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

### 3.13 Privacy

#### Objective

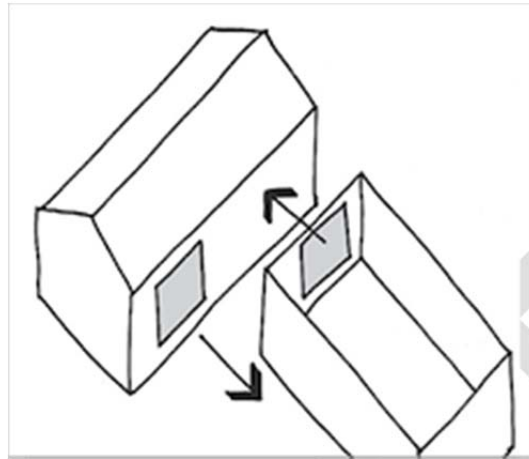
- To ensure that reasonable privacy both internal and in respect of existing adjoining residences and private open space, is achieved.

#### Controls

- a) Upper level openings on side facades which are less than 3m from a neighbouring house must be:- at least 1.7m above floor level OR - screened OR - fixed with translucent glazing.
- b) Habitable rooms overlooking the private open space of a neighbouring house are to have sill heights at least 1.7m above floor level.
- c) A habitable room should look over the street to provide passive surveillance.
- d) External lighting shall be baffled so there is no light spillage onto adjoining properties.
- e) Recreation facilities, such as swimming pools shall be located behind the building line and away from the bedroom areas of adjoining dwellings
- f) As shown in Diagram 3.3, windows shall be offset to increase privacy to adjoining buildings.



Diagram 3.3 – Offsetting Windows



Offset windows where possible.  
Provide screening and/or landscaping if less than 12m between buildings

### 3.14 Views

#### Objective

- To minimise, wherever possible, the obstruction of views from adjoining buildings

#### View Protection

In an urban environment it is not always possible to protect all views for all people. Nevertheless, an initial site analysis should attempt to identify significant views both from a proposed development site and from neighbouring properties. Developments should be designed to maintain, as far as practicable, the views of existing residents, while taking advantage of views for residents of the new dwellings.

#### Controls

- a) Proposals involving developments of two storeys or higher should be accompanied by a survey showing the position of the buildings on site, the location of adjoining building(s) and a supporting statement assessing the degree of view loss, if any, resulting from the proposal.

### 3.15 Services

#### Sewer, Water, Stormwater, Electricity and Telephone Services

All developments are to be connected to existing public utility installations. All services shall be provided underground (unless otherwise approved by Council).

For unit developments of three (3) or more dwellings, a preliminary stormwater design plan is to be submitted with the Development Application, complying with Aus-Spec design specification D05 – Stormwater Drainage Design. On-site stormwater detention will be required on sites where under capacity drainage systems exist. Inter-allotment drainage shall be provided where water cannot drain directly to the street frontage or a natural watercourse.



Generally, buildings will not be permitted over sewer easements, within the zone of influence of a sewer main, or within the "zone of influence" of the foundations.

Separate sewer junctions and water meters will be required for each separate residence.

Lots will need to be consolidated for development of unsewered land where wastewater disposal infrastructure is located over more than one lot.

**Note: Restrictions to Land Title**

Restrictions may apply to the title of land which could affect a proposed development. Examples include maintenance of overland flow paths; tree planting; and/or building envelopes. It is the responsibility of the applicant/developer to investigate and where relevant, identify any such user restrictions prior to the preparation of plans for lodgement with a development application.

### *3.17 Constraints when Developing "Older Lots" or Converting Existing Buildings*

Opportunity for medium density housing may be restricted in residential areas fronting narrow laneways, on roads where the pavement width is inadequate for the increase in generated traffic or in areas that are not served by underground stormwater drainage. While Council is prepared to consider a range of innovative design solutions to overcome these deficiencies, it must be recognised that **some sites are not suitable for medium or high density residential development.**

Developers must also be aware that the development costs associated with these 'older' lots may be higher than in other areas where adequate services are able to be easily provided or are in existence. Where an existing building is proposed to be converted for 'dual occupancy' or 'multi dwelling housing', it will be required to comply with the provisions of these guidelines, with the exception of setback requirements in relation to the existing structure (for example, conversion of the bottom section of an existing dwelling). Council will require the exterior of the existing building, landscaping and fencing to be upgraded as part of the application.

### *3.18 Flood Liable Land*

Some land within the LGA is subject to flooding and may affect the future development of land with regard to floor levels; landfilling; excavation; flood compatible building materials and the like.

#### **Controls**

- a) Minimum finished floor level (FFL) for habitable rooms is to be at the height of the 100-year Average Recurrence Interval flood level plus 0.5 metre freeboard.
- b) The minimum FFL of all non-habitable room(s) is to be at the height of the 100-year Average Recurrence Interval flood level.
- c) Infill development and/or changes of use are to be assessed on merit, taking into account adjoining land uses and flood levels, access constraints and fill requirements. A flood study may be required in certain situations.





Where a flood study has not been completed the FFL shall be 500mm above the verified highest known flood level. Where a development falls outside the extents of an approved Council flood study and plan, developers may be required to undertake flood studies and/or engage surveyors to demonstrate that all development will be above designated flood levels. In some circumstances, developers may be required to submit evidence of historical flood levels.

The State Floodplain Development Manual contains useful information for anyone considering building on flood liable land.

### *3.19 Adaptable Housing Provisions*

#### **Objective**

- to provide guidelines for access both to, and within buildings and public spaces for people who have a disability;
- to assist in better design of building and spaces so as to meet the access needs of all members of the community;
- increase community awareness of mobility issues affecting certain sections of the community;
- to ensure that new development is accessible by all people;
- to ensure compliance with the relevant Australian Standards for Access and Mobility; and
- to provide intending developers with clear guidance as to the legal requirements and Council policy for access and mobility.

#### **Guidelines:**

##### **Adaptable Housing**

- a) Council will support medium density development that includes dwelling units constructed in accordance with Australian Standard 4299-1995 Adaptable Housing. The minimum design requirements for adaptable housing are contained within Australian Standard 4299 Adaptable Housing. The requirements contained within the AS indicate a means of meeting the necessary design criteria for adaptable housing.

##### **Private Car Parking (off street)**

- b) Safe and accessible car parking spaces should be provided adjacent to continuous and accessible paths of travel to the dwelling.

##### **Signage and Lighting**

- c) To minimise personal risk and improve safety; car parks, set-down points, access routes and entrances are to be well lit, of sufficient contrast and well sign posted to assist people with a disability to accessible locations and through entry points.

##### **Kerb ramps, ramps and walkways**

- d) To allow free and unobstructed access to buildings from off-street car parking and set-down points: ramps and walkways should be provided.

##### **Primary Points of Entry**

- e) Entrance doors or primary points of entry to buildings must allow for the unimpeded passage of people with disabilities.



#### Internal Circulation and Facilities

- f) The minimum design requirements for adaptable housing are contained within Australian *Standard 4299 Adaptable Housing*.

#### Paths of Travel and Circulation

- g) Safe and continuous paths of travel are available to all applicable elements within the building.  
h) Where appropriate, step-ramps, ramps walkways and stairs must allow for the needs of people with disabilities when accessing different parts of the building.  
i) Doors, doorways and corridors must be of sufficient dimension (including clear openings and circulation spaces) to allow safe and unobstructed passage for people with a disability.

#### Signage, Lighting and Amenities:

- j) Suitably illuminated pathways within the development.  
k) Where appropriate, building controls must be located in accessible positions and of suitable design to allow operation by people with disabilities (eg. Controls include; security and air conditions panels, light switches, power points).  
l) Where appropriate, sanitary facilities and similar amenities must be accessible and functional for people with a disability.  
m) Kitchen elements are located so that they are accessible and can be operated safely, thus minimising the risk of scalding, burning or other injury.

### *3.20 Medium Density Housing Development Associated with Commercial or Retail Development*

#### Objective

- To facilitate multi dwelling housing in Business zones where it will not prejudice development of the land for commercial, retail or service activity.
- To encourage 'shop-top' housing developments in the Business Zones.
- To ensure that multi dwelling housing is carried out in association with permissible commercial or retail development in the zone.

Initial enquires should be made to Council to identify areas considered suitable for 'multiple dwellings' within Walcha's Business zones.

#### Controls:

- a) Consideration must be given to the **heritage** nature and character of the town centre and existing surrounding/adjacent development.
- b) **Car Parking:** A concession may be given in respect to visitor parking where, in the opinion of Council, sufficient off-site parking is available in the locality. However, at least one (1) space per unit must be provided on site.
- c) **Setbacks:** No setbacks apply in the Business Zone. However, as a general rule, Council will require all new developments above two storeys in height to be setback a further two metres per storey for each additional storey (or three metres in building height) above the two storey height.



### 3.21 Residential Flat Buildings

State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development applies to development for residential flat buildings of **four or more self-contained dwellings**. The SEPP aims to improve the design quality of residential flat buildings in NSW. If the SEPP applies, development proposals must include an Apartment Design Guide Assessment prepared by a qualified designer certifying that the design of the project meets the design quality principles of the SEPP.

### 3.22 Koala Habitat

Koala Habitat: The onus is on the applicant to demonstrate to Council that the land is not potential or actual Koala habitat and that the development will not adversely impact Koala habitat. SEPP 44 Koala Habitat Protection applies to the Walcha LGA.

### 3.23 Driveway Safety

#### Background

On average, seven children are killed each year and 60 are seriously injured after being hit or run over by a motor vehicle at home. Very young children are at greatest risk – 90% of children killed and 70% of those seriously injured are under five years of age. In cases where a child is killed:

- half the vehicles involved are cars and a third are four-wheel-drives
- two-thirds are reversing
- two-thirds are driven by a parent or other relative.

Source: Child pedestrian safety: driveway deaths and low-speed vehicle run-overs, Australia 2001–10 (Bureau of Infrastructure, Transport and Regional Economics, [www.bitre.gov.au](http://www.bitre.gov.au)).



#### Guidelines

- Residential development shall be designed to reflect vehicle and occupant safety principles.
- New residential development and significant dwelling alterations should provide measures self-closing doors, fencing and gates) (to prevent children from entering the garage and driveway from the house.



## CHAPTER 4 - RURAL DEVELOPMENT

### 4.1 About this Chapter

This section refers to dwellings, dual occupancy development, rural worker's dwellings, dwelling additions, tourist development and other forms development permitted in the Rural and Environmental Zones contained within the Walcha Local Environmental Plan 2012.

### 4.2 Where this Chapter applies

This chapter applies to development of rural zoned land (RU1, RU4,) with the exception of subdivision of land.

### 4.3 Aims and Objectives

- To enhance the character of the rural areas.
- To encourage the use of existing or potentially productive land for agricultural purposes.
- To reduce potential for rural land use conflict.
- To protect old-growth, significant hollow-bearing trees and conservation significant vegetation through recognition of their ecological value and scarcity in the landscape.
- To improve the ecological function of riparian areas within the landscape.
- To improve the stability of the bed and banks of waterways through the management of riparian vegetation.
- To ensure that adequate arrangements in respect of the control of noxious weeds.
- To ensure that rural development is safe in terms of flooding and bush fire risk.

### 4.4 General Controls

- a) Rural dwellings are subject to the development standards of Clause 4.2A of the WLEP 2012. Refer to Note below.

*Note: Clause 4.2A of the WLEP provides development standards for the erection of dwellings on rural land. To summarise, dwellings may only be erected on rural land if:*

- *The lot has an area of at least the minimum lot size shown on the WLEP map; or*
- *The lot was created prior to 2012 and a dwelling was permissible at that time; or*
- *The lot is an existing holding; or*
- *The dwelling is intended to replace a lawfully erected dwelling.*



- b) Rural dual occupancies (detached) are subject to the development standards of Clause 4.2D of the WLEP 2012. Refer to Note below.

*Note: Clause 4.2D of the WLEP provides objectives and development standards for the erection of dual occupancies (detached) on rural land. Objectives primarily aim to ensure that dual occupancies (detached) are located so as to share services and ensure that the agricultural values of the land are not jeopardised. Key development standards are:*

- the development will not impair the use of the land (or adjacent land) for agriculture or rural industries, and*
  - the land is capable of accommodating the on-site disposal and management of sewage for the development, and*
  - a dwelling house is permissible within the land.*
- c) Council will require the consolidation of undersized rural lots (vacant lots with an area of less than the minimum rural lot size) within the same rural property holding as a condition of consent for new rural dwellings and dual occupancies.
- d) To reduce the number of driveway access crossings on busy or dangerous road, rural dual occupancies will use the same vehicular access to and from a public road. Separate driveway access to minor roads will be assessed on merit.
- e) Rural buildings, including garages and sheds should be clustered to form a group and where possible, buildings shall be broken into smaller elements rather than presenting a large building mass.
- f) All buildings to be setback at least 15 metres from the front property boundary (with frontage to a public road).
- g) Materials and/or finishes should not give rise to visual intrusion by virtue of texture, colour or arrangement. The use of recessive earthy tones is required. The use of reflective materials is prohibited.
- h) A removable dwelling not to be moved onto a site before development consent is issued. No work is to commence on the re-erection of the dwelling until all regulatory approvals have been obtained.
- i) Development involving the on-site management of wastewater must comply with Council's [\[DRAFT\] On-site Sewage Management Strategy 2015-201X](#).
- j) Development within bushfire prone land must meet the relevant requirements of the Rural Fire Service and *Planning for Bushfire Protection 2006* (and any amending guidelines).
- k) The carrying out of development ('works' including excavation or deposition of material) on waterfront land requires a Controlled Activity Approval (CAA) under the [Water Management Act 2000](#). Council will refer DAs involving works within waterfront land to the NSW Department of Industry (Water) as integrated development.
- l) Koala Habitat: The onus is on the applicant to demonstrate to Council that the land is not potential or actual Koala habitat and that the development will not adversely impact Koala habitat. SEPP 44 Koala Habitat Protection applies to the Walcha LGA.



## 4.5 Vehicular Access Requirements

Where access from a public road to a private property is required:

- Access to a development shall be located having regard to its potential impact on the landscape and native vegetation and shall be unobtrusive and sympathetic to the existing landform and neighbouring development.
- All development is required to have coincidental legal and physical access from a public road to the development site. In this regard, Council may require evidence from a registered surveyor that this is the case.
- Where a part of any access is via an unformed Crown road, the road may first require dedication as a Council public road, and then construction to an appropriate standard once Council approval has been gained for the work. For a single residential dwelling, the minimum standard of construction where the owner will be responsible for ongoing track maintenance is in accordance with the *NSW Department of Industry – Lands & Water Guideline—Administration of Crown Roads*.
- Road and drainage designs may need to be submitted to Council at the applicant's expense prior to approval of any roadworks within a Council public road reserve.
- The developer will be responsible for construction or upgrading of any vehicle access in accordance with Council standards, including:
  - A suitable width all-weather pavement from the road to the entrance gate or stock grid.
  - Where the access crosses a table drain, a minimum 375mm diameter pipe with headwalls, or concrete dish drain on the alignment of the table drain.
  - Any entrance gate or stock grid should be set back a minimum distance of 15 metres from the edge of the traffic lane for single unit truck access, or 22 metres for semi-trailer access.
  - The access is to be located at where safe intersection sight distances can be achieved, including a minimum gap sight distance of 5 seconds.
  - A Council Road Opening Permit is required prior to performing any work within a public road reservation. Forms and advice on relevant fees can be obtained from Council's Engineering Services department.

### **Crown road sales and closures**

*Many Crown roads within the public road network are not required to maintain public access. In these cases, Crown roads may be sold or closed without compromising the broader public interest. Roads may be sold in two ways.*

*Firstly, the department administers Crown road sales in accordance with Section 152B of the Roads Act ('Road purchases'). Sale of a Crown road under this section is suitable when the purchaser of the road is an adjoining landholder.*

*Alternatively, when a person wanting to purchase a Crown road does not own the adjoining land, the department may consider closing the road under Section 37 of the Roads Act before administering the sale of the land ('Road closure and purchase'). The sale of a closed road would then be administered in accordance with the Crown Land Management Act 2016.*

*Most Crown road sales will be road purchases—that is, to adjoining landholders, in line with Section 152B of the Roads Act.*

*Before determining when a road is suitable for sale (under Section 152B) or closure (under Section 37), the department will consider the access needs of surrounding properties to establish whether a road must be retained within the public road network.*



The steps and estimated time frames for processing applications are available on the department's website at [Department of Industry: https://www.industry.nsw.gov.au/lands/access/road](https://www.industry.nsw.gov.au/lands/access/road)

#### 4.6 Environmental Considerations – Requirements

- a) Development shall not be carried out on slopes greater than 20%. If development on slopes greater than 20% is unavoidable, a geotechnical assessment may be necessary.
- b) The clearing of **native vegetation** on rural zoned land zoned subject to the [Local Land Services Act 2016](#) administered by [Local Land Services](#).
- c) Riparian lands within a subdivision are to be stabilised and revegetated according to stream order and buffer category. Water courses classified as stream order 3 or greater (Strahler method) require a riparian buffer of at least 40 m
- d) Roads are to be located outside riparian buffer areas where possible. Where roads traverse the riparian buffer area, the road design is to minimise the area of disturbance and demonstrate minimal impact on the riparian function and integrity.
- e) Driveway/roadway crossings/other infrastructure located over waterways are to have regard to the requirements for fish passage in accordance with relevant NSW State Government requirements under the [Fisheries Management Act 1994](#).

#### 4.7 Flooding

In low-lying areas, a flood assessment may be required to determine appropriate floor levels for habitable structures. Waterway crossings on any access roadways should be designed to permit two-wheel drive access from a public road to the residence during a critical one (1) in 100 year storm event.

#### 4.8 Land Use Buffers

- a) Buffers from development to rural land uses are to be established in accordance with the NSW DPI [Land Use Conflict Risk Assessment Guide](#).
- b) Where a proposed development for a dwelling, dual occupancy or tourist accommodation will adjoin an agricultural enterprise on an adjoining property, a minimum 100m separation shall be provided. Where the 100m buffer cannot be achieved, Council will consider the use of vegetative buffers on the proposed development site

#### 4.9 Services

- a) **Electricity and Telecommunications Infrastructure**
  - Any structures associated with the provision of electricity and telecommunications to the development shall be sited to have minimal environmental impact including vegetation removal and visual impact.
  - Applications are required to demonstrate the method of power supply and telecommunications (NBN).
  - Where generators are proposed, controls shall be placed on the hours of operation and levels of noise emission having regard to the proximity of neighbouring development and the environment.



#### b) Water

- Rural dwellings without a reticulated water supply shall have water storage facilities containing a minimum of 40,000 litres of potable water for domestic purposes in addition to any *Planning for Bushfire Protection 2006* requirements.

### 4.10 Farm Dams

The Department of Industry-Water NSW regulates and licenses farm dams. Dams that do not need a licence or development consent are:

- Dams that capture up to 10 per cent of run-off
- Dams up to one megalitre on small properties:
  - Licences are not required for dams up to one megalitre in size on small properties where the Maximum Harvestable Right Dam Capacity (MHRDC) is less than one megalitre and where the property was approved for subdivision before 1 January 1999. No further harvestable right dams may be constructed; any new dams above this allowance must be licensed.

*Note 1: Under the [Fisheries Management Act 1994](#), any new dam or modification to an existing dam may require the owner to provide for fish passage. Contact NSW Fisheries office for further advice.*

*Note 2: Certain artificial waterbodies (dams) are permissible without consent. Development for the purpose of an artificial waterbody may be carried out without development consent on land to which this Part applies if:*

*(a) its storage capacity is less than 15 megalitres, and*

*(b) it is not within 40 metres of a public road, natural waterbody, environmentally sensitive area or tree clearing operations, and*

*(c) it is not within an area of high water table or acid sulphate, sodic or saline soils.*

**Refer: [State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)**

### 4.11 Waterfront Land

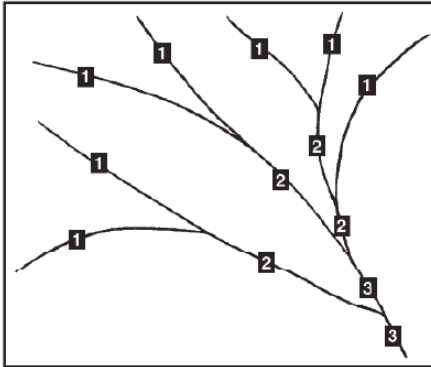
Development on waterfront land, (controlled activities carried out in, on or under waterfront land) are regulated by the *Water Management Act 2000 (WM Act)*. The NSW Department of Industry (Water in NSW) administers the WM Act and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity. Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary.





Council will refer development proposals on waterfront land for comment or approval.

Water in NSW recommends a vegetated riparian zone (VRZ) width based on watercourse order as classified under the Strahler System of ordering watercourses and using current 1:25 000 topographic maps. The width of the VRZ should be measured from the top of the highest bank on both sides of the watercourse.



Watercourse type	VRZ width (each side of watercourse)	Total RC width
1 <sup>st</sup> order	10 metres	20 m + channel width
2 <sup>nd</sup> order	20 metres	40 m + channel width
3 <sup>rd</sup> order	30 metres	60 m + channel width
4 <sup>th</sup> order and greater (includes estuaries, wetlands and any parts of rivers influenced by tidal waters)	40 metres	80 m + channel width

Source: Controlled activities on waterfront land - Guidelines for riparian corridors on waterfront land NSW Office of Water July 2012

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## CHAPTER 5 – ANCILLARY DEVELOPMENT AND SHED CONVERSION

### 5.1 *About this Chapter*

Ancillary development is a group term encapsulating a variety of types of minor development that would ordinarily be associated with the occupation and use of a dwelling house or dual occupancy and that generally have minimal environmental impact.

Note 1: Ancillary development, includes:

- (a) access ramp,
- (b) awning, blind or canopy,
- (c) balcony, deck, patio, pergola, terrace or verandah that is attached to a dwelling house,
- (d) basement,
- (e) carport that is attached to a dwelling house,
- (f) detached studio,
- (g) driveway, hard stand space, pathway or paving,
- (h) fence or screen,
- (i) garage that is attached to a dwelling house,
- (j) outbuilding,
- (k) rainwater tank that is attached to a dwelling house,
- (l) retaining wall,
- (m) swimming pool or spa pool and child-resistant barrier.

Certain forms of ancillary development may be carried out as exempt development (without the need for consent) or as Complying Development under the [Codes SEPP](#).

Note 2: This chapter is not concerned with ancillary 'use' – this is a different concept and is explained in the NSW Planning Circular *How to characterise development* PS13-001.

### 5.2 *Where this Chapter applies*

This chapter applies to development within the Walcha Shire.

### 5.3 *Aims and Objectives*

- To ensure ancillary development does not detract from the amenity of neighbouring properties or the streetscape.
- To enable the temporary occupation of compliant sheds as a means of short term accommodation while an approved dwelling is under construction.



## 5.4 Detached Studios

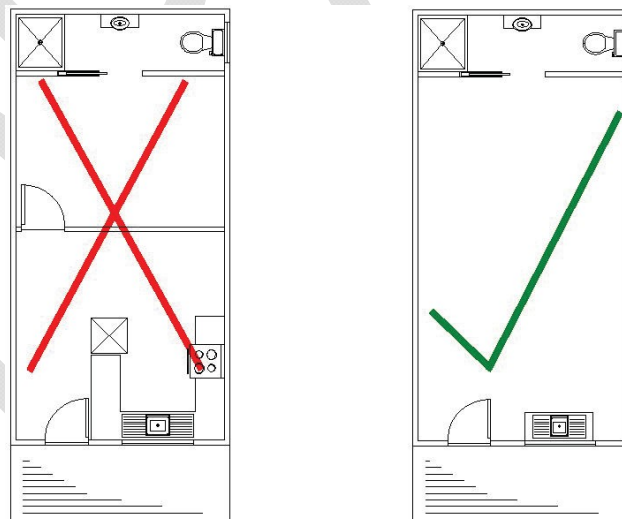
### Objective

- To clarify and ensure consistency in Council’s position on the facilities considered to be acceptable within detached studios, before separate occupancy is deemed to occur.

Detached studios may be used for purposes such as a bedroom, as artist’s work space, a home office, a hobby room, a rumpus room, a teenager’s ‘retreat’, or similar habitable room, provided the criteria above are satisfied. Detached Studios shall comprise a single room or may include a single room and shower/ toilet facility. No kitchen or laundry facilities will be permitted.

### Controls

- Permitted facilities within detached studios are dependent on the proposed use and are limited to:
  - shower/ toilet facility;
  - a sink (free-standing or in a bench-top) with a hot and cold water supply for washing hands and/or cleaning art/ hobby equipment only; and
  - other facilities which are appropriate for the proposed use and do not provide for separate occupancy
- a) When assessing a development application which includes a detached studio, Council would require the applicant to provide a floor plan showing all proposed facilities as well as a statement of use. This statement of use would assist in determining what facilities, if any, would be permitted given the stated use of the detached studio. A condition would also be included in any development consent indicating the detached studio is not permitted to be used, or be adapted to be used, as separate occupancy.



*Floor plans which give an example of what would not be considered acceptable and what would be considered acceptable for a detached studio (under Council’s LEP and Better Living DCP).*



- b) A detached studio forms part of the primary dwelling on the land and is classified a Class 1 building under the Building Code of Australia (BCA). Accordingly, the relevant provisions of the BCA applicable to a Class 1 dwelling, including bushfire and smoke alarms, apply to a detached studio. For example, the construction requirements i.e. Bushfire Attack Level, for a detached studio located on bushfire-prone land are identical to that for a dwelling in the same location. Generally, a BASIX Certificate is not required for a detached studio.

Also, detached studios can also be applied for in certain circumstances under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP).

## 5.5 Fencing and Walls

### Objectives

- To be part of a development provide privacy, security and noise attenuation, without having a detrimental impact upon the streetscape and adjacent buildings.
- Enable some outlook from buildings to the street for safety and surveillance
- Be designed and detailed to provide visual interest to the streetscape

### Controls

Front fences and walls must comply with the following:

- a) be constructed of materials compatible with the proposed housing, and with other attractive visible examples of fences and walls in the existing streetscape.
- b) be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas.
- c) be compatible in streetscapes of significance and is appropriate to the heritage or environmental context of the site.
- d) front fences and walls should be designed to use similar or compatible materials to that used in attractive buildings in the locality.
- e) street fencing shall be open or combination of open panels and masonry columns to a maximum height of 1.8 metres and are constructed from light weight materials.
- f) where a street fence is proposed, the section of side boundary fencing located in front of the building setback shall be open or combination of open panels and masonry columns to match front fence.

## 5.6 Retaining Walls

A retaining wall is a structure built to retain a difference in ground level.

### Controls

- a) Retaining walls must be designed and engineered to a safe and aesthetic suitable standard.
- b) Support for earthworks more than 600mm above or below ground level (existing) must take the form of a retaining wall or other structural support that:
  - a professional engineer has certified as structurally sound, including in relation to (but not limited to) the ability to withstand the forces of lateral soil load, and
  - has been designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and



- has adequate drainage lines connected to the stormwater drainage system for the site, and
  - does not have a total height measured vertically from the base of the retaining wall or structural support to its uppermost portion that is more than the height of the associated excavation or fill, and
  - is separated from any other retaining wall or structural support on the site by at least 2m, measured horizontally, and
  - has been installed in accordance with any manufacturer's specifications, and
  - if it is an embankment or batter—has a toe or top that is more than 1m from any side or rear boundary.
- c) must not cause a danger to life or property or damage to any adjoining building or structure on the lot or to any building or structure on any adjoining lot.
- d) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property.

### 5.7 *Outbuildings, Carports & Detached Garages*

#### Objectives

- To enhance the streetscape by providing good quality development presentation to the public domain.
- Maintaining privacy within habitable rooms of dwellings and in secluded private open space

#### Controls

- a) Outbuildings, Carports & Detached Garages are not allowed within building setback.
- b) In Zone R1, RU5 or R5, detached sheds made from a material that is not the same as the dwelling, must be setback at least 1 metre behind the front façade of the dwelling. This control applies to lots with both single and secondary frontages, with the exception of rear lanes.
- c) If in front of main dwelling, must be of the same construction, matching roof pitch, and appear like part of the habitable dwelling.
- d) Amenities in an ancillary structure to a dwelling are restricted to one toilet, one hand basin and one shower.
- e) Must be located clear of the utility services.
- f) The width of garage doors must not be greater than 50% of the front elevation.
- g) No windowless facades at the street frontage(s).
- h) Direct views into windows of dwellings and secluded private open space is to be avoided.

### 5.8 *Conversion of a Shed to a Dwelling*

Sheds and outbuildings are class 10a (non-habitable) buildings under the Building Code of Australia and generally don't meet the higher construction standards required for a dwelling (class 1a). Development approval is required to convert a shed or outbuilding for use as a dwelling. The following information provides guidance for anyone considering converting a shed or outbuilding to a dwelling.



▪ **Can I build a shed and convert it to a dwelling later?**

If you are considering building a shed with a view to using it as a dwelling at a later stage it is important to seek professional advice before you build. You may be able to build to a higher standard and have correct boundary setbacks which will allow an easier conversion to a dwelling. You may find that building a shed for later conversion is not the best or most cost-effective option. It may be better to build a new dwelling that fully complies with the Building Code of Australia. See construction standards for converting a shed to a dwelling.

▪ **What sanitary facilities can I install in a shed?**

The installation of sanitary facilities in a shed requires prior development approval, even if the shed has been erected as an exempt structure. Generally, approval can be given to a toilet, shower and hand basin in a shed.

▪ **Can I live in a shed temporarily while I build my house?**

An owner of a property for which development approval for a dwelling has been granted may apply to Council to occupy a shed or caravan prior to the building being completed. Approval will only be granted on the following basis:

1. A shower, basin and toilet connected to either sewerage or an approved on-site waste water management system are on the site.
2. Town water is connected or an adequate tank water supply is available;
3. Construction of the dwelling has substantially commenced (i.e. footings or slab poured).
4. If located in a bushfire prone area, adequate measures are to be in place for safe evacuation in case of bushfire and any required Asset Protection Zones are established.
5. The period of occupation is 1 year or less.
6. Adequate construction progress on the dwelling is maintained during the period of occupation.
7. A smoke alarm is installed in the shed or caravan.
8. Temporary kitchen and laundry facilities are removed from the shed within 3 months of when the dwelling is completed and the use of the building reverts to a non habitable shed. A bathroom can remain.

▪ **What are the construction standards for converting a shed to a dwelling?**

The construction standards for a dwelling are contained in the Building Code of Australia (BCA), the *Environmental Planning & Assessment Act, 1979* and Council's Development Control Plans (DCP's) and can be summarised as:

- a) Minimum facilities - a toilet; shower or bath; wash basin; kitchen sink and facilities for the preparation and cooking of food; laundry tub and space for a washing machine.
- b) If the shed is visible from a public place it will need to be of a higher architectural quality (e.g. increased roof pitch, architectural features such as verandahs, eaves, etc) to be in keeping with the character of the area.
- c) Concrete slab – constructed to AS2870 for a class 1a dwelling or a structural engineer's certificate supplied which states the slab is suitable for use in a dwelling. Evidence of a plastic membrane under the slab or the slab will need to be suitably water proofed to prevent



- moisture entering the building. Slab should be at least 100mm above surrounding ground level with adequate surface water drainage but preferably at least 225mm above surrounding ground level.
- d) Frame, including tie downs and bracing – constructed for a class 1a dwelling standard under AS1684 if timber framed or certified by a structural engineer to be suitable for a dwelling.
  - e) Minimum ceiling height - 2.4 m for habitable rooms and 2.1 m for laundry, bathroom, corridor and toilet as per the BCA.
  - f) Minimum natural light for habitable rooms – glazed area of windows to be 10% of the floor area and ventilation as per the BCA.
  - g) Boundary setbacks to comply with the BCA (e.g. 900mm wall to side or rear boundary and 450mm eave to boundary)
  - h) Flood – if the property is flood liable the floor level must be at least 500mm above the 1:100 year flood level.
  - i) Bushfire – if the property is mapped as bushfire prone the NSW Rural Fire Service document titled 'Planning for Bushfire Protection 2006' and AS3959 apply. Submit a bushfire consultants report or completed Rural Fire Service guidelines for single dwelling development applications. See [www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)
  - j) Basix – a Basix Certificate is to be submitted with any development application for conversion of a shed to a dwelling outlining the energy efficiency measures to be installed. See [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)
  - k) Connection to sewer or an approved on site waste water management system.
  - l) Thermal break – if the building has metal framing and metal wall or roof cladding a NSW amendment to the BCA requires a thermal break be installed between the cladding and frame. This can be achieved using compressed bulk insulation, 20mm thick timber battens, 12mm thick polystyrene strips, air cell or thermal break insulation.
  - m) Certificates of compliance for electrical, plumbing and glazing
  - n) Termite protection to AS 3660.1 where required.
  - o) Complying stairs, landings, balustrades, etc.
  - p) Hardwired smoke alarm between living and sleeping areas.
- **There is already a shed on the property that has been converted to a dwelling but I'm not sure if it is Council approved. What should I do?**

You can check the building approvals that have been issued for a property by submitting a Government Information (Public Access) (GIPA) search of Council's records (form available at Council's website or offices). There is no cost if the information is emailed to you and a photocopy fee if paper copies are required. If the GIPA search reveals there are no approvals for the building this matter should be discussed with Council staff.

If the property has a dwelling eligibility and this is the only dwelling on the property a development application and building certificate application under Section 10.7 of the *Environmental Planning & Assessment Act 1979* may be submitted for assessment.

If this is a second dwelling on the property, this matter should be discussed with Council Planning staff.



- **Can I convert a shed to a dwelling to create a dual occupancy on my property?**

Yes. Attached or detached dual occupancies or secondary dwellings are permitted with development consent in most zones.

- **What action can be taken if a shed is converted to a dwelling without approval?**

Council takes unauthorised development very seriously. When unauthorised development occurs compliance action will be taken in accordance with Council's Enforcement Policy and can include:

- The issue of significant infringement notices These can be issued to the owner of the property and the person who carried out the work.
- The issue of a rectification, demolition or cease use order.
- The requirement to submit applications and supporting documentation for retrospective assessment.
- Court action

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## CHAPTER 6 - SUBDIVISION

### 6.1 About this Chapter

This chapter provides the requirements and design details for subdivision in the Walcha LGA. Subdivision of land may ultimately result in an intensification of land use and as such it is important that the potential impacts of this intensification are considered as part of the approval process.

*Note:*

*S2.75 of the Codes SEPP provides for certain subdivision as exempt development.*

- a) *widening a public road,*
- b) *a realignment of boundaries:*
  - i. *that is not carried out in relation to land on which a heritage item or draft heritage item is situated, and*
  - ii. *that will not create additional lots or increase the number of lots with a dwelling entitlement or increase the opportunity for additional dwellings, and*
  - iii. *that will not result in any lot that is smaller than the minimum size specified in an environmental planning instrument in relation to the land concerned (other than a lot that was already smaller than that minimum size), and*
  - iv. *that will not adversely affect the provision of existing services on a lot, and*
  - v. *that will not result in any increased fire risk to existing buildings, and*
  - vi. *if located in Zone RU1, RU2, RU3, RU4, RU6, E1, E2, E3 or E4—that will not result in more than a minor change in the area of any lot, and*
  - vii. *if located in any other zone—that will not result in a change in the area of any lot by more than 10%,*
- c) *(Repealed)*
- d) *rectifying an encroachment on a lot,*
- e) *creating a public reserve,*
- f) *(f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.*

*Lot consolidation does not require development consent.*

### 6.2 Where this Chapter applies

This Chapter applies to all land within the Walcha LGA.

### 6.3 General Advice to Applicants for Subdivision

- Prior to preparation of a Development Application, owners/applicants should contact Council's Department of Environmental Services to:
  - discuss land zoning and any restrictions on the land (such as bush fire hazard or flooding); and/or
  - purchase a S10.7 zoning certificate; and



- arrange a DA pre-lodgement meeting to discuss the particular site requirements that will need to be addressed prior to lodgement of the Development Application.
- Prepare a site analysis sketch indicating
  - the site boundaries;
  - the site surrounds and, in particular, adjacent properties;
  - the site topography;
  - the site aspect/orientation;
  - existing vegetation including the location and type;
  - creeks and drainage lines;
  - any areas of steep land, in particular, any areas in excess of 15% as this gradient creates limitations in terms of development;
  - views out of and to the site; and
  - scenic elements within the site.
- Prepare a conceptual Plan of Subdivision drawn to an appropriate scale. It is recommended that the Plan of Subdivision be drawn by a surveyor (as this will be required anyway before issue of a subdivision certificate prior to finalisation of the subdivision), however a less formal drawing is acceptable for Development Application purposes provided it includes the following information:
  - Property boundaries of the development site and adjoining land;
  - Contours;
  - Location of existing built and natural items on or adjacent to the land (e.g. buildings, roads, sewer, town water, electricity, telephone, trees, streams, dams, depressions, rock outcrops etc);
  - Location of all existing drainage reserves, easements and rights of way affecting or likely to affect the land;
  - The proposed new lots and any new roads showing accurate dimensions and areas;
  - Proposed names for new roads;
  - Stormwater design and appropriate easements for drainage; and
  - Servicing.

#### 6.4 General Subdivision Controls

- a) The ["Lot Size Map"](#) and Clause 4.1 of the WLEP 2012 prescribes minimum lot sizes.
- b) Public road upgrading and new roads created by subdivision shall be constructed in accordance with Council's Development Design and Construction Manual (Aus-Spec 1). All costs associated with the development are to be met by the developer.
- c) Subdivision involving access off a classified road (Oxley Highway) will be referred to the NSW Roads and Maritime Services (RMS) for comment.
- d) *Traffic Generating Development* (Schedule 3 of [SEPP Infrastructure](#)) will be referred to the RMS as Integrated Development and will require their General Terms of Approval.
- e) Subdivision within bushfire prone land that could lawfully be used for residential or rural residential purposes is Integrated Development and
  - requires a Bushfire Safety Authority from the NSW Rural Fire Service; and
  - must meet the relevant requirements of *Planning for Bushfire Protection 2006*.



- f) Development shall not be carried out on slopes greater than 20%. A geotechnical report may be required when subdividing steep land.
- g) All new lots must have practical and legal access to a public road.
- h) Where subdivision is proposed to be carried out in stages, information is to be supplied detailing the staged release of lots and all infrastructure works (roads, water, sewer and stormwater drainage).
- i) Demonstrated consideration of whether the land to be subdivided is suitable for the intended purposes in accordance with [SEPP 55 Remediation of Land](#).
- j) All lots in new subdivisions will be allocated a new rural address number as part of the development consent. The applicant will be required to ensure the rural address number plate is installed for each lot prior to release of the Subdivision Certificate.
- k) **Landscaping** - New subdivisions in Zones R1, R5, RU5, B2, B4, and IN1 must re-establish grass cover on verges and plant street trees at the following minimum rates:

ZONE	R1 and RU5	R5	B2, B4	IN1
<i>Street trees</i>	1 per new lot Corner lots - 2	1 per 30 metres of road frontage	1 per 10 metres of road frontage	1 per 10 metres of road frontage

- l) A basic landscaping plan showing intended location, type and mature height of trees is required to be submitted with a development application for subdivision in accordance with the above table.
- m) Street trees will be planted in accordance with Councils Street Tree Plan.
- n) Street trees must be located so as not to interfere with sight lines from driveways or the location of existing and future utility services.
- o) All subdivision development applications are to include consideration of potential land contamination.

## 6.5 Subdivision in Residential Areas

### Where this Section Applies

The Section applies to development in the R1 General Residential and RU5 Village land use zones.

### Objectives

- To provide safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community by:
  - Offering a wide choice of good quality housing and associated community facilities
  - Encouraging walking and cycling
  - Minimising energy consumption
  - Promoting a sense of place through neighbourhood focal points and the creation of a distinctive identity which recognises and, where relevant, preserves the natural environment.
- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards,
- To ensure that the intensification of land use does not result in undesirable environmental consequences, and
- To implement the 'user pays' principle for the provision of services to the subdivision.



- To improve the quality of future streetscapes within subdivisions by requiring landscaping within public road reserves.

#### Controls

- a) **Services:** The following services should be provided to each lot at the subdivider's cost
  - reticulated water
  - a sewerage connection
  - electricity, telephone and telecommunication services – underground reticulation
  - the necessary underground conduits for the passage of future service lines
  - any easements required to facilitate the provision of services and/or inter-allotment drainage
  - Developer to provide kerb and gutter and footpaths in the R1 Zone and within the RU5 zone as required by Council.
- b) **Frontage Requirements:**
  - Lots shall have a minimum frontage of the average of lots in the immediate locality.
  - Lots fronting cul-de-sacs shall have a minimum frontage of 10 m.
  - Corner lots shall have a minimum frontage of the average of lots in the immediate locality. The lot size shall be met after allowing for area lost at corners which are to be splayed to a minimum of 3 metres and dedicated as public road.
- c) **'Battle-axe' lots**
  - Battle-axe lots shall have a minimum frontage of 4m. No more than two (Torrens Title) lots will share a battle axe handle access.
  - The access handle is to be excluded from calculation of area of the lot for the purposes of minimum lot size calculations.
  - The access handle is to be concreted or sealed.
  - The maximum height of the access way fencing shall be 0.9m between the front of the adjacent dwelling and the street, and 1.8m between the front of the adjacent dwelling and the rear of the lot.
  - The prime objective in designing the access way is to provide for vehicles to be able to move in a forward direction when entering or leaving the site.



d) Environmental amenity

- Subdivisions are to avoid clearing of native vegetation.
- Native vegetation, significant trees and riparians areas retained within a residual lot.
- Refer *Section 4.11 Waterfront Land* for requirements for riparian areas.



Sample: Preferred subdivision layout – Existing vegetation retained, lots avoid riparian areas

### 6.6 Subdivision in Rural and Rural Residential Areas

This section applies to land zoned RU1 Primary Production, RU4 Primary Production Small Lots, R5 Large Lot Residential and E4 Environmental Living.

#### Objectives

- To ensure that subdivision in rural and rural residential areas is appropriate within the rural landscape.
- To minimize fragmentation of agricultural lands.
- To allow for boundary adjustments and subdivision that facilitates flexibility in the arrangement of agricultural holdings.
- To ensure that subdivision will not result in increased risk from bushfire or other environmental hazards.

#### Site Analysis

A plan showing the site analysis for the subject land must accompany development applications for subdivision and should consider:

- the site boundaries;
- the site surrounds and, in particular, adjacent properties;
- the site topography;
- the site aspect/orientation;
- existing vegetation including the location and type;
- creeks and drainage lines;



- any areas of steep land, in particular, any areas in excess of 15% as this gradient creates limitations in terms of development;
- views out of and to the site; and
- scenic elements within the site.

A Site Analysis Plan will provide a 'snapshot' of the site and assist in evolving a development proposal that is relevant and appropriate to the land.

When considering an application for subdivision of land Council shall take into consideration: -

- The desirability of providing a range and mix of allotment sizes;
- The size of each proposed allotment in relation to its suitability to accommodate the proposed development and the disposal of wastes;
- Whether adequate services are available to each allotment;
- Whether sealed access roads are available to each allotment; and
- Whether provision has been made for the control of noxious weeds and the minimisation of the risk to development from bush fire hazards.

### Controls

In addition to the controls in Chapter 4 Rural Development, the following controls apply to development for subdivision of land.

#### a) Road Access

- All weather, two wheel drive access crossing(s) and driveways are to be constructed at the cost of the developer.
- Access crossings from bitumen sealed public roads require a bitumen formation from the edge of the public road formation to the property boundary with bitumen splays.
- Each allotment to be created within a two (2) km radius of the township of Walcha will have frontage to a bitumen sealed road with access to Walcha. The road shall be constructed to Council's standards for rural roads.
- Each allotment to be created within a radius of between two (2) km and five (5) km of the township of Walcha will have frontage to a bitumen sealed road. The road shall be constructed to Council's standards for rural roads by the developer.
- New public roads created by the subdivision or the need for the existing roads to be upgrade by the subdivision shall be constructed in accordance with Council's Development Design and Construction Manual (AUS-Spec 1). All costs associated with the development are to be met by the developer.
- Cul-de-sacs will be of a sufficient width for manoeuvring of garbage truck and other semi rigid vehicles.

#### b) Water

- Each allotment to be created within a two (2) km radius of the township of Walcha is to be connected to a reticulated public water supply.
- Each proposed allotment to be created within a radius of between two (2) km and five (5) km of the township of Walcha is to be of sufficient size to enable the provision of an adequate potable water supply and a bulk water supply for fire fighting purposes.



c) **Waste Disposal**

- Each allotment to be created is to contain sufficient area for the on-site disposal of effluent in accordance with the requirements of Council and Department of Health.
- All lots must have suitable locations for the on-site management of wastewater in accordance with Council's On-site Sewage Management Strategy.

d) **Utility Services**

- Each proposed allotment to be created shall be capable of being connected to a reticulated electricity supply and a telephone service. Written confirmation from the relevant public authority that these services are available shall be provided to Council.

e) **Noxious Weeds**

- Each application for subdivision of land must be accompanied by a Plan of Management for the control of noxious weeds. Conditions of consent may be imposed by Council with respect to the control of noxious weeds.

f) **Bush Fire**

- A Bushfire Risk Assessment must accompany applications for subdivision of bushfire prone land, providing an assessment that meets the requirements of *Planning for Bushfire Protection 2006*. Indicative Building Envelopes must be shown for any vacant lot clear of any bushfire asset protection zones (APZs).
- Vegetation clearing for bush fire asset protection zones, access requirements and the like must be supported by a detailed ecological assessment prepared by a qualified consultant.

g) **Rural Amenity**

- All prominent hilltops and ridges are to be preserved. Subdivisions should be designed so as to:
  - i. Exclude roads, powerlines and other services and amenities from hilltops
  - ii. Exclude dams and other earthworks from hilltops
  - iii. Any tanks and similar structures which are dependent upon gravity for their operation should be designed and located so as to blend in with the natural environment.
- Lot layouts should reflect site topography. Retain vegetation and scattered trees as natural features and to provide separation between lots and dwellings. Design new lots with the potential for building pads to be staggered and separated from their neighbours. Ensure road reserves have space for street trees. Enhance creeks as natural features. Consolidate remnant vegetation within a limited number of lots to facilitate better management of this vegetation.

h) **Koala Habitat**

- The onus is on the applicant to demonstrate to Council that the land is not potential or actual Koala habitat and that the development will not adversely impact Koala habitat. SEPP 44 Koala Habitat Protection applies to the Walcha LGA.

**NOTE: Refer to Section 4.6 and 4.11 for requirements for clearing of native vegetation and 'works' in the vicinity of a watercourse.**



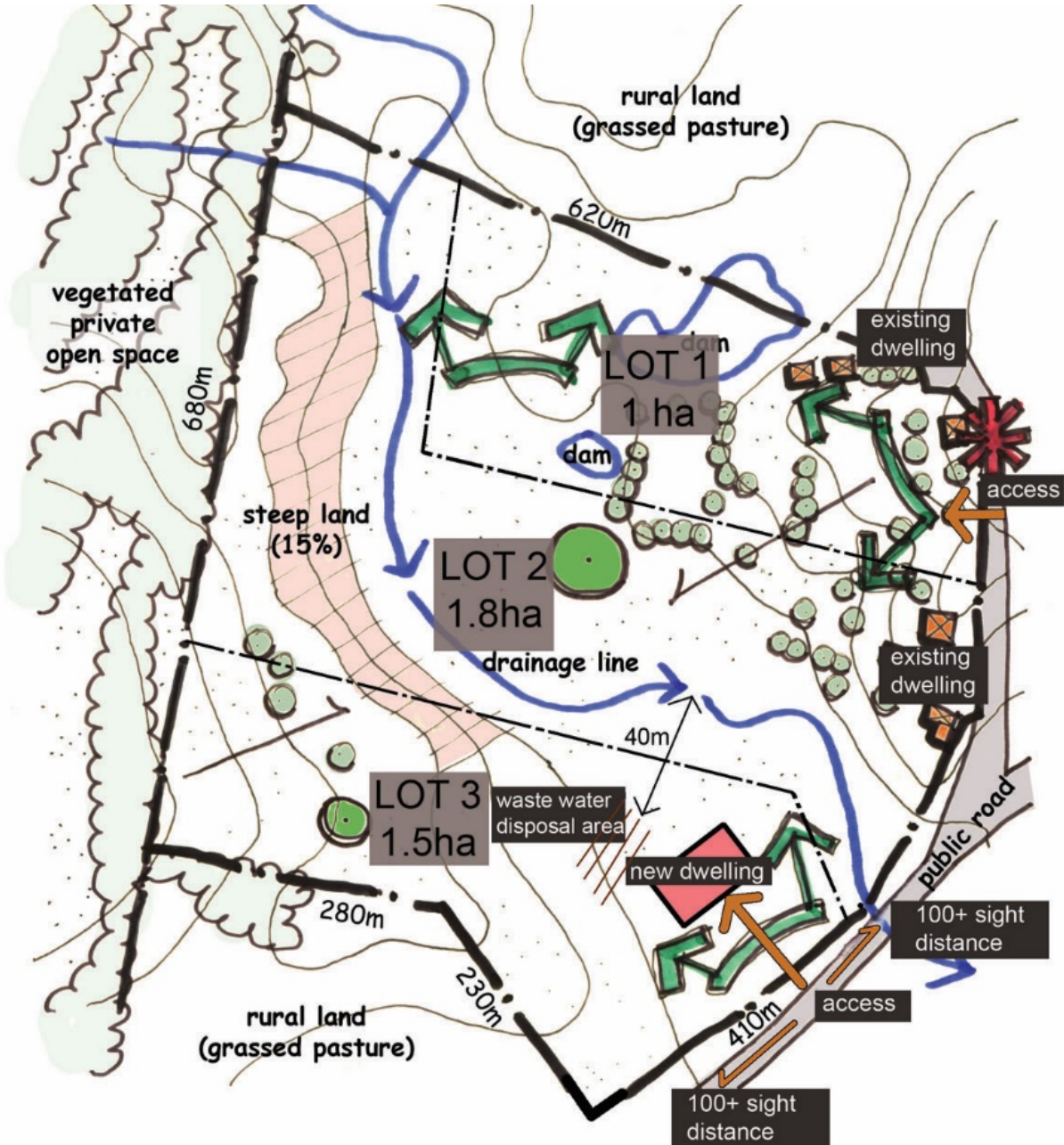
Sample: Site Analysis Sketch







Sample: Subdivision Concept Plan



### 6.7 Subdivision in Commercial and Industrial Areas

#### Where this Section Applies

The Section applies to the B2 Local Centre, B4 Mixed Use and IN1 General Industrial land use zones

#### Objectives

- To provide safe, convenient and attractive employment lands by:



- o Facilitating development that is consistent with the objectives for the Commercial and Industrial zones in the WLEP.
- o To ensure that the intensification of land use does not result in undesirable environmental consequences.
- o To implement the 'user pays' principle for the provision of services to the subdivision.
- o Providing flexibility and choice in land for commercial and industrial purposes.
- o To ensure that subdivision of employment land does not jeopardise the potential of that land for commercial or industrial purposes.

#### Controls

- a) Subdivision design and construction must comply with Council's relevant engineering guidelines.
- b) **Minimum dimensions** for the size and shape of proposed allotments do not apply. However, a development application for subdivision must be able to demonstrate that the size and shape of the allotments are appropriate for their proposed use and are able to accommodate business premises, car parking, landscaping and other requirements of the proposed development.
- c) **New roads** created by the subdivision or the need for the existing roads to be upgraded by the subdivision shall be constructed in accordance with Council's Development Design and Construction Manual (Aus-Spec 1). All costs associated with the development are to be met by the developer.
- d) The following **services** shall be provided to each lot at the subdivider's cost:
  - o reticulated water
  - o a sewerage connection
  - o kerbing and guttering
  - o stormwater drainage infrastructure
  - o electricity
  - o telephone service
  - o the necessary underground conduits for the passage of future service lines
  - o any easements required to facilitate the provision of services and/or inter-allotment drainage
- e) Council or an accredited contractor will carry out all works associated with connection to the existing reticulated water and sewerage network with full costs to be met by the developer.
- f) Evidence (provisioning certificates) demonstrating satisfactory arrangements for electricity and telephone services shall be provided prior to issue of the subdivision certificate.



## CHAPTER 7 - DEVELOPMENT IN COMMERCIAL AND INDUSTRIAL AREAS

### *7.1 About this Chapter*

The Walcha LGA comprises a number of areas that constitute 'employment lands' – i.e. areas that provide for job creation and ongoing employment. These areas are zoned for commercial or industrial land uses, and are intended to support the development and operation of various business enterprises. This chapter should be read in conjunction with the WLEP and other chapters of the DCP that are relevant for particular developments.

### *7.2 Where this Chapter applies*

This chapter applies to land zoned Business (B2 Local Centre and B4 Mix Use) and IN1 General Industrial under the WLEP.

### *7.3 General Advice to Applicants*

Different land uses are permissible within the business and industrial zones. Applicants are urged to check with Council's planning staff about the permissibility or otherwise of a proposed development early in the project planning stages.

The employment land zones each have different objectives in terms of the type of enterprise that is appropriate. Applicants and developers are encouraged to consider how their proposed development will fit within these.

### *7.4 Aims and Objectives*

This chapter is intended to achieve the following:

- To reinforce the role of the town centre (B2 zone) as the main focus for retail and commercial activity within Walcha.
- Footpath displays are supported provided they maintain pedestrian safety.
- To provide guidelines for elements, such as the external appearance of buildings and landscaping, which contribute towards appropriate streetscape character.
- To ensure that the design of developments provides ease of access for pedestrians, including people with disabilities.
- To ensure that business and industrial development is served by the necessary physical infrastructure, including reticulated water supply and sewerage and drainage systems.
- To ensure that adequate vehicular access and parking is provided so as to protect the safety of other road users.



## 7.5 Controls

### Change of Use

Developers are encouraged to consult with Council's staff prior to undertaking a change of use of premises in order to determine which of the following planning pathways would apply:

- a) Development consent is not required for certain change of use of premises that are listed as exempt development under S5.3 of the [Codes SEPP 2008](#).
- b) Change of use may also be permissible as complying development under the Codes SEPP. In this case, an application for a Complying Development Certificate will need to be lodged with Council or a private certifying authority.
- c) For a change of use of premises that does not fall into either of the above categories, a Development Application will need to be lodged with Council.

### Access for Persons with Disabilities

- d) Adequate provision is to be made to enable persons with disabilities to gain access to the development and to the land on which the development is proposed to be carried out.
- e) The development is to comply with the relevant Australian Standard for access for disabled persons applying at the time the development application is lodged.

### Height

- f) There are no LEP maximum building heights for employment lands. Maximum building height is merit based, however should not exceed 10 m or four (4) storeys.
- g) Development involving silos, concrete batching plants and the like, may involve elements of buildings that are greater than 10 m in height.

### On-site facilities

- h) On-site facilities for garbage bin and recycling storage and service meters are to be designed to be physically convenient, visually attractive and require minimal maintenance.
- i) Garbage and recycling bin storage is not to be located at the street frontage.
- j) Where collection is not on the street frontage, adequate loading and turning areas for service vehicles is to be provided within the development.
- k) Adequate provision is to be made for the storage and handling of solid wastes generated by the development. The storage area is to be enclosed and the material stored is to be screened from public view.
- l) Provision is to be made for the installation and maintenance of Liquid Trade Waste management facilities where required.

### Development on land adjoining land zoned R1 General Residential

- m) Business or industrial development on land adjoining a residential zone should be designed and orientated to reduce adverse amenity to surrounding residential land uses. Applications will be required to address the following:
  - Noise associated with the amount of traffic generated by the development.
  - The type of traffic generated by the development (cars, delivery vehicles etc).
  - Location of car parking and loading/unloading areas
  - Hours of operation.
  - Headlight glare from vehicles within the site.
  - Odour
  - Nuisance caused by illumination of the development for advertising and/or security reasons.



- Visual impact associated with the setback of the development from the common property boundary and the design and scale of the development. Possible adverse impacts on the locality, including the above factors, should be considered when choosing the site and designing the development.

#### Energy efficiency

- n) Opportunities may exist to design layouts for a development which minimise winter heat loss and make use of solar energy. This may be achieved by:
- Locating main office and/or retail areas on the north side of the building. Storage areas, toilets and other rooms requiring minimum climate control could be located away from the north side.
  - Walls set back sufficiently from the north site boundaries to enable winter solar access to the main north facing areas.
  - Buildings to incorporate window shading devices, such as eaves, verandahs and blinds, to reduce exposure from hot summer sun, especially on the western side of the building.
  - Landscaping that incorporates good solar design principles.

#### Services

- o) The following services should be provided to development for commercial or industrial purposes:
- reticulated water
  - a sewerage connection
  - electricity, telephone and telecommunication services – underground reticulation
  - the necessary underground conduits for the passage of future service lines
  - any easements required to facilitate the provision of services and/or inter-allotment drainage
  - Developer to provide kerb and gutter and footpaths as required by Council.

### 7.6 Zone B2 Local Centre – Specific Considerations

This zone provides for a reduced range of residential accommodation to encourage mixed commercial and residential development within the town centre area. Single detached dwelling houses are discouraged other than as an ancillary land use to a permissible business development.

*Note: An ancillary use is a use that is subordinate or subservient to the dominant purpose. The concept is important when a development involves multiple components on the same land.*

- *if a component serves the dominant purpose, it is ancillary to that dominant purpose;*
- *if a component serves its own purpose, it is not a component of the dominant purpose but an independent use on the same land. It is a dominant use in its own right. In such circumstances, the development could be described as a mixed use development.*

Department of Planning & Infrastructure – Planning Circular PS 13-001

'Shop top housing' is actively encouraged to provide for housing that will decrease car dependency in the town centre.



*Note: existing dwellings remain permissible under 'existing use rights' contained in Sections 4.65 to 4.70 of the EP&A Act.*

#### Heritage Considerations

A number of heritage listed items are located within B2 zoned land. As such, any proposals for development within the B2 zone should be carefully checked to see whether heritage provisions will apply to the development. As heritage considerations can place significant restrictions on the type of development that can be undertaken, it is strongly recommended that potential developers contact Council planning staff early in the development process to discuss this.

For any development to be undertaken on Heritage Items, the provisions of *Chapter 9 Heritage* will also apply.

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## CHAPTER 8 - ACCESS AND PARKING

### *8.1 About this Chapter*

This chapter of the DCP has been prepared as a guide to Council's requirements for car parking, access and loading facilities as part of development proposals.

### *8.2 Where this Chapter applies*

This Chapter applies to all zones under the WLEP 2012. This chapter applies to new development and re-development of existing sites.

### *8.3 Aims and Objectives*

To ensure that new development:

- maintains or improves traffic safety and management;
- provides adequate provision for access and parking for people with disabilities;
- minimises the visual impact of on-site parking. and
- provides for the ongoing maintenance of on-site car parking and manoeuvring areas.

### *8.4 Access and Traffic Generation*

Minor development proposals are unlikely to significantly impact the receiving road network, however, consideration of traffic generation and access locations is still required. For more significant developments, Council may require a Traffic Impact Assessment to be prepared addressing the following matters:

- Development involving access off a classified road (Oxley Highway) will be referred to the Roads and Maritime Services (RMS) for comment.
- *Traffic Generating Development* (Schedule 3 of [SEPP Infrastructure](#)) will be referred to the RMS as Integrated Development and will require their General Terms of Approval.
- The rate of traffic generation associated with the proposed development.
- Any impact additional traffic generated may have on traffic efficiency, amenity, safety, and road pavement life.

### *8.5 Vehicular Crossover and Driveway Width*

Applicants are to lodge a Road Opening Application Form with Council, and receive a Road Opening Permit, prior to performing any work within a public road reservation. Any conditions of the Road Opening Permit are to be complied with in association with the work.

#### **Urban Controls**

- a) Urban entrances must meet the 150mm high Kerb Crossing Standard. A copy of the Standard Vehicle Crossing specification is available from Council's Engineering Department upon request.



- b) All existing vehicular crossings not utilised by the development will generally be required to be removed, and the area restored to match the adjoining section of kerb and footpath, prior to occupation or use of the development.
- c) No access/access structure is to block an existing drainage channel, with all water to be drained in a manner that facilitates effective drainage of water.  
**Any disturbed ground or vegetation are to be suitably reinstated.**
- d) A dial before you dig (DBYD) must be completed prior to commencing works. Walcha Council cannot guarantee the location of services, additionally Council is not responsible if services are encountered while constructing this access.

#### Rural Controls

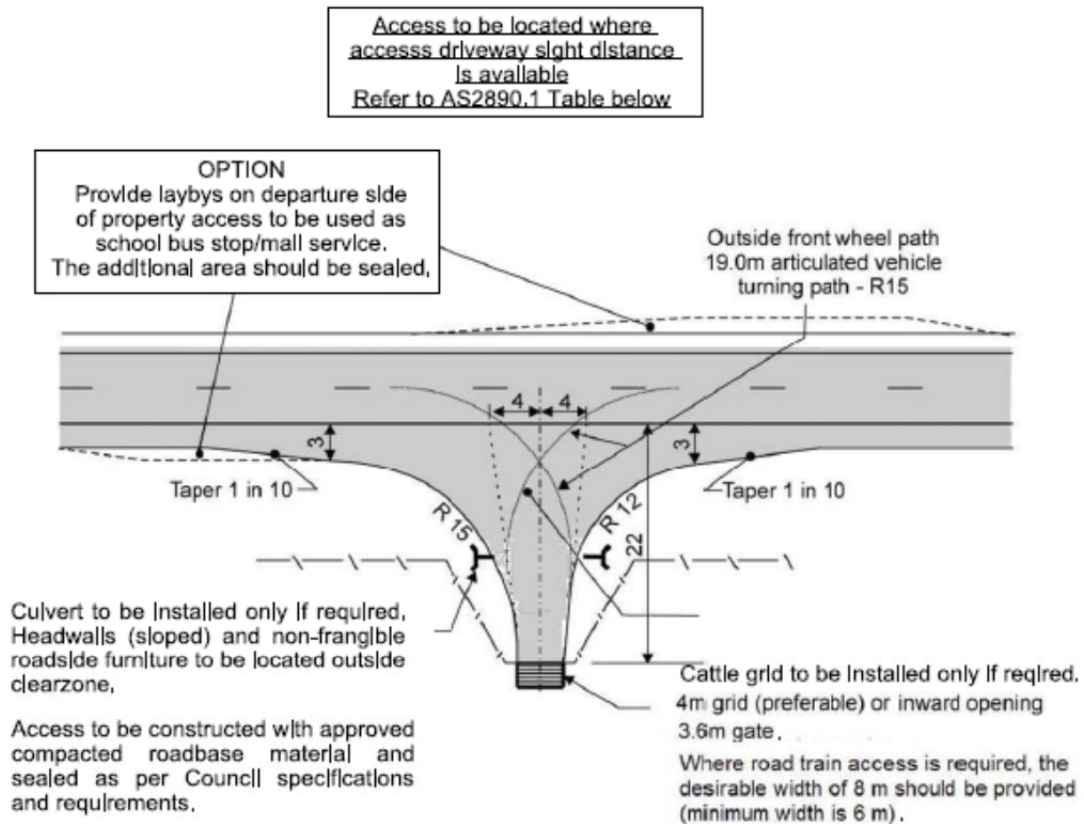
- a) Rural entrances on sealed roads must meet the "Typical Rural Access Standards" shown in the diagram below '2 – Articulated Vehicles'.

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**TYPICAL RURAL ACCESS STANDARDS**



**2. Articulated Vehicles**

Access Driveway Sight Distance (AS2890.1)

Speed Limit km/h	Sight Distance (rounded to nearest 5m)
50	70
60	85
70	100
80	110
90	125
100	140
110	155

**NOTES:**

- A: Council may require work to be undertaken to Auspec standards [www.natspec.com.au](http://www.natspec.com.au)
- B: All ongoing maintenance to rural property access is the responsibility of the property owner.

- a) There will be no requirement to seal a rural access that fronts an unsealed road, however the dimensions of the "Typical Rural Access Standards" will remain.
- b) Where the Typical Rural Access Standard is not achievable on an unsealed road due to vegetation or other constraints, the owner must convince the Engineering Department that heavy vehicles can safely enter and exit with their proposed design.
- c) All existing vehicular crossings not utilised by the development will generally be required to be removed, and the area restored prior to occupation or use of the development.



- d) No access/access structure is to block an existing drainage channel, with all water to be drained in a manner that facilitates effective drainage of water.
- e) Any disturbed ground or vegetation are to be suitably reinstated.
- f) All accesses are to be bitumen sealing with a splay from the edge of the existing bitumen to the boundary line to a standard approved by Council.
- g) No permanent objects are to be installed that will inhibit sight distance.
- h) All works to be undertaken within 3m of the road edge line must have a TCP for the works. If works will impact on traffic, traffic controllers must be on site.
- i) A dial before you dig (DBYD) must be completed prior to commencing works. Walcha Council cannot guarantee the location of services, additionally Council is not responsible if services are encountered while constructing this access.

## 8.6 Parking Controls

### General

- a) Car-parking spaces are to be provided on the same lot as the proposed development. Multi-lot land holdings may require consolidation to comply with this control. (*Reason: To ensure car parking remains annexed to the approved development.*)
- b) Additional parking spaces required for any new development or redevelopment shall comply with the controls of this chapter and **Table: Off-street Parking Rates**.
- c) Accessible car parking spaces are to be provided in accordance with the [Disability \(Access to Premises - Buildings\) Standards 2010](#).
- d) Accessible car parking spaces are to be located as close as possible to the main pedestrian entrance and should have regard to the use and function of the building.
- e) Council will apply the controls of this Chapter if it considers a proposed Change of Use requiring consent will produce a substantially different parking requirement than those attributable to the previous use of premises.
- f) Development proposals that provide less parking than required by this Chapter shall be supported by a parking study.
- g) On-site parking design must meet the relevant Australian Standards (AS 2890.1 and 2890.2 2004).
- h) All required car parking areas, driveways, turning areas and loading areas are paved in either a bitumen seal coat, asphaltic or bituminous concrete, cement concrete, concrete paving blocks, or brick paving blocks. The standard of paving required will be dependent upon the type of development proposed, with regard to traffic loadings including turning movements of heavy vehicles.
- i) In villages and rural areas all-weather paving of driveways, turning areas, loading areas and car parking areas is required. Surface materials to be at the discretion of Council's Director of Infrastructure Services
- j) All parking spaces shall be suitably line-marked and sign-posted and be graded and drained to Council's stormwater system.
- k) Free and uninterrupted access to car parking areas shall be maintained at all times.
- l) Stacked car parking is only permissible in conjunction with single dwelling houses and dual occupancies. Exceptions to this control are at the discretion of Council.
- m) Car parking areas are to be incorporated into the building or provided at, or behind, the front setback of the building.



Table: Off-Street Parking Rates

Land Use	Minimum Parking Spaces Required
Bed and breakfast accommodation	1 per guest room
Bulky goods premises	1 per 50m <sup>2</sup> Gross Floor Area (GFA)
Business premises	1 per 60m <sup>2</sup> GFA
Cellar door premises	1 per 50m <sup>2</sup> GFA
Community facility	1 per 5 seats or per 10m <sup>2</sup> of GFA, whichever is the greater
Child care centre	1 per employee plus 1 per 10 children plus set down and pickup points for cars (parking study may be required)
Commercial premises (not listed separately)	1 space per 60m <sup>2</sup> GFA.
Dwelling house and Dual occupancy dwelling	<ul style="list-style-type: none"> <li>❖ 1 space per 1 and 2 bedroom dwelling house</li> <li>❖ 2 spaces per 3 bedroom dwelling house (may be stacked)</li> </ul>
Farm Stay Accommodation	1 per guest room
Food and drink premises, excluding pubs	1 space per 30m <sup>2</sup> GFA; / except for Walcha 1 space per 5m <sup>2</sup> GFA or 1 space per 6 seats.
Freight transport facility	1 per employee
Function centre	1 per 5 seats or 1 per 4m <sup>2</sup> GFA, whichever is the greater.
Industry	1 space per 100m <sup>2</sup> GFA (minimum 2 spaces per single occupation)
Group home	<ul style="list-style-type: none"> <li>❖ 1 per 1 and 2 bedroom dwelling house</li> <li>❖ 2 per 3 bedroom dwelling house</li> </ul>
Health consulting rooms	3 per surgery, consultation or treatment room
Health services facility	3 per surgery, consultation or treatment room
Highway service centre	1 per 5 customer seats or 1 per 10m <sup>2</sup> GFA (whichever is the greater) plus 1 per 2 employees
Home-based child care or family day care home	1 per employee
Home business and Home industry	1 per employee not resident at the site
Home occupation (sex services)	1 per person offering sex services, in addition to the number required for the residential accommodation
Hospital	1 per 4 beds plus 1 per 2 employees
Kiosk	1 per employee
Landscape and garden	1 space per 200m <sup>2</sup> of site area and employee parking.



Land Use	Minimum Parking Spaces Required
supplies	
Liquid fuel depot	1 per employee plus tanker parking
Motel or hotel accommodation	1 space per unit, plus 1 space per 2 employees.
Market	2.5 per stall for customers plus 1 per stall operator
Medical centre	3 per surgery, consultation room or treatment room or 1 per 25m <sup>2</sup> GFA (whichever is the greater)
Mixed use development	As required for each land use within the development
Moveable dwelling	<ul style="list-style-type: none"> <li>❖ 1 per 1 and 2 bedroom dwelling</li> <li>❖ 2 per 3 bedroom dwelling</li> <li>❖ 1 per dwelling if the dwelling is temporary and is not present on the site for more than 6 in every 12 months</li> </ul>
Multi dwelling housing	<ul style="list-style-type: none"> <li>❖ 1 car space per 1 or 2 bedroom dwelling.</li> <li>❖ 2 car spaces per 3 or more bedroom dwelling.</li> <li>❖ 1 designated visitor space per 1-4 dwellings.</li> <li>❖ 2 designated visitor spaces per 5-8 dwellings.</li> <li>❖ More than 8 dwellings - 2 designated visitor spaces plus 1 visitor space for every 3 or part thereof additional dwellings.</li> </ul>
Neighbourhood shop	1 per 20m <sup>2</sup> GFA plus 1 per 3 employees
Office premises	1 space per 40m <sup>2</sup> GFA.
Place of public entertainment	1 space per 10 seats or 1 space per 15m <sup>2</sup> of main assembly area, whichever is the greater.
Place of public worship	1 space per 10 seats or 1 space per 15m <sup>2</sup> of main assembly are, whichever is the greater.
Pub	<ul style="list-style-type: none"> <li>❖ 1 space per 40m<sup>2</sup> of licensed public floor area.</li> <li>❖ Service delivery vehicles: <ul style="list-style-type: none"> <li>○ 1 per 50 units up to 200, plus 1 per 100 thereafter, plus 1 per 1000m<sup>2</sup> of public area (bar, tavern, lounge or restaurant).</li> </ul> </li> </ul>
Recreation facilities (indoor)	1 space per 25m <sup>2</sup> GFA.
Registered Club	1 space per 4m <sup>2</sup> of licensed public floor area.
Restaurant or café	<ul style="list-style-type: none"> <li>❖ 1 space per 30m<sup>2</sup> GFA, except for</li> <li>❖ 1 space per 5m<sup>2</sup> GFA, or</li> <li>❖ 1 space per 6 seats</li> <li>❖ Service delivery vehicles:</li> </ul>



Land Use	Minimum Parking Spaces Required
	<ul style="list-style-type: none"> <li>o 1 per 50 units up to 200, plus 1 per 100 thereafter, plus 1 per 1000m<sup>2</sup> of public area (bar, tavern, lounge or restaurant).</li> </ul>
Residential development, other than dwelling houses	<ul style="list-style-type: none"> <li>❖ 1 space for 1 &amp; 2 bedroom units.</li> <li>❖ 1.5 spaces per 3 bedroom units.</li> <li>❖ 2 spaces per 4 bedroom units.</li> <li>❖ 1 visitor car space per 2 units or part thereof.</li> </ul>
Restricted premises	1 space per 30m <sup>2</sup> GFA
Retail premises	1 space per 60m <sup>2</sup> GFA
Rural supplies	1 per 40m <sup>2</sup> GFA
Service Station	3 spaces per work by, plus 1 space per 30m <sup>2</sup> GFA for a convenience store, plus 1 space per 3 seats for a restaurant.
Squash/tennis courts	3 spaces per court.
Vehicle repair station	3 spaces per work bay.
Vehicle sales or hire premises	1 space per 130m <sup>2</sup> of display area, plus for vehicle servicing 3 spaces per work bay.

Land uses not listed in Table 8.1 are subject to a parking study and/or the discretion of Council.

**Explanatory Notes**

- *Gross Leasable Floor Area means the overall usable area of the building excluding amenities, stairways, lift wells and plant rooms.*
- *Ancillary or incidental uses will be assessed as part of the main user of the building i.e. the office of a supermarket will be included in the area of the supermarket and will not be treated as a separate office use.*
- *A use comprising a combination of two or more uses such as combined motor sales and repairs will be assessed as if the two uses existed independently and the required on-site parking provisions will be the aggregation of the independently derived requirements.*
- *"Bedroom" is taken to be any room which would be available for use as a bedroom without structural alteration to the dwelling.*
- *The parking provision for restaurants and function rooms may be reduced where it is demonstrated that the time of peak demand for parking associated with each facility does not coincide or where common usage reduces total demand. Each case will be considered on its individual merits.*
- *If the calculation of required car spaces results in a non-integer value such as 3.6, then this should be rounded up.*



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## CHAPTER 9 - HERITAGE

### *9.1 About this Chapter*

The purpose of this DCP is to provide controls and guidelines for development within the Walcha Central Business District (CBD) area to:

- Create opportunities for quality development that will enhance the heritage character of the CBD area and improve connections to the Apsley River parklands
- Encourage development that will improve the overall character and amenity of the Walcha
- Provide a framework to guide future development.
- Maintain and enhance the character of the CBD area
- Maintain the importance of the CBD as the heart of the community
- Ensure that landscaping within future development proposals will complement the heritage significance of the CBD area
- Maintain the importance of civic areas and buildings.
- Encourage the inclusion of public art within new development proposals
- Facilitate pedestrian movement within the CBD, particularly in regard to mobility and access.
- To provide guidance to applicants on the matters which Council will consider during the assessment of Development Applications to which this chapter applies.

### *9.2 Where this Chapter applies*

This chapter applies to the Walcha LGA.

### *9.3 General Advice to Applicants*

Walcha is characterised by a mix of large and small scale locally and state significant heritage buildings, the majority of which have remained relatively intact in terms of their street presentation.

The desired built form of the town area is that new commercial development is compatible with and does not detract from the individual character of the Walcha township. All development should strive to achieve desirable social and economic benefits as well as meeting the heritage objectives of the Walcha LEP.

Council recommends that developers contact Council early in their design process and seek advice on heritage issues so that the design response can be more cost-effectively worked into the overall design solution.

### *9.4 Heritage Controls*

Development proposals involving heritage items or nearby heritage items must comply with the controls listed below.



**Controls**

- a) Statement of Heritage Impact (SOHI) is to accompany any application for building alterations or works to an item of environmental heritage listed on Schedule 5 of the WLEP 2012.
- b) The SOHI should address:
  - Impact the proposed works will have on the item’s heritage significance; and
  - Measures proposed to mitigate negative impacts.
  - Identify whether the existing or proposed building are significant, contributory or non-contributory to understand the role that each building plays within the streetscape.
  - A building that is ‘contributory’ may be adjoining a building that is ‘significant’ and therefore should not detract from that adjoining heritage building through the appropriate use of materials and colours
  - Colours: New development and painting of existing development will require Council approval.
- c) Alterations & Additions
- d) Design Principles

All new development will aim to meet the overall principles provide in Table: Design Principles below:

**Table 9.1: Design Principles**

Principle	Method
New building designs and/or additions or alterations are to reflect the important character / heritage elements of the site.	Being in scale and character with the existing building form.
	Utilising similar shapes, massing materials, colours and vegetation.
	Being non-intrusive.
	Not adversely affecting the existing streetscape or locality identity.
The design of first floor residential (shop-top) or commercial buildings shall be diverse and liveable by incorporating some or all of these elements.	<ul style="list-style-type: none"> <li>❖ decks</li> <li>❖ verandahs/awnings</li> <li>❖ window hoods</li> <li>❖ wide eaves</li> <li>❖ climate control windows</li> <li>❖ heritage features/trim</li> </ul>
Accessibility	New buildings and alterations to existing buildings are to incorporate disabled access and facilities in accordance with AS 1428.
	Parking areas, footpaths, recreation areas, outdoor dining areas and other public spaces are to be designed as barrier-free environments for people with disabilities.



### 9.5 CBD - General Controls

All development proposals in the CBD area must aim to be consistent with the Controls provided below. Council will consider variations where it can be demonstrated that alternative proposals result in a better outcome in terms of maintaining or improving the heritage values of the CBD area.

Table 9.2: General Controls

	Element	Control
a)	Awnings	All buildings with frontage to Derby and Fitzroy Streets shall include awnings for shelter. These must align with adjoining buildings to provide a continuous protection
b)	Height	A maximum building height of 8.5m at street frontage is permitted.
c)	Car parking and access	Where rear lane access is viable, this shall be used for direct vehicular access and service instead of the main streets.
		Rear laneways are required to upgraded and re-surfaced include roll-over guttering.
		On site car parking at the rear of commercial premises is to be in accordance with Chapter 7 Access and Parking.
		Bays shall be located so that vehicles do not utilise the main streets for loading and unloading.
d)	Signage	Signs that detract from the heritage character of the area are not permitted.
	- Under Awning/Verandah Sign	A sign attached underneath the awning or verandah at right angles from the façade of the building: <ul style="list-style-type: none"> <li>❖ Width 2.4m</li> <li>❖ Depth 0.5m</li> <li>❖ Height - No less than 2.6m above pavement.</li> <li>❖ Not to protrude beyond awning.</li> </ul>





	- Wall sign	A sign attached directly to the wall of the building or painted directly onto the wall excluding signs including the parapet of the building. Not to be erected on walls facing adjoining properties. ❖ 25% of wall area
	- Floodlit Sign (Illuminated by an external source of artificial light)	Must not be intrusive to adjoining properties.
	- Banner Sign (A soft canvas or plastic material sign bearing names, numbers and / or pictures and is visible from a public place. Banners are usually fixed to a solid frame or posts. This includes blade signs)	May only be erected for a total period of one (1) month.
e)	Access	All new access should be sympathetic and, where possible, reversible. The general form, materials, finish and compatibility with architectural details of the original design should guide design yet comply with relevant Australian Standards.
f)	Services	Service structures, and plant and equipment within a site, should be an integral part of the development and should be suitably screened.
g)	On-site Loading and Unloading	Facilities for the loading and unloading of service vehicles should be suitably screened from public view and when viewed from the street.

### 9.6 CBD – Signage Controls

The following types of signs **do not** contribute to the character of the CBD area and are not supported by Council:

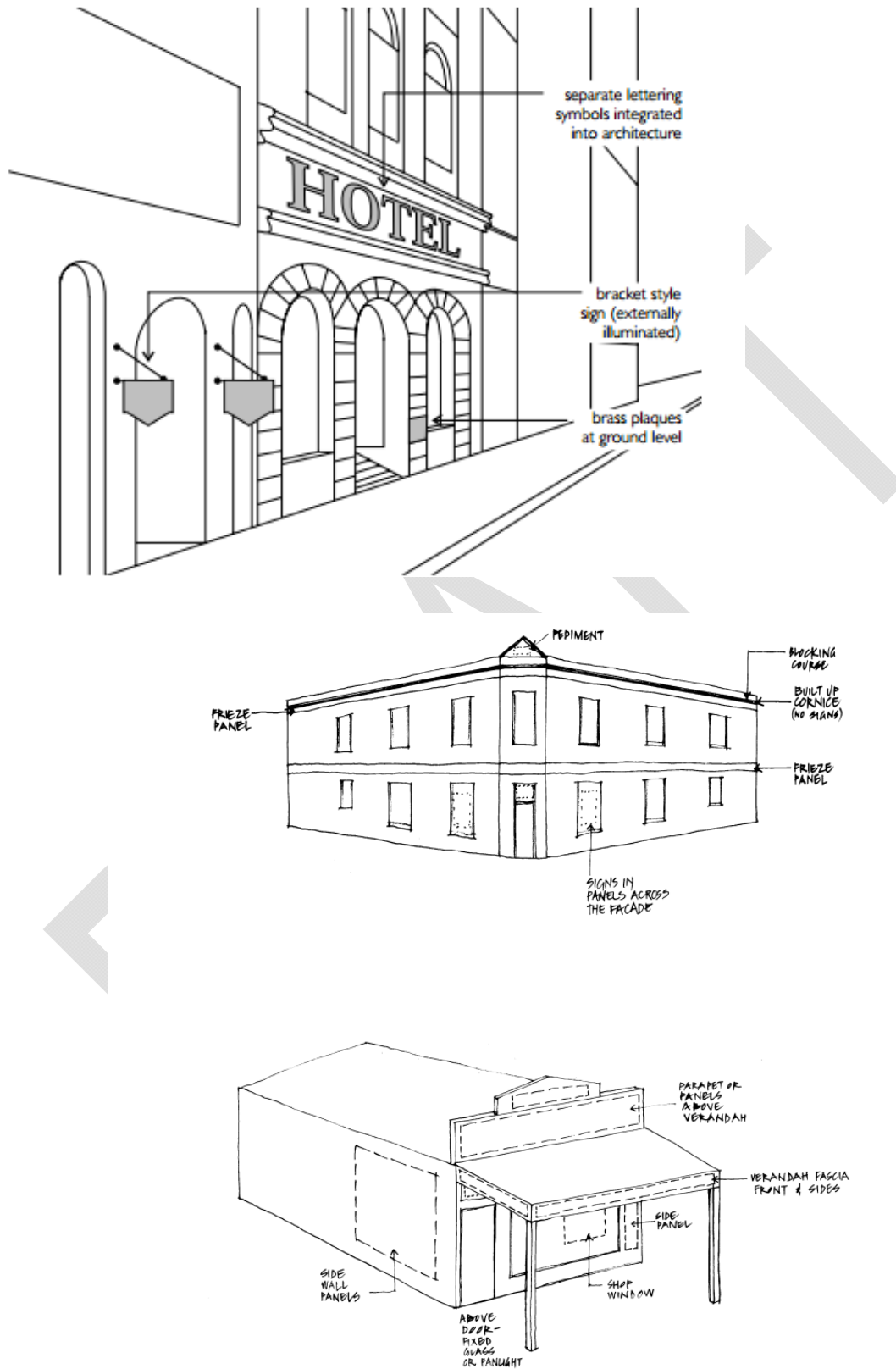
	Sign	
a)	Advertising Fixed to Trees	Any sign that uses a tree as a pole for mounting
b)	Above Awning Signs	Signs mounted above the awning or verandah of a building.



c)	Billboards	Additional billboards where the structure is erected for the express purpose of displaying advertising not associated with the use of the land are prohibited.
d)	Bunting	Small flags attached to a single siring mounting between posts or poles usually associated with Motor Vehicle retailing.
e)	Illuminated Wall Signs	Signs mounting directly onto the building above the level of the verandah or awning.
f)	Corporate Building Signs	Painting buildings to reflect corporate colour schemes as a method of drawing attention to the building is considered to be an extension of advertising signage and will not be permitted.
g)	Flashing Signs	Illuminated at frequent intervals by an internal source of light.
h)	Novelty Signs	Odd shaped signs often three dimensional incorporating items such as cars, wine barrels, "big" product samples etc Generally prohibited. Discuss with Council's planning staff prior to installation.
i)	Vehicle Signs	Cars, trailers or equipment bearing advertising material do not make a positive contribution to the area and should not be parked for the express purpose of advertising or providing direction to a business.
j)	Window Sign	A sign applied on or inside the glass of windows and doors, or etched, painted or attached to the glass.



Illustration 9.1 Preferred Signage



Source: Conservation Guidelines for Historic Signs and New Signs on Heritage Buildings



## CHAPTER 10 – SHIPPING CONTAINERS

### 10.1 About this Chapter

Shipping containers are considered a 'building' under the EP&A Act and as such may require development consent unless the development is Exempt Development.

### 10.2 Where this Chapter applies

This Chapter applies to the Walcha LGA.

### 10.3 Exempt Development

The [Codes SEPP](#) provides some exemptions from the requirement to obtain development consent for the placement of certain shipping containers. These exemptions relate to:

- Certain farm buildings (see Subdivision 16 of the Code SEPP)
- Building site shed, office or associated structure (temporary) (see Division 3 of the Code SEPP)

If a proposed shipping container development meets the development standards of the SEPP then development consent is not required.

If a development proposal involving a shipping container is not exempt development then development consent is required prior to the installation of any shipping and/or storage container on any land. A Development Application is required. In assessing an application, the following controls are applicable.

### 10.4 Controls

#### General Standards (All zones)

- a) Containers must comply with the criteria specific to the zone of the property (below).
- b) Containers must not be located over water, wastewater or stormwater mains or dedicated drainage easements.
- c) Containers must not be located over effluent treatment disposal areas/systems.
- d) Containers must not be located over gas lines or underground power lines.
- e) Setbacks to overhead powerlines must comply with the requirements of the relevant electricity authority.
- f) Containers must be screened from the streetscape by suitable vegetation or other appropriate screening.
- g) Containers will not be permitted in flood prone areas.
- h) Containers must be painted a neutral colour to blend with the surrounding natural environment and built structures, with the proposed colour to be approved by Council.
- i) Containers must not be stacked.
- j) Containers will not be permitted in Heritage Conservation Areas or on lots containing a Heritage Item unless they are approved on a short-term basis (less than 2 years) in conjunction with an approved Development Application and Construction Certificate for specific works.
- k) Containers must not contain sanitary facilities or be used for the collection of rainwater.



- l) Containers must be placed on flat, solid ground. Any associated earthworks (cut & fill) must be in accordance with the [State Environmental Planning Policy \(Exempt and Complying Development\) 2008](#) (Subdivision 15 – Earthworks and retaining walls).
- m) Containers must not be used to store contaminated or hazardous materials.

**For Residential, Village or Rural Residential zones:**

(R1 General Residential Zone, RU5 Village Zone, R5 Large Lot Residential Zone)

- a) A maximum of one (1) container with a maximum size of 12.2 m x 2.2 m (40 x 7 feet) per property.
- b) Containers must not be located within the front building setback (6 metres from the boundary facing a road). Note: This applies to both frontages for corner allotments.
- c) Containers must not be located forward of the building line on any parcel of land within the zone (building line being the setback associated with an existing dwelling erected on the property).
- d) Containers must not be located any closer than one (1) m from side and/or rear boundaries
- e) Containers must be located within any building envelope associated with the lot.
- f) Containers must be used for domestic storage purposes only.

**For Rural and Environmental zones:**

(RU1 Primary Production, Zone RU4 Primary Production Small Lots, E4 Environmental Living)

- a) A maximum of one (1) container per allotment is permissible if it is in accordance with Subdivision 16 of the Code SEPP. Additional containers require Development Consent.
- b) Containers must not be located within fifty (50) metres of the front, side or rear boundaries of a property and must comply with setback standards that apply to the particular parcel of land and be within any specified building envelope for that parcel.
- c) Containers must be used for domestic or agricultural storage purposes only.

**For Industrial zones:**

(IN1 General Industrial)

- a) Containers being stored on industrial land for the purpose of re-sale or hire will not be required to meet all setback requirements provided they are not being used for storage or other purposes. If used for storage or other purposes, approval is required and the requirements of the NCC and the appropriate authority will apply.
- b) The placement and use of shipping containers in Industrial zones shall be dealt with on a case-by-case merit basis following submission of a Development Application.

**For Business zones:**

(B2 Local Centre, B4 Mixed Use)

- a) Containers will only be approved on a temporary basis, for a maximum of 12 months.
- b) Containers must not encroach upon any existing car-parking spaces.
- c) Containers will be assessed as a BCA Class 7 building and as such will be assessed for fire rating and essential services.



## CHAPTER 11 - ERECTION OF ADVERTISEMENTS AND ADVERTISING STRUCTURES

### 11.1 About this Chapter

This section of the DCP provides Council's specific requirements for Signage development. Consideration should also be given to the provisions contained within [State Environmental Planning Policy \(SEPP\) 64 - Advertising and Signage](#) and the corresponding *Transport Corridor Outdoor Advertising and Signage Guidelines*. The Codes SEPP lists certain signage that may be erected without the need for development consent. Signage within land that is listed on the State Heritage Register under the Heritage Act 1977, or that is subject to an interim heritage order under that Act requires development consent.

Part 4 of SEPP 64 provides definitions for signage. SEPP 64 assessment criteria is reproduced at the end of this Chapter.

### 11.2 Where this Chapter applies

This Chapter applies to the Walcha LGA.

### 11.3 Aims and Objectives

The aims of the Plan are to ensure that advertisements and advertising structures:-

- Are compatible with the desired amenity and visual character of an area; and
- Provide effective communication in suitable locations; and
- Are of high quality design and finish; and
- Provide time-limited consents for the display of certain advertisements.
- Footpath displays are supported provided they maintain pedestrian safety.

### 11.4 General Requirements

The following matters will be taken into consideration when assessing development for signage:

- (a) the aims and objectives of this chapter;
- (b) the effect of the proposal on the landscape or scenic quality of the locality;
- (c) the character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of the proposed development;
- (d) the relationship of the advertisement and advertising structure to the public to which it is directed, especially whether it or the advertising contained within is:
  - Appropriate in size and scale to the lawful speed of travel of any motor vehicles on an adjacent road.
  - Appropriate to the purpose of the public place
- (e) Relevant matters under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.
- (f) The level of safety of the travelling public will be determined by referring the application to the Local Traffic Committee.



### 11.5 *Advertisements and advertising structures in rural zones*

Advertisements and advertising structures in rural zones are permitted only where the advertisement and advertising structure(s) is/are either:

- (a) A "temporary advertisement and advertising structure".
- (b) Advertisements and advertising structures placed on land for the specific purpose of directing the travelling public to places where:
  - The advertisement and advertising structure related to a building or place; and
  - The principal purpose of the advertisement and advertising structure is to direct the travelling public to that building or place.
- (c) The size of the advertisement and advertising structure is to be no smaller than four (4) square metres and no larger than nine (9) square metres. The length of the structure is to be no more than double the height of the structure and the height of the structure is to be no more than double the length of the structure. (This does not apply to temporary advertisements and advertising structures).
- (d) Council will not permit the erection of any advertisements and advertising structures within 5km of the Walcha town boundary.
- (e) No advertisement or advertising structure will be permitted within 1.5km from an existing advertisement and advertising structure.
- (f) Advertisement and advertising structures may be permitted on both sides of the road on private property adjacent to the road reserve.
- (g) Advertisement and advertising structures are to be constructed utilising single supports located immediately adjacent to the advertisement and advertising structures. Support stays will not be permitted.
- (h) The distance from the ground to the top of the advertisement shall not be more than six (6) metres.
- (i) Advertisement and advertising structures may be double facing. If they are not double faced, they will be required to be treated to present an "aesthetic pleasing" surface to road users.
- (j) Luminous material may be used subject to it not having a negative impact on the road users.
- (k) Only one advertisement and advertising structure per business / organisation will be permitted on each of the approaching roads to Walcha.

### 11.6 *Sandwich Boards*

Council will consider applications for sandwich boards to be displayed on the footpath or road reserve in the B2 Local Centre, B4 Mixed use, RE1 Public Recreation or R1 General Residential zones.

Sandwich boards are to meet the following standards:

- (a) The structure must be no more than 1.2m in height and 0.9m in width;
- (b) The information on the advertisement is to relate to the business name, hours of operation, services provided and the like;
- (c) The application for a second structure for any one business will be considered on its merits. Instances where a second structure may be considered include corner allotments, or, shops with long frontages and more than one entrance;
- (d) The structure must be placed in front of the business, or if the structure would not be readily visible if placed in front of the business, it may be placed at the front of the allotment;



- (e) The structure may advertise two adjoining businesses, that is, one advertisement for business A on one side and one advertisement for business B on the other, and may be placed on the boundary of the adjoining shop front;
- (f) The advertisement must be positioned so that it does not impede pedestrian or vehicular traffic and is not a safety hazard;
- (g) The advertisement must only be displayed during in business opening hours, and must be able to be repositioned easily (i.e. cannot be chained, bolted or tied down at any time);
- (h) Prior to the display of the sandwich board, the applicant must provide proof to Council with the application that public liability insurance of not less than \$20 million dollars has been obtained and which indemnifies Council against any actions, claims and proceedings in respect of the structure and the advertisement displayed thereon.

### *11.7 Temporary Advertisement and Advertising Structures*

Council will consider applications for temporary advertisement and advertising structures to be displayed on the footpath or road reserve in the B2 Local Centre, B4 Mixed use or R1 General Residential zones.

- (a) These advertisement and advertising structures must not be displayed earlier than twenty- eight (28) days before the day on which the event is to take place and must be removed within seven (7) days after the event.
- (b) These advertisement and advertising structures may include banner type advertisement and advertising structures.
- (c) Council will not permit advertisement and advertising structures to extend from one side of the street / road to the other.

### *11.8 Advertisement and Advertising Structures Prejudicial to Traffic Safety*

Council will regard advertisement and advertising structures as prejudicial to the safety of the travelling public (and require their removal) if:

- (a) they obscure or interfere with road traffic advertisement and advertising structures;
- (b) they obscure or interfere with the view of a road hazard or on-coming vehicle or any other vehicle or person or other obstruction which should be visible to drivers and other road users
- (c) they give instructions to traffic by the use of the words "halt", "stop" or other directions or initiate traffic advertisement and advertising structures in respect of shape, colour etc.
- (d) they can be programmed; move; use flashing or chasing lights or are highly reflective or intense enough to impair a driver's vision or to distract the driver's attention;
- (e) They are situated where road conditions require higher levels of driver concentration, eg where sight distance is limited on curves, at important intersections, near traffic signals near level crossings, at merging and diverging traffic sites or within the driver decision distance (generally 100-200 metres) at such locations.

### *11.9 Ongoing Maintenance*

The responsibility for the care and maintenance of the advertisement and advertising structures rests with the landowner.





All advertisement and advertising structures must be maintained to an adequate standard. Council will take any necessary action to ensure that damaged, dilapidated or unsafe advertisement and advertising structures are repaired, replaced or removed. In this regard the following will apply:

- (a) A letter will be sent to the property owner requesting the repair or removal of the non complying advertisement and advertising structure within seven (7) days.
- (b) If no response is received, a *Notice of Intention to Serve an Order* will be issued under Section Schedule 5, clauses 8 and 9 of the EPAA specifying when an Order will be issued, the terms of the proposed Order and the period for compliance with the proposed Order.
- (c) If no response is received within fourteen (14) days, an order will then be issued under Section Sections 9.34, 9.35, 9.36 and Schedule 5, Parts 1-3 of the EPAA for removal of the advertisement and advertising structure.
- (d) If the order is not complied with and the advertisement and advertising structure is not removed within the stated time frame, Council may issue a Penalty Infringement Notice (PIN 8188) and remove the advertisement and advertising structure with all costs recoverable from the owner of the land.

### 11.10 SEPP 64 (Schedule 1) – Assessment Criteria

1. **Character of the area**
  - Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
  - Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?
2. **Special areas**
  - Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?
3. **Views and vistas**
  - Does the proposal obscure or compromise important views?
  - Does the proposal dominate the skyline and reduce the quality of vistas?
  - Does the proposal respect the viewing rights of other advertisers?
4. **Streetscape, setting or landscape**
  - Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
  - Does the proposal screen unsightliness?
  - Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
  - Does the proposal reduce clutter by rationalising and simplifying existing advertising?
  - Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
5. **Site and building**
  - Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
  - Does the proposal respect important features of the site or building, or both?



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- Does the proposal show innovation and imagination in its relationship to the site or building, or both?
6. **Associated devices and logos with advertisements and advertising structures**
- Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?
7. **Illumination**
- Would illumination result in unacceptable glare?
  - Would illumination affect safety for pedestrians, vehicles or aircraft?
  - Would illumination detract from the amenity of any residence or other form of accommodation?
  - Can the intensity of the illumination be adjusted, if necessary?
  - Is the illumination subject to a curfew?
8. **Safety**
- Would the proposal reduce the safety for any public road?
  - Would the proposal reduce the safety for pedestrians or bicyclists?
  - Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?



## CHAPTER 12 – DEVELOPMENT IN GATEWAY AREAS

### *12.1 About this Chapter*

There are four main gateway approaches into Walcha being Thunderbolts Way, northern and southern approach, and the Oxley Highway eastern and western. It is important that as these sites are developed, an aesthetically pleasing town entrance vista is maintained and where possible enhanced. This chapter provides guidance to help ensure that this is achieved.

### *12.2 Where this Chapter applies*

This chapter applies to development within the Walcha Shire.

### *12.3 Aims and Objectives*

- To ensure that the gateway areas of Walcha provide an inviting and pleasing vista for those travelling into the township of Walcha.
- To ensure development in gateway areas serves to enhance the overall landscape and streetscape.
- Development within the gateway areas should contribute towards an attractive streetscape and a significant aspect of this is the provision of landscaped areas along site frontages

### *12.4 General Advice to Applicants for Development*

A pre-lodgement meeting with Council is recommended in the conceptual planning stages of any development.

### *12.5 Acceptable Solutions*

#### **Controls**

Given the diversity of developments permitted within the zones, landscaping is one of the few elements which can provide a unifying theme towards creating an established streetscape. A landscaping plan is to be submitted with any development application.

The landscaping requirements and guidelines for development are:

- a) The area between the front site boundary and the building line is to be landscaped.
- b) Car parking areas are permitted between the front site boundary and the building line but only if the car park is suitably screened from public view with landscaping.
- c) High fences or walls along site boundaries adjacent to public roads are not considered desirable. However, where they may be required for noise attenuation or security purposes and the like, the fence or wall is to be set back at least 1 metre from the front boundary and the area between the fence or wall and the front boundary is to be landscaped to reduce its visual impact.
- d) Unutilised parts of the site are to be landscaped.
- e) Existing trees are to be retained where possible.



- f) Landscaped areas are to be properly established and maintained. Particular attention should be given to the types of landscaping materials (including plants, fencing and paving) to be used so as to achieve a durable and low maintenance landscaped area;
- g) Large car parking areas are to use landscaping to break up the visual impact of the expanse of sealed surface and to provide shade.
- h) Trees are to be planted to shade buildings, especially deciduous trees planted to control north sun entry to window.

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## CHAPTER 13 – STATEMENT OF ENVIRONMENTAL EFFECTS REQUIREMENTS

### 13.1 What Is a Statement of Environmental Effects?

A Statement of Environmental Effects (SoEE) is a document that is to be submitted with a development application (DA) that puts forward reasons why the development is suitable for the area. The document should state what the impacts of the development are on the natural and built environment and how these impacts are going to be managed.

The SoEE informs Council how the environment has been taken into account and why, if impacts do occur, they are acceptable. The matters listed below are not exhaustive and additional matters may be relevant, depending on the type of development proposed and the constraints of the land.

### 13.2 Requirements

The [Environmental Planning and Assessment Regulation 2000](#) requires that a SoEE must provide an assessment of the following matters:

- Environmental planning instruments and policies, including:
  - WLEP 2012
  - State Environmental Planning Policies \*
- the environmental impacts of the development;
- how the environmental impacts of the development have been identified;
- the steps to be taken to protect the environment or to lessen the expected harm to the environment;
- where development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, a species impact statement is required to be submitted;
- BASIX certificate; and
- an assessment of matters (terrestrial and aquatic environment) specified in Section 1.7 of the [Environmental Planning and Assessment Act 1979](#).

The following State Environmental Planning Policies may be relevant to many local development proposals and if applicable, must be addressed in the SoEE:

- [State Environmental Planning Policy No 44—Koala Habitat Protection](#)
- [State Environmental Planning Policy No 55—Remediation of Land](#)
- [State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)
- [State Environmental Planning Policy \(Infrastructure\) 2007](#)
- [State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)
- [State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

**\* NOTE:** there are other SEPPs than may be relevant to certain development proposals. It is the applicant's responsibility to consider applicable SEPPs. All SEPPs may be found here: [NSW Legislation](#). Look up "S" under the Browse in Force / EPIs.



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Complex development proposals such as medium density residential development, commercial and industrial development requires consideration of the following issues:

- Appropriateness of built form and landscape in relation to the site context, topography and urban character.
- Building arrangement and their relationship to streets and open spaces.
- Location, function and opportunities for casual surveillance of open space
- Energy efficiency in building design.
- Heritage and conservation opportunities and constraints.
- Crime prevention through urban design.

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**Item:** 6.2 **Ref:** WINT/2019/04002  
**Title:** Local Strategic Planning Statement  
**Author:** Contract Town Planner  
**Previous Items:** Not Applicable  
**Attachment:** Under Separate Cover - Draft Walcha Local Strategic Planning Statement – WINT/19/4372

**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 accept the Draft Walcha Local Strategic Planning Statement. Section 3.9 of the *Environmental Planning and Assessment Act 1979* introduced a new layer into the strategic planning hierarchy in NSW in April 2018. Councils are now required under this Act to prepare a Local Strategic Planning Statement or LSPS for their local area.

A LSPS will in effect bridge the gap between higher level strategic planning documents such as Regional Plans, the Community Strategic Plan and the local planning controls which are set out in the *Walcha Local Environmental Plan 2012* (LEP) and Walcha Development Control Plan (DCP).

In Greater Sydney, the LSPS must be in place by 1 December 2019, and in regional areas, the LSPS must be in place by 1 July 2020.

**Report:**

Further to the Council Report on 22 May 2019, the Draft Walcha Local Strategic Planning Statement (DWLSPS) has been prepared and is attached to this report.

All councils are required to prepare a Local Strategic Planning Statement (LSPS). The LSPS is to implement actions in the Regional and District Plans and set out the 20-year vision for land use in the local area, the special character and values that are to be preserved and how change will be managed into the future. These statements should be a succinct and easy to understand document that will allow community members to contribute to and understand the future direction of land use in the area.

The DWLSPS identifies the planning priorities for the Walcha local government area and explains how these are to be delivered. Importantly, the statement integrates with council’s Community Strategic Plan (CSP).

The CSP has a broader focus than the DWLSPS, with the LSPS setting out the long term vision for land use. Critically, the DWLSPS provides a means to implement land use planning actions identified under the CSP and other council strategic planning documents.

NSW Planning & Environment has released a set of Guidelines to help local councils create and implement the local strategic planning statement for their area.

Submitted to Council: 31 July 2019

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There is no prescribed process for creating the statement, nor is there is a prescribed structure. The Guidelines contain a suggested process to follow which includes four key steps of scoping, testing, finalising and implementing.

Discussions with on the process has highlighted the following steps in completing the DWLSPS:

1. Complete draft LSPS
2. Council accept the draft LSPS
3. The draft is sent to NSW Planning & Environment for concurrence to enable public exhibition.
4. Public Exhibition for 28 days
5. Consideration of Submissions and adoption by Council
6. Acceptance of LSPS by NSW Planning & Environment.

Resolution to accept the DWLSPS will allow referral to NSW Planning & Environment for their concurrence.

Legal Issues:

Council is required to prepare and adopt a Local Strategic Planning Statement as per the Section 3.9 of the *Environmental Planning and Assessment Act 1979* by 1 July 2020.

Financial Implications:

This will require resourcing, by the use of staff and/or a consultant. The full resource implication cannot be identified until such time as the preliminary work has been undertaken.

Social Implications:

The LSPS will allow community members to contribute to and understand the future direction of land use in the area.

Management Plan Implications:

The LSPS will need to integrate with council’s Community Strategic Plan.

Policy Implications:

The LSPS will be an integral part of Council Policy. It will bridge the gap between higher level strategic planning documents.

**RECOMMENDATION:                      That Council:**

- 1. Accept the Draft Walcha Local Strategic Planning Statement;**
- 2. Send to NSW Planning & Environment for concurrence,**
- 3. Delegate the General Manager authority to make any minor amendments as requested by NSW Planning & Environment, and**
- 4. Place the Draft Walcha Local Strategic Planning Statement on public Exhibition after concurrence has been received from NSW Planning & Environment.**

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Submitted to Council:                      31 July 2019

..... General Manager ..... Mayor





**Item:** 6.3 **Ref:** WO/2019/01134  
**Title:** Crown Land Management Plan Preparation  
**Author:** Contract Town Planner  
**Previous Items:** Not Applicable  
**Attachment:** No

**Community Strategic Plan Reference:**

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

**Introduction:**

The purpose of this report is to initiate the preparation of the Walcha Crown Land Management Plan, thus enabling to meet its legislative requirements under the *Crown Land Management Act 2016*. (CLM Act)

In 2012, the NSW Government began the first major review of Crown land in 25 years, prompting a comprehensive consultation process with community and other interested parties about the future management of Crown land. This extensive review process culminated in the NSW Parliament passing the CLM Act in November 2016 and the *Crown Land Legislation Amendment Act* in May 2017.

This new legislation commenced on 1 July 2018 and ensures the Crown estate is managed efficiently and effectively and continues to support and generate social, environmental and cultural benefits for the people of NSW.

In NSW, Crown land is managed by the Department of Planning, Industry and Environment (the Department). Previous Crown land legislation was complex and included eight different pieces of legislation.

The new CLM Act will:

- + reduce red tape and duplication in managing Crown land
- + improve certainty and clarity about legal requirements
- + support greater community involvement in local decisions made about Crown land
- + formalise opportunities and processes for community involvement and engagement
- + recognise and support Aboriginal involvement in the management of Crown land.

**Report:**

The NSW Government is improving management of the state’s Crown land by implementing consolidated, modern and new legislation. Commencing on 1 July 2018, *the Crown Land Management Act 2016* (CLM Act) implements reforms identified through the comprehensive review of Crown land management and follows over four years of engagement with the community on the future of Crown land.

**The Crown Land Management Act 2016** wholly repealed the following Acts:

- + *Crown Lands Act 1989*
- + *Crown Lands (Continued Tenures) Act 1989*
- + *Hay Irrigation Act 1902*

Submitted to Council: 31 July 2019

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- + Irrigation Areas (Reduction of Rents) Act
- + Murrumbidgee Irrigation Areas Occupiers Relief Act
- + Orange Show Ground Act 1897
- + Public Reserves Management Fund Act 1987
- + Trustees of Schools of Arts Enabling Act 1902
- + Wentworth Irrigation Act 1890
- + Western Lands Act 1901
- + Western Lands Amendment Act 2009

The CLMA Act improves the governance of Crown reserves whilst continuing to strengthen community involvement. All current managers of Crown reserves will remain in place. Local councils will manage Crown land under the public land provisions of the *Local Government Act 1993* (LG Act). This provides a more consistent and streamlined approach for council management of Crown reserves.

**New Management Structure**

Local councils are authorised to manage Crown reserves (those where council was trust manager) under the LG Act—generally as ‘community land’.

Management as community land requires council to:

- + assign a community land ‘category’ to the reserve that aligns with the reserve purpose
- + prepare and adopt a compliant LG Act plan of management (PoM) for the land within three years of the commencement of the CLM Act.

In certain appropriate circumstances, the Minister for Lands and Forestry may consent to council management as ‘operational land’.

Councils will generally not be required to seek the minister’s approval for dealings on Crown reserves, and councils will not have to lodge annual reports to the Department of Planning, Industry and Environment (the Department). Councils are required to employ or engage an accredited native title manager to ensure compliance with native title obligations when managing Crown reserves.

Over time, the Department’s engagement with councils is expected to diminish as a result of the new streamlined arrangements to council management of Crown reserves.

**Four Step Process** - Step by step guide to classification, initial categorisation and developing plans of management for Crown reserves.

Councils must follow a four step process in transitioning to the new legislative framework.

**1. Review the Reserves for which council is Crown Land Manager, and consider classifications and initial categories**

This has now been completed with 29 lots being identified as being managed by Council. There are 11 lots which are considered (as per the *Local Government Act 1993* & associated Regulations) to be community land and 25 lots as operational land. Those considered as being operational are highlighted purple.

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Submitted to Council: 31 July 2019

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Name by Which the Land is Known	Address of Land	Suburb	Title Reference	Reserve Number	Zoning	Purpose
Croudace Street Reserve	190E-226E Croudace Street	Walcha	Lot 560 DP 722828	110111	E2 Environmental Conservation	Public Recreation - Environmental Protection
			Lot 561 DP 722828		E2 Environmental Conservation	
			Lot 562 DP 722828		E2 Environmental Conservation	
			Lot 563 DP 722828		E2 Environmental Conservation	
Woolbrook Rubbish Tip	104 Campfire Road	Woolbrook	Lot 238 DP 753846	82854	RU1 Primary Production	Rubbish Depot
Walcha General Cemetery	169-179 Darjeeling Road	Walcha	Lot 1 DP 1088076	1018788	RU1 Primary Production	Cemetery
			Lot 7042 DP 1122396	1018768	RU1 Primary Production	
			Lot 7027 DP 1075451		RU1 Primary Production	
			Lot 1 DP 117825		RU1 Primary Production	
Old Rubbish Depot	Oxley Highway	Walcha Road	Lot 132 DP 753846	89912	RU1 Primary Production	Rubbish Depot
			Lot 7300 DP 1136219		RU1 Primary Production	
Waste Transfer Station	49 Aerodrome Road	Walcha	Lot 532 DP 756502	51457	RU1 Primary Production	Sanitary Purposes
			Lot 7007 DP 1057278	63519	RU1 Primary Production	Rubbish Depot
			Lot 7017 DP 1057279	70192	RU1 Primary Production	
Blairs Gully Reserve	Meridian Street	Walcha	Lot 3 Sec 34 DP 759035	110115	R1 General Residential	Environmental Protection
Woolbrook Cemetery	119 Campfire Road	Woolbrook	Lot 7011 DP 94017	1018428	RU1 Primary Production	Cemetery
			Lot 7002 DP 94018	35100	RU1 Primary Production	
Arboretum	Jamieson Street	Walcha	Lot 441 DP 756502	89838	R1 General Residential	Community Forest
			Lot 443 DP 756502		R1 General Residential	
John Oxley Cairn	59S Derby Street	Walcha	Lot 701 DP 1125719	97720	RE1 Public Recreation	Monument - Rest Park
Sempill Park Reserve	22E - 70E Hill Street	Walcha	Lot 701 DP 94213	35698	RE1 Public Recreation	Public Recreation
Walcha Catholic Cemetery	219E Oxley Drive	Walcha	Lot 7002 DP 94214	43749	R5 Large Lot Residential	Cemetery
			Lot 7004 DP 94215	63559	R5 Large Lot Residential	
Nowendoc Waste Transfer Station	47 Tops Road	Nowendoc	Lot 171 DP 753691	83987	R5 Large Lot Residential	Rubbish Depot
Yarrowitch Bush Fire Brigade	92 Upper Yarrowitch River Road	Yarrowitch	Part Lot 125 DP 756475	94641	RU1 Primary Production	Bush Fire Brigade
St Leonards Creek Reserve	St Leonards Creek Road	Walcha	Lot 7001 DP 1027347	53868	RU1 Primary Production	Public Recreation - Preservation of Native Flora
Nowendoc Cemetery	7817 Thunderbolts Way	Nowendoc	Lot 7301 DP 1134898	1016508	RU1 Primary Production	Cemetery
Old Oxley RFS Shed	6432 Brackendale Road	Nowendoc	Lot 157 DP 753691	95794	RU5 Village	Bush Fire Brigade
Nivison Walk	60S Middle Street	Walcha	Lot 7023 DP 1059151	91193	E4 Environmental Living	Public Recreation

Further there are 4 land parcels that Council control within a TSR, but advice has been mixed between the Department and Local Land Services as to whether these parcels are to be included. If they are to be included within the WCLMP, they should have a classification of “operational”.

Submitted to Council:

31 July 2019

..... General Manager ..... Mayor



Further clarification as to their inclusion in this process could not be sought at the time of writing this report, but will be available on the day of the meeting for Council consideration.

Name by Which the Land is Known	Address of Land	Suburb	Title Reference	Reserve Number	Zoning	Purpose
8 Mile Gravel Pit	1308 Oxley Highway	Walcha	Lot 7001 DP 94015	18243	RU1 Primary Production	Gravel Pit
Falls Gravel Pit	Oxley Highway	Walcha	Lot 7302 DP 1167020	99	RU1 Primary Production	Gravel Pit
Niangala Road Gravel Pit	Niangala Road	Walcha	Lot 7303 DP 1136537	339	RU1 Primary Production	Gravel Pit
Walcha General Cemetery	169-179 Darjeeling Road	Walcha	Lot 7030 DP 1058950	9176	RU1 Primary Production	Cemetery

All public land must be classified by council as either “**community**” or “**operational**” land. The main effect of classification is to restrict the alienation and use of the land. “Operational” land has no special restrictions other than those that may apply to any piece of land.

Community land is different. Classification as community land reflects the importance of the land to the community because of its use or special features. Generally, it is land intended for public access and use, or where other restrictions applying to the land create some obligation to maintain public access. This gives rise to the restrictions in the LG Act, intended to preserve the qualities of the land. Community land:

- ✚ cannot be sold
- ✚ cannot be leased, licenced or any other estate granted over the land for more than 21 years
- ✚ must have a plan of management prepared for it.

**Local Government (General) Regulations 2005**

**Division 1 Guidelines for the categorisation of community land**

Clause 102 - Natural Area	<i>Land should be categorised as a natural area under section 36 (4) of the Act if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore under section 36 (5) of the Act.</i>
Clause 103 - Sportsground	<i>Land should be categorised as a sportsground under section 36 (4) of the Act if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.</i>
Clause 104 - Park	<i>Land should be categorised as a park under section 36 (4) of the Act if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.</i>
Clause 105 - Cultural Significance	<i>Land should be categorised as an area of cultural significance under section 36 (4) of the Act if the land is:</i>  <i>(a) an area of Aboriginal significance, because the land:</i>  <i>(i) has been declared an Aboriginal place under section 84 of the National Parks and Wildlife Act 1974, or</i>  <i>(ii) whether or not in an undisturbed state, is significant to Aboriginal people in terms of their traditional or contemporary cultures, or</i>  <i>(iii) is of significance or interest because of Aboriginal associations, or</i>

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



	<p>(iv) displays physical evidence of Aboriginal occupation (for example, items or artefacts such as stone tools, weapons, engraving sites, sacred trees, sharpening grooves or other deposits, and objects or materials that relate to the settlement of the land or place), or</p> <p>(v) is associated with Aboriginal stories, or</p> <p>(vi) contains heritage items dating after European settlement that help to explain the relationship between Aboriginal people and later settlers, or</p> <p>(b) an area of aesthetic significance, by virtue of:</p> <p>(i) having strong visual or sensory appeal or cohesion, or</p> <p>(ii) including a significant landmark, or</p> <p>(iii) having creative or technical qualities, such as architectural excellence, or</p> <p>(c) an area of archaeological significance, because the area contains:</p> <p>(i) evidence of past human activity (for example, below-ground features such as building foundations, occupation deposits, features or artifacts or above-ground features such as buildings, works, industrial structures, and relics, whether intact or ruined), or</p> <p>(ii) any other deposit, object or material that relates to the settlement of the land, or</p> <p>(d) an area of historical significance, because of the importance of an association or position of the land in the evolving pattern of Australian cultural history, or</p> <p>(e) an area of technical or research significance, because of the area's contribution to an understanding of Australia's cultural history or environment, or</p> <p>(f) an area of social significance, because of the area's association with Aboriginal life after 1788 or the area's association with a contemporary community for social, spiritual or other reasons.</p>
<p>Clause 106 - General Community Use</p>	<p>Land should be categorised as general community use under section 36 (4) of the Act if the land:</p> <p>(a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and</p> <p>(b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.</p>
<p>Clause 107 - Bushland</p>	<p>(1) Land that is categorised as a natural area should be further categorised as bushland under section 36 (5) of the Act if the land contains primarily native vegetation and that vegetation:</p> <p>(a) is the natural vegetation or a remainder of the natural vegetation of the land, or</p> <p>(b) although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality.</p> <p>(2) Such land includes:</p> <p>(a) bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and that contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or</p> <p>(b) moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invasion, or</p> <p>(c) highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.</p>
<p>Clause 108 - Wetland</p>	<p>Land that is categorised as a natural area should be further categorised as wetland under section 36 (5) of the Act if the land includes marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a waterbody that is inundated cyclically, intermittently or permanently with fresh, brackish or salt water, whether slow moving or stationary.</p>

Submitted to Council:

31 July 2019

..... General Manager ..... Mayor



Clause 109 - Escarpment	<p><i>Land that is categorised as a natural area should be further categorised as an escarpment under section 36 (5) of the Act if:</i></p> <p>(a) <i>the land includes such features as a long cliff-like ridge or rock, and</i></p> <p>(b) <i>the land includes significant or unusual geological, geomorphological or scenic qualities.</i></p>
Clause 110 - Watercourse	<p><i>Land that is categorised as a natural area should be further categorised as a watercourse under section 36 (5) of the Act if the land includes:</i></p> <p>(a) <i>any stream of water, whether perennial or intermittent, flowing in a natural channel, or in a natural channel that has been artificially improved, or in an artificial channel that has changed the course of the stream of water, and any other stream of water into or from which the stream of water flows, and</i></p> <p>(b) <i>associated riparian land or vegetation, including land that is protected land for the purposes of the Rivers and Foreshores Improvement Act 1948 or State protected land identified in an order under section 7 of the Native Vegetation Conservation Act 1997.</i></p>
Clause 111 - Foreshore	<p><i>Land that is categorised as a natural area should be further categorised as foreshore under section 36 (5) of the Act if the land is situated on the water's edge and forms a transition zone between the aquatic and terrestrial environment.</i></p>

Everything else is required to be classified as being Operation Land including:

- + Cemeteries
- + Coastal Infrastructure
- + Emergency services
- + Quarries and gravel pits
- + Reservoirs
- + Sanitary purposes
- + Sewage Works
- + Urban Services
- + Water Infrastructure

**2. Confirm community land classification of Reserves or seek operational classification if appropriate**

The CLM Act provides that Crown land managed by council managers as public land must be managed as if it were community land, unless the minister administering the CLM Act has given written consent to classify the land as operational. Written consent from the minister to classify land as if it were operational land is required, thus allowing the council as manager of the land to have all the functions that a council has under the LG Act in relation to operational land. However, council managers cannot sell the land without further ministerial consent nor do anything that contravenes:

- + any condition of the council's appointment instrument as a Crown land manager
- + the *Crown Land Management Regulation 2018*
- + any applicable Crown land management rule
- + any applicable plan of management adopted under Division 3.6 of the CLM Act.

In accordance with Section 3.22 (5) of the CLM Act, the NSW Department of Industry—Lands & Water (the department) will only issue ministerial consent to manage land as operational where a council manager can demonstrate that either the land:

- + does not fall within any of the categories for community land under the LG Act, or
- + could not continue to be used and dealt with as it currently can, if it were required to be used and dealt with as community land.

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Therefore Council needs to formally apply for ministerial consent to manage land as operational on its merits, taking into account the requirements of Section 3.22(5) of the CLM Act. In considering any application, the department may request further information to be provided by the applicant council. If this information is not provided in the prescribed timeframe, the application will be refused.

**3. Assign an initial category (for community land Reserves) and notify Minister for Lands and Forestry**

Under the *Crown Land Management Act 2016* (CLM Act), council managers must assign to all Crown land under their management one or more initial categories of community land referred to in section 36 of the *Local Government Act 1993* (LG Act). The initial category must be assigned as soon as practicable after a council’s appointment as a Crown land manager—including because of commencement of the CLM Act.

Council managers must assign a categorisation they consider to be most closely related to the purposes for which the land is **dedicated** or **reserved**. Multiple categories may be assigned to Crown land where Crown land is subject to multiple reservation or dedication purposes.

In assigning an initial categorisation, council managers should refer to the LG Act provisions that govern the management and use of each community land category. Council managers should consider how these categories would preserve and facilitate the use of the land for the purpose for which the land was originally set aside by its dedication or reservation.

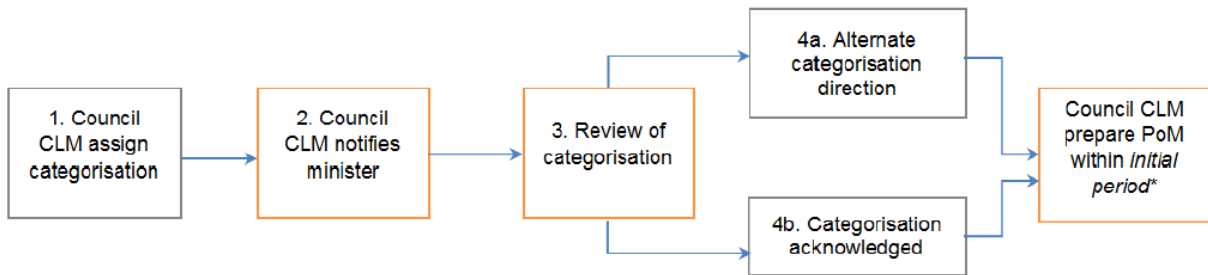


Figure 1. Process map for the categorisation of council-managed land

*\*Unless minister consents to council classifying land as operational*

Table 1. Key to diagram

Abbreviation	Meaning
CLM	Crown land manager
PoM	plan of management



The categories and their objectives are:

Category	Objectives (LG Act)
Natural area	<p>The core objectives for management of community land categorised as a natural area are to:</p> <ul style="list-style-type: none"> <li>a) conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and</li> <li>b) maintain the land, or that feature or habitat, in its natural state and setting, and</li> <li>c) provide for the restoration and regeneration of the land, and</li> <li>d) provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and</li> <li>e) assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the <i>Threatened Species Conservation Act 1995</i> or the <i>Fisheries Management Act 1994</i>.</li> </ul>
Sportsground	<p>The core objectives for management of community land categorised as a sportsground are to:</p> <ul style="list-style-type: none"> <li>a) encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and</li> <li>b) ensure that such activities are managed having regard to any adverse impact on nearby residences.</li> </ul>
Park	<p>The core objectives for management of community land categorised as a park are to:</p> <ul style="list-style-type: none"> <li>a) encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and</li> <li>b) provide for passive recreational activities or pastimes and for the casual playing of games, and</li> <li>c) improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.</li> </ul>
Area of cultural significance	<ul style="list-style-type: none"> <li>1. The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.</li> <li>2. Those conservation methods may include any or all of the following methods:                         <ul style="list-style-type: none"> <li>a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance,</li> <li>b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material,</li> <li>c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state,</li> <li>d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact),</li> <li>e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.</li> </ul> </li> <li>3. A reference in subsection (2) to land includes a reference to any buildings erected on the land.</li> </ul>

Submitted to Council:

31 July 2019

..... General Manager ..... Mayor





General community use	<p>The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public in relation to:</p> <ul style="list-style-type: none"> <li>a) public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and</li> <li>b) purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).</li> </ul>
Bushland	<p>The core objectives for management of community land categorised as bushland are to:</p> <ul style="list-style-type: none"> <li>a) ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and</li> <li>b) protect the aesthetic, heritage, recreational, educational and scientific values of the land, and</li> <li>c) promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and</li> <li>d) restore degraded bushland, and</li> <li>e) protect existing landforms such as natural drainage lines, watercourses and foreshores, and</li> <li>f) retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and</li> <li>g) protect bushland as a natural stabiliser of the soil surface.</li> </ul>
Wetland	<p>The core objectives for management of community land categorised as wetland are to:</p> <ul style="list-style-type: none"> <li>a) protect the biodiversity and ecological values of wetlands, with particular reference to their hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and</li> <li>b) restore and regenerate degraded wetlands, and</li> </ul> <p>facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.</p>
Escarpment	<p>The core objectives for management of community land categorised as an escarpment are to:</p> <ul style="list-style-type: none"> <li>a) protect any important geological, geomorphological or scenic features of the escarpment, and</li> <li>b) facilitate safe community use and enjoyment of the escarpment.</li> </ul>
Watercourse	<p>The core objectives for management of community land categorised as a watercourse are to:</p> <ul style="list-style-type: none"> <li>a) manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and</li> <li>b) manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and</li> <li>c) restore degraded watercourses, and</li> <li>d) promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.</li> </ul>
Foreshore	<p>The core objectives for management of community land categorised as foreshore are to:</p> <ul style="list-style-type: none"> <li>a) maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and</li> <li>b) facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.</li> </ul>

Submitted to Council:

31 July 2019

..... General Manager ..... Mayor



This cannot occur until such time as the classification of community or operational has been determined and written consent has been received from the minister for operational land.

**4. Prepare plans of management for all community land Reserves (by 30 June 2021) and provide a copy of the draft plan to the Minister responsible for the CLM Act as landowner prior to public exhibition**

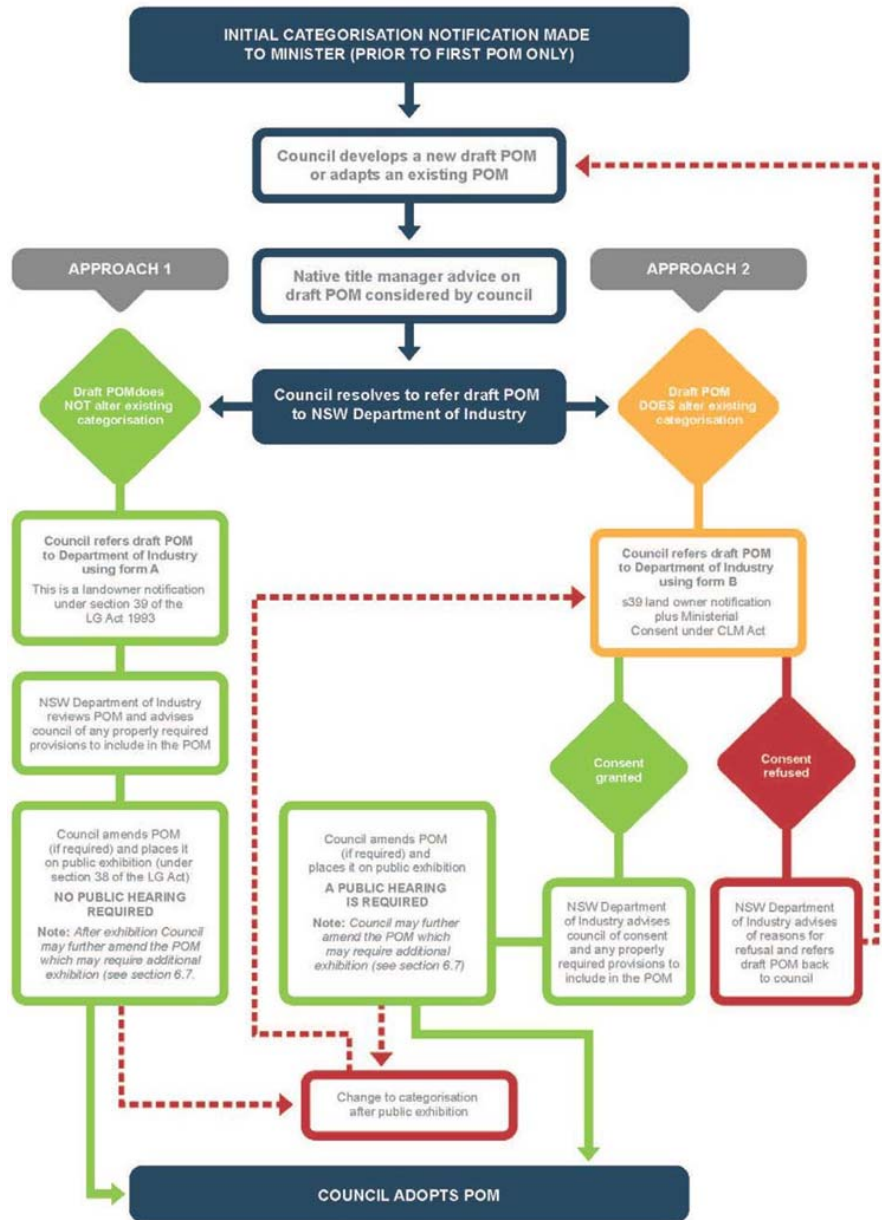
Under the LG Act, a plan of management (POM) must be adopted by council for all community land. A POM is a useful tool to provide strategic planning and governance for the management and use of land. POMs set out objectives and performance targets for community land and promote active land management and use, including issuing tenures over the land.

The LG Act requires undertaking community engagement activities when preparing POMs, including publicly exhibiting the plan and providing opportunities for the community to comment. This allows the community to be involved and represented in the contents of a plan.

Letting councils manage Crown land as if it were council-owned public land under the LG Act, and to implement POMs, allows councils to manage their entire land portfolios under one streamlined regime, reducing duplication, red tape, administrative complexity and confusion.

In the context of the CLM Act, POMs are also a critical tool to ensure that any authorisation or restriction on the use of a Crown reserve is consistent with the Commonwealth *Native Title Act 1993*.

Council managers must ensure there is a compliant POM for all Crown land that they manage as community land within three years of the commencement of Part 3 of the CLM Act (that is, by 30 June 2021).





**Minimum Content Requirement**

The minimum requirements for a POM are set out under section 36(3) of the LG Act. A POM must identify the:

- ✚ category of the land
- ✚ objectives and performance targets of the plan with respect to the land
- ✚ means by which the council proposes to achieve the plan’s objectives and performance targets
- ✚ manner in which the council proposes to assess its performance with respect to the plan’s objectives and performance targets, and may require the prior approval of the council to the carrying out of any specified activity on the land.

For plans that are specific to one area of land, the plan must also:

- ✚ describe the condition of the land as at the adoption of the plan
- ✚ describe the buildings on the land as at adoption
- ✚ describe the use of the buildings and the land as at adoption
- ✚ state the purposes for which the land will be allowed to be used, and the scale and intensity of that use.

**Specific & Generic Plans of Management**

Council has the discretion in most cases to prepare a specific POM for the area or a generic plan that applies to more than one piece of land. However, generic POMs **cannot** be made for land declared:

- ✚ as critical habitat or directly affected by a threat abatement plan or a recovery plan under threatened species laws
- ✚ by council to contain significant natural features
- ✚ by council to be of cultural significance

Generic plans will be entirely appropriate in many cases, for example in dealing with children’s playgrounds or other pieces of land that contain similar facilities with similar management issues. Natural areas may not be so appropriate for generic plans, given that there may be issues unique to each piece of land, based on the character of the land, surrounding development, community expectations and so on. This does not prevent council from including common clauses or paragraphs in specific POMs.

**Public Exhibition**

The LG Act requires councils undertake community engagement activities in the preparation of POMs, including public exhibition of the plan and opportunities for the community to comment. This allows the community to be involved and represented in the POM contents.

**Public Hearing**

In addition to the usual community engagement activities prescribed by the LG Act in preparation of a POM, the Act requires that a council must hold a public hearing in respect of a proposed POM (including for one that amends another POM) if the proposed plan would have the effect of categorising, or altering the categorisation of, community land under section 36(4).

A council must hold a further public hearing in respect of the proposed POM if:

- ✚ the council decides to amend the proposed plan after a public hearing has been

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



held in accordance with this section

- the amendment of the plan would have the effect of altering the categorisation of community land under section 36(4) from the categorisation of that land in the proposed plan that was considered at the previous public hearing.

***Native Title***

It is imperative that POMs for Crown reserves be compliant with the statutory requirements prescribed by the both CLM Act and LG Act. This includes a requirement for council crown land managers to obtain written advice from a qualified native title manager that any POM covers Crown land that is not ‘excluded land’.

A council Crown land manager cannot approve (adopt) a POM until they have obtained written advice from a native title manager that the approval (or submission for approval) of the POM complies with any applicable provision of Commonwealth native title legislation. Even if there are no native title claims for the land it does not mean that native title does not exist, therefore council must assume that native title exists. Council will still need native title manager advice to comply with the CLM Act.

Approved determinations about whether native title has been extinguished are complex and can only be made by the Federal Court, High Court or a recognised state body.

***Early native title manager advice built into the POM approval process***

Native title manager engagement and native title consideration should start from the beginning of drafting, even though the written advice is not formally required until the POM is ready for adoption.

NSW Department of Industry will not process a draft POM received from a council unless the council attests that it has considered native title manager advice.

Conclusion

This report is to note the parcels of crown land that are currently managed by Council, and to gain a resolution for those parcels that need a formal request to the NSW Department of Industry—Lands & Water to have a classification as ‘operational’. This will then allow the draft POM to be completed, with all relevant requirements for future Council consideration.

Legal Issues:

This process is being undertaken as per the requirements of the *Crown Land Management Act 2016, Local Government Act 1993* and associated regulations. This is a formal regulated process.

Financial Implications:

Grant funding has been received and is currently being utilised.

Environmental Implications:

Nil

Social Implications:

The Walcha Crown Land Management Plan will allow community members to contribute to and understand the future use and management of Crown Land by Walcha Council.

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Management Plan Implications:

The Walcha Crown Land Management Plan will endeavour to provide strategic planning and governance for the management and use of land.

Policy Implications:

The Walcha Crown Land Management Plan will be an integral part of Council policy. It will set out objectives and performance targets for community land and promote active land management and use, including issuing tenures over the land.

**RECOMMENDATION:                      That Council:**

1. **Acknowledge that a Walcha Crown Land Management Plan is required to be prepared for Crown Land managed by Walcha Council as required by the *Crown Land Management Act 2016*.**
  
2. **Request ministerial consent from NSW Department of Industry—Lands & Water to manage land known as:**
  - a. **Woolbrook Rubbish Tip - 104 Campfire Road, Woolbrook - Lot 238 DP 753846 being Reserve 82854**
  - b. **Walcha General Cemetery - 169-179 Darjeeling Road, Walcha - Lot 1 DP 1088076 and Lot 7042 DP 1122396 being Reserve 1018788, Lot 7027 DP 1075451 and Lot 1 DP 117825 being Reserve 1018768**
  - c. **Old Rubbish Depot - Oxley Highway, Walcha Road - Lot 132 DP 753846 and Lot 7300 DP 1136219 being Reserve 89912**
  - d. **Waste Transfer Station - 49 Aerodrome Road, Walcha - Lot 532 DP 756502 being Reserve 51457, Lot 7007 DP 1057278 being Reserve 63519 and Lot 7017 DP 1057279 being Reserve 70192.**
  - e. **Woolbrook Cemetery - 119 Campfire Road, Woolbrook - Lot 7011 DP 94017 being Reserve 1018428**
  - f. **Walcha Catholic Cemetery - 219E Oxley Drive, Walcha - Lot 7002 DP 94214 being Reserve 43749 and Lot 7004 DP 94215 being Reserve 63559**
  - g. **Nowendoc Waste Transfer Station - 47 Tops Road, Nowendoc – Lot 171 DP 753691 being Reserve 83987**
  - h. **Yarrowitch Showground - 92 Upper Yarrowitch River Road, Yarrowitch - Part Lot 125 DP 756475 being Reserve 94641**
  - i. **Nowendoc Cemetery - 7817 Thunderbolts Way, Nowendoc - Lot 7301 DP 1134898 being Reserve 1016508**
  - j. **Old Oxley RFS Shed - 6432 Brackendale Road, Nowendoc - Lot 157 DP 753691 being Reserve 95794**

land as “operational” as per Section 3.22 of the *Crown Land Management Act 2016*.



**3. Delegate the General Manager authority to:**

- a) **Assign the relevant categories to each parcel of Crown land considered to have a classification of “community” land as per Section 3.23 of the *Crown Land Management Act 2016*,**
- b) **Obtain native title manager advice as per the provisions of Part 8 of the *Crown Land Management Act 2016*, and**
- c) **Consult the NSW Department of Industry—Lands & Water on the content of the draft Walcha Crown Land Management Plan for Council consideration prior to Public Exhibition.**

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Item:** 6.4 **Ref:** WO/2019/01862  
**Title:** Macdonald River Feasibility Study Finalisation  
**Author:** Director – Engineering Services  
**Previous Items:** WO/16/1959, WO/17/33, WO/17/1459, WO/17/1988,  
 WO/17/2147, WO/18/465, WO/18/821.  
**Attachment:** Yes Under Separate Cover

**Community Strategic Plan Reference:**

*Goal – 6.3 – Water supply and sewerage services will be physically and environmentally sensitive.  
 Strategy – 6.3.3 – Identify possible new water sources.*

**Introduction:**

The Macdonald River Feasibility Study is the second investigation into securing water for Walcha. Firstly, the Apsley River Feasibility Study investigated the potential of installing storage on or near the Apsley River. Due to an unfavourable outcome of the Apsley River Feasibility Study, Council recommended the submission of an expression of interest to the Safe and Secure Water Program to fund a Feasibility Study focused on the Macdonald River in March 2018. Council was successful in gaining this funding, allowing staff alongside successful consultants – GHD to commence the investigation. The process, being similar to the Apsley River Feasibility Study, selected 10 favourable sites, and then through a process of elimination focused upon 5. Preliminary geotechnical investigations were carried out on these five sites, of which were refined to two preferred sites due to favourable geotechnics, dam site location and proximity to existing infrastructure. This report summarises the Feasibility Study process and recommends a dam site to secure water for Walcha.

**Report:**

GHD has presented Council with the final Macdonald River Catchment Dam Feasibility Study Report, aimed at securing water for Walcha using the Macdonald River Catchment. Council staff has been involved with the project, alongside key stakeholders such as the Department of Industry Water. A summary of the report is presented below, however further detail can be found within the attached GHD report.

Selection of Favorable Dam Sites:

A desktop assessment identified 10 potential dam sites, based on the overarching assumption that 3 zones would be most suitable for the dam location. These three zones were considered to be near the current off stream storage on Aberbaldie Road, at the top of the range near Councils existing balance tank and finally near the existing Macdonald River Pump Station. An on site inspection was carried out for each of the selected 10 sites, which reduced the amount of feasible sites to 5. An aerial survey (drone) and preliminary geotechnical investigation were completed on these 5 sites. A review of the information gained from these investigations and an analysis on the potential linkage to existing Council infrastructure lead to the selection of two dam sites for final analysis, site 4a and site 6.

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Hydrology review and yield analysis:

Operating under a set of assumptions listed within the detailed report, hydrology analysis was undertaken in order to determine the secure yield of each dam site. Both dam sites were approximated to hold 300ML of water each, however site 4a located on the top of the range could transfer 2.16ML/day from the river in comparison to 13ML/day for site 6 located adjacent to the pump station. Overall, secure yield result was similar for both dam sites, being 318ML/annum for dam site 6 and 329ML/a for dam site 4. The main constraint on the secure yield was the Macdonald River License cap of 379ML/annum. Both sites met the estimated requirement of 280ML/a for Walcha’s predicted consumption.

Geotechnical Investigations:

Geotechnical investigations were conducted on a total of five sites, however this report will focus on the results of dam site 4a and 6, the remaining results can be found within the detailed report. Dam site 4a had a composition of topsoil and residual clay overlying phyllite bedrock. The residual soil was shown to be a likely source of construction material, however further construction material would need to be sourced to complete the dam construction. Dam site 6 had a composition of topsoil and residual clay over phyllite bedrock. Various sources of construction material could be used, including soil located over immediate site and from nearby sources. It is estimated that the dam embankment will require 75000m<sup>3</sup> of material, meaning that material sourced from on site could meet the requirements of the dam embankment. Both dam sites had positive foundation permeability measurements, estimated at 10<sup>-7</sup> to 10<sup>-8</sup> m/s.

Dam Design and Cost Estimates:

Dam sites 6 and 4a have both been designed to hold approximately 300ML of water, however fundamentally they are of different in nature. Dam site 4a is a turkey’s nest style dam, where a wall is required nearly for the full circumference of the structure. This dam site is proposed to be constructed on relatively flat contours to create a self contained dam with little to no catchment area. Dam site 6 is located on a minor stream, found to be less than a 3<sup>rd</sup> order in classification. This dam will have an embankment that spans a gully, conforming to a more catchment style dam. The structure proposed for site 6 will require less material than that of site 4a. High level cost estimates have shown that dam site 6 is in the order of 20-25% more affordable than dam site 4a, the cost estimates are shown below:

Cost Item	Cost Dam 4A (\$)	Cost Dam 6 (\$)
Embankment (Including Contingency, Contractors Cost, Design Fees, Land Acquisition and Council Costs)	9,005,000	6,555,000
Pump Station, Pumps and Pipeline	220,000	550,000
Allowance for Pump Buildings	100,000	250,000
<b>Total Comparative Cost</b>	<b>9,325,000</b>	<b>7,355,000</b>

**Total Comparative Cost Table for Dam 4A and 6**

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor





Item	Description	Dam 4A			Dam 6		
		Base Cost (\$)	Rate	Annual Cost (\$)	Base Cost (\$)	Rate	Annual Cost(\$)
1	O&M for Dams	8,630,000	0.50%	43,150	5,555,000	0.50%	27,775
2	O&M for Pumps and Electrical	220,000	2.50%	5,500	550,000	2.50%	13,750
3	Depreciation for Dams	8630,000	1.00%	86,300	5,555,000	1.00%	55,550
4	Depreciation for Pumps & Electrical	220,000	4.00%	8,800	550,000	4.00%	22,000
Total Annual Cost				143,750			119,075

**Total Annualised O&M and Depreciation Cost for Dam 4A and 6**

Conclusion:

The Macdonald River Feasibility study has included a range of vital investigations in order to identify the most suitable dam site to secure water for Walcha. Dam site 6 has proven to be the most favorable option, by meeting all of the abovementioned criteria including dam volume, site characteristics, geotechnical, proximity to existing infrastructure, secure yield and cost. Further analysis, discussion and detail can be found within the GHD report attached to this report.

**RECCOMENDATION:** That Council ADOPT the Macdonald River Catchment Dam Feasibility Study Report as presented FURTHER THAT Council ADOPT Site 6 as the most favourable site to pursue funding for the design and construction of Walcha’s new off stream storage dam.

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Item:** 6.5 **Ref:** WO/2019/01760  
**Title:** Request for Funding for Weekly Playgroup in Woolbrook  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:**

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**Community Strategic Plan Reference:**  
*Strategy 4.1.2 – Ensure access to education for all children in outlying villages.*

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**Report:**

Council have received a request to provide funding to pay a Childcare worker to hold a Playgroup on the every second Wednesday in Woolbrook during school terms.

Currently Gubi Gaban conducts Playgroup at the Woolbrook Memorial Hall every second Wednesday which is well attended and appreciated. However, the Woolbrook community would like to have Playgroup every Wednesday. A person with a current Certificate III in Childcare would like to manage this alternate Playgroup day.

Gubi Gaban’s Director, Matt Debreceeny, has written a letter of support for the qualified person stating that the person *“comes highly recommended to us, possesses appropriate qualifications and is a respected member of the community. I am confident that she will be able to deliver a high-quality early childhood program in partnership with our organisation.”* Mr Debreceeny further states *“I write this letter to express my support ..... It would represent a high level of social return for the people of Woolbrook for a relatively small outlay.”*

Financial Implication:

The request is to pay the Childcare Worker \$30 per hour for three hours per session, every alternate week during School Terms for the 2019 – 2020 financial year.

There is 38 school weeks until 1 July 2020 – half of this is 19 weeks.  
19 x \$90 = \$1,710

**RECOMMENDATION:**

**For Council’s consideration.**

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Item:** 6.6 **Ref:** WO/2019/01856  
**Title:** Playground Design Estimate  
**Author:** Director – Engineering Services  
**Previous Items:** Not applicable  
**Attachment:** No

**Community Strategic Plan Reference:**

*Goal – 5.6 – People of all ages and abilities will be encouraged to participate in cultural, recreational and sporting activities.*

*Strategy – 5.6.1 – Maintain and improve library, sporting and recreational facilities.*

**Introduction:**

A notice of motion was lodged at the June Ordinary Council Meeting for the design of a play space, which is to include a review of the lions park play equipment and general landscape to propose an overarching masterplan and detailed for construction drawings.

**Report:**

The intention of this report was considered to be for informative purposes, so only informal quotations have been gathered at this stage for the purpose of adopting a budget. In order to get an understanding of the costs associated with the design of a recreational space that includes a playground, organizations based locally and from larger centers such as Newcastle and Sydney were contacted.

Surprisingly, the responses received from these companies were quite similar, with the following summarizing the responses from three reputable companies:

- ◆ A concept masterplan would be required at a minimum. The masterplan would include an overarching plan of the entire site, including the play equipment. Differing companies had suggestions relating to their proffered designs, such as play equipment that can be purchased off the shelf, or a more natural timber and earth design philosophy. For this stage of the project, all companies quoted between \$1,500 and \$2,000.
- ◆ Detailed construction drawings can also be supplied as an additional cost, with the cost of this stage of the project varying from \$5,000 - \$7,500, for projects in the vicinity of \$100,000 completed. One organization went into further detail regarding larger public space design and construction, recommending a budget of 5% of the overarching cost for projects over \$100,000 for the design phase.

The three reputable companies were interested in the project and said that a site visit would be included in the design cost. It is recommended that Council consider the amount of funds they wish to spend on the project overall, as this will help guide the design in the event of engaging one of these companies to design the space.

Another option that Council may be interested in pursuing is the use of pre-designed off the shelf play equipment. These playground designs are listed in company catalogues and can be purchased on a supply and install basis.

**RECOMMENDATION:** For Councils consideration

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Item:** 6.7 **Ref:** WO/2019/01775  
**Title:** Review of Purchasing Policy  
**Author:** General Manager  
**Previous Items:** Nil  
**Attachment:** Purchasing Policy

***Community Strategic Plan Reference:***

*Strategy – 8.1.2 – Provide a framework for the efficient and effective administration of Council.  
 Strategy – 8.2.1 – Maintain a stable and secure financial structure for Council.*

**Introduction:**

On 24 June 2019 the Local Government Amendment Act 2019 was assented to which included a change to section 55, Requirements for Tendering. The tendering threshold has increased from \$150,000 to \$250,000.

The Purchasing Policy has been amended to reflect the change and to increase amounts for obtaining quotes.

**Report:**

To reflect the general increase in costs since the previous policy review, the following changes are recommended:

QUOTES REQUIRED	PREVIOUS POLICY	AMENDED POLICY
No quote needed	<\$1,000	<\$2,000
One written quote	\$1,000 - \$5,000	\$2,000 - \$7,500
Three written quotes	\$5,000 - \$50,000	\$7,500 - \$75,000
Formal request for quotation (RFQ) or three documented written quotes	\$50,000 - \$150,000	\$75,000 - \$250,000
Tender in accordance with Local Government (General) Regulation (2005)	>\$150,000	>\$250,000

The Local Preference Premium pricing advantage was also amended in line with the changes above.

QUOTES REQUIRED	PREVIOUS POLICY	AMENDED POLICY
5% advantage	0 - \$5,000	\$1,000 - \$7,500
2% advantage	\$5,001 - \$50,000	\$7,501 - \$75,000
No advantage	> \$50,000	> \$75,000

**RECOMMENDATION:** That Council adopt the Walcha Council Purchasing Policy as amended.

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**ADMINISTRATION POLICIES**  
**DRAFT PURCHASING POLICY**



**INTRODUCTION:**

Walcha Council regularly contracts for the purchase or supply of a wide range of goods and services, to pursue its commitment to efficiently deliver services to meet the needs of the community. Purchases can vary from year to year, but generally cover road making materials, trade supplies and services, parks requirements, plant and machinery, office supplies and professional services.

**POLICY:**

Council is committed to purchasing processes which ensure compliance with legal obligations provided for in the Local Government Act 1993 (the Act) and Local Government (General) Regulation 2005. Such processes will consider the Tendering Guidelines for NSW Local Government issued by the Office of Local Government (OLG) and comparable State and Federal Government policy frameworks and guideline documents.

Council decisions will be based on value for money in considering the life cycle of a product rather than lowest initial cost. Decisions will be made having regard to the need:

- ❖ To conduct all tendering, procurement and business relationships with honesty, fairness and probity at all levels.
- ❖ To ensure that the process for awarding contracts is open, clear, fully documented and defensible.
- ❖ To ensure consistency not only in the conditions of tendering but in the evaluation and selection of tenderers.
- ❖ For Councillors or staff with an actual or perceived conflict of interest, to address that interest without delay in accordance with Council’s Code of Conduct and the Model Code of Conduct for NSW Councils.
- ❖ To ensure that no potential tenderer is given advantage over others, nor is there any form of collusive practice.
- ❖ To ensure the identification and management of risks is built into Council’s procurement processes.

When purchasing goods and services Council will consider the impact on human health, wellbeing and the environment. Council have integrated sustainable procurement principles into Councils purchasing procedures.

All employees must adhere to Councils Policies and Procedures.

**Local Preference Premium**

Council is committed to supporting the local economy and enhancing the capability of local business and industry. Where possible Council will source goods, works and services locally, whilst maintaining a value for money approach at all times.

For the purchase of goods and services a price advantage will be given to Local Suppliers. Local Suppliers will be deemed to be those based in or operating predominately within the boundaries of Walcha Council Local Government Area. The price advantage will be nominally deducted from the local supplier price when evaluating the quotes. The price advantage will be calculated on the following sliding scale:

0-\$5,000	5%
\$5001-\$50,000	2%
>\$50,000	no price advantage

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Freight and establishment costs will be included in the comparison of quotes from suppliers.

**Statutory Exemptions for contracts**

The guidelines contained in this Purchasing procedure do not apply where the purchase is made for a contract that is listed under the following exemptions for tendering contained in Section 55 (3) of the NSW Local Government Act 1993 apply.

- a. *subject to the regulations, a contract for the purchase of goods, materials or services specified by a person prescribed by the regulations made with another person so specified, during a period so specified and at a rate not exceeding the rate so specified;*
- b. *a contract entered into by a council with the Crown (whether in right of the Commonwealth, New South Wales or any other State or a Territory), a Minister of the Crown or a statutory body representing the Crown;*
- c. *a contract entered into by a council with another council;*
- d. *a contract for the purchase or sale by a council of land;*
- e. *a contract for the leasing or licensing of land by the council, other than the leasing or licensing of community land for a term exceeding 5 years to a body that is not a non-profit organisation (see section 46A [of the Act]);*
- f. *a contract for purchase or sale by a council at public auction;*
- g. *a contract for the purchase of goods, materials or services specified by the NSW Procurement Board or the Department of Administrative Services of the Commonwealth, made with a person so specified, during a period so specified and at a rate not exceeding the rate so specified;*
- h. *a contract for the employment of a person as an employee of the council;*
- i. *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders;*
- j. *contract for which, because of provisions made by or under another Act, a council is exempt from the requirement to invite a tender;*
- k. *a contract made in a case of emergency;*
- l. *a contract to enter into a public-private partnership;*
- m. *if a council has entered into a public-private partnership—a contract entered into by the council for the purposes of carrying out a project under the public-private partnership (but only to the extent that the contract is part of the project that has been assessed or reviewed under Part 6 of Chapter 12 [of the Act]);*
- n. *a contract that is an environmental upgrade agreement (within the meaning of Part 2A [of the Act]);*
- o. *a contract or arrangement between a council and the Electoral Commissioner for the Electoral Commissioner to administer the council’s elections, council polls and constitutional referendums;*
- p. *a contract made with a person or body approved as a disability employment organisation under the Public Works and Procurement Act 1912 for the purchase of goods or services in relation to which the person or body is so approved.*

**PURCHASING PROCEDURE:**

The following procedure shall be followed when purchasing goods and services:

- ❖ Where the value of the goods or service is below \$2,000, or in case of emergency, the Purchasing Officer may purchase goods from a supplier without the need for a quote;
- ❖ Where the value of the goods or service is greater than \$2,000 and less than \$7,500, a minimum of one (1) written quote must be obtained for the supply of goods or services. The Quote is to be recorded in Council’s electronic records management system;

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



- ❖ Where the value of goods or services is greater than \$7,500 and less than \$75,000, a minimum of three (3) written quotes must be obtained for the supply of goods or services. Quotes to be recorded in Council’s electronic records management system;
- ❖ Where the value of the goods or services is greater than \$75,000 and less than \$250,000 a formal Request for Quotation (RFQ) or three documented written quotations are required. This formal expression of interest is to be provided to a select number of suppliers or be publicly advertised; and
- ❖ Where the value of the goods or services is greater than \$250,000, all purchases must be made in accordance with the Local Government (General) Regulation (2005).

It is important to note that the purchasing amount is the amount for the full engagement. For example if the engagement is for a resealing of 5 roads over two years then the purchasing amount is the total of the resealing works for the two years or period of engagement.

In the case of local plant hire engagements that require quotes (i.e. greater than \$2,000) it will be the responsibility of the Works Supervisors engaging the contractor to obtain quote/s and keep a record of these so that there is a documented record to prove the purchasing policy guidelines have been followed.

The General Manager, in special circumstances, may permit the purchasing officer to purchase goods and services outside this policy and the Council are to be informed of these instances. In this case the General Manager must provide the purchasing officer authority to depart from this policy in writing, stating the reasons for departing from the policy.

**DELEGATIONS FOR PAYMENT:**

Decision making on purchasing is delegated to the natural levels of job ownership in the organisation.

Delegation to this level recognises that people at a hands-on level are in the best position to determine operating needs. It also leads to increased awareness of the timing, delivery and pricing of goods and services received.

Purchasing delegations will be issued which support the responsibilities of the Delegate at the Business Program, Project, Portfolio or Job levels of the corporate scheme of program budgeting.

**PRINCIPLES:**

A delegate shall not authorise purchases if the matter involves expenditure of funds outside Council’s adopted budget, where payment is for reimbursement of the delegate’s own expenses, where authorisation might involve, or be seen to involve, a “conflict of interest”, or in any way breaches the requirements of Council’s Code of Conduct. The officer will use an official Council order for all purchases.

Before committing any expenditure, documentation must be reviewed to ensure that clerical detail is accurate; authorisation is in accordance with the delegated authority. Necessary supporting documentation is to be attached, ie. purchase order, work instruction containing estimates/quotes, invoice.

The General Manager shall be authorised to determine which staff members have authority to purchase goods and services and their dollar ceiling on purchase. These purchasing delegations are listed within the delegations register.

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



All delegations from the General Manager are to be in writing, and no Officer, can make a purchase without this written authority.

The placing of a dollar value ceiling on a delegation only applies to the situation where the delegate is making a decision to commit expenditure. It does not limit staff that administratively process a transaction, eg. Council resolves to donate \$5,000 as a Community Grant. The Administrative Officer asking for the cheque to be issued does not need \$5,000 delegation as the Officer is not committing the expenditure. A copy of the Council resolution is required to be attached to the cheque requisition is required.

The Accounts Payable Officer is to maintain a current list of all Purchase/Payment Delegations to ensure that all creditor payments have been made in accordance with delegations.

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor





**Item:** 6.8 **Ref:** WO/2019/01763  
**Title:** Review of Ward Boundaries  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:**

**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 in all levels.*

**Introduction:**

The Council of an area divided into Wards is required under *Section 211 of the Local Government Act, 1993* to keep Ward boundaries under review. If a review is undertaken and a Council is required to alter the Ward boundaries due to a difference of greater than 10% in the number of electors between Wards, the Council is required to consult with the NSW Electoral Commission and the Australian Statistician.

**Report:**

As of June 2019 our Wards show a difference of 10.28% in elector numbers between Wards. Below is a table showing the last two years of Elector numbers per Ward

Date:	Ward A	Ward B:	Ward C	Ward D:	Difference:
Jul 2017	583	583	573	571	2.06%
Dec 2017	580	582	566	573	2.75%
Jul 2018	562	572	567	588	4.42%
Dec 2018	554	578	569	592	6.42%
Jun 2019	541	600	556	603	10.28%

*Section 211(2) of the Local Government Act 1993, states:*

- (2) *If:*
- (a) *during a council’s term of office, the Council becomes aware that the number of electors in one Ward in its area differs by more than 10 per cent from the number of electors in any other ward it is area, and*
  - (b) *that difference remains at the end of the first year of the following term of office of the Council,*

*The Council must, as soon as practicable, alter the ward boundaries in a manner that will result in each ward containing a number of electors that does not differ by more than 10 per cent from the number of electors in each other ward in the area.*

Therefore Council will need to review the Ward Boundaries in September 2021, being the end of the first year of the term of office of the Council.

**RECOMMENDATION:** that it be NOTED that Council has reviewed the ward boundaries in accordance with the provisions of Section 211 of the Local Government Act, 1993 and that it proposes no changes to the ward boundaries at this time however, in accordance with the provisions of Section 211 the ward boundaries be reviewed again during the first year of the next term of office with a view to rectifying the 10.28% imbalance if that imbalance still exists.

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Item:** 6.9 **Ref:** WO/2019/01677  
**Title:** Entering & Sealing of Rate Book – 2018/2019 Year  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:** Tabled at Council Meeting – WO/2019/01683

*CSP Ref: 8.1.2 – Maintain a stable and secure financial structure for Council.*

**Report:**

The Final Reconciliation of Rates for the 2018/2019 year has now been completed and a copy is tabled for Council’s information. Approval is now sought for the document to be signed by the Mayor and the General Manager under the Common Seal of Council.

**RECOMMENDATION:**

**That the Common Seal be affixed to the 2018/2019 Rate Book Reconciliation and be attested to by the Mayor and the General Manager.**



**Item:** 6.10 **Ref:** WO/2019/01677  
**Title:** Initial Reconciliation of Valuations to Rates Levied – 2019/2020  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:** Tabled at Council Meeting – WO/2019/01681

**Report:**

The Initial Reconciliation of valuations to rates levied as at the 1 July 2019 has now been completed and a copy is tabled for Council’s information. Approval is now sought for the Common Seal to be affixed to this document.

**RECOMMENDATION:**

**That the Common Seal be affixed to the Initial Reconciliation of valuations to rates levied as at the 1 July 2019 and be attested to by the Mayor and General Manager.**

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Ref: WO/2019/01752

**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: 31 July 2019

..... General Manager ..... Mayor



# FINANCE AND ADMINISTRATION

## 9.1 Listing of Bank Balances for the Month of June 2019

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

	<u>2019</u>	<u>2018</u>
General	\$3,249,900.57	\$ 1,872,057.76

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

	<u>2019</u>	<u>2018</u>
Interest Earned (YTD)	\$ 15,562.61	\$ 17,330.22

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

Please see the following Report for the investments placed in June 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.

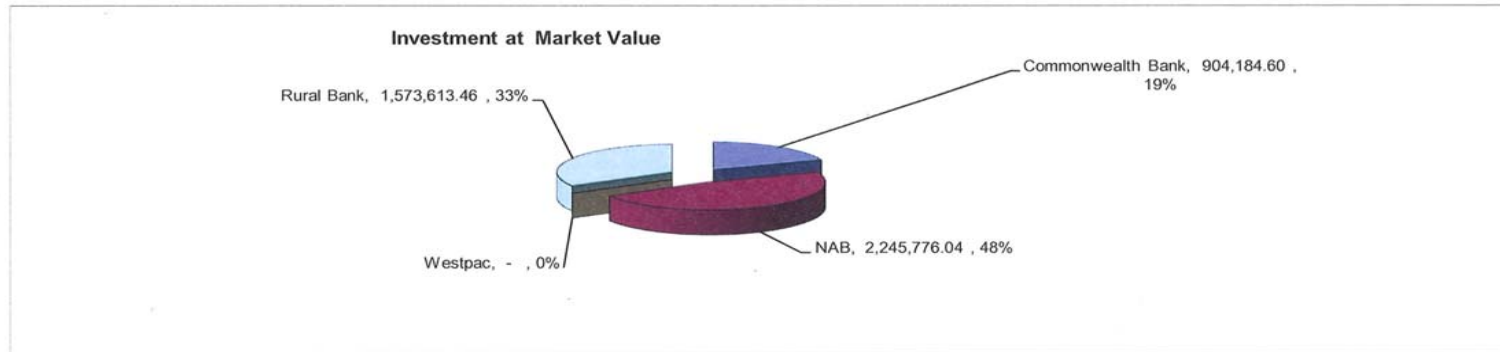
Jack O'Hara  
GENERAL MANAGER



REGISTER OF INVESTMENTS TO 30/06/2019

Institution	Type	Placement Date	Term (Days)	Maturity Date	Rate	Est. Interest	YTD Interest	Amount Invested	YTD Redemption	Est. Market Value At 30/06/19	MV % of Portfolio
National Australia Bank	Term Depos	19/07/2018	181	19-Jan-19	0.00%	0.00	16683.29	-	666,683.29	-	0.00%
National Australia Bank	Term Depos	28/01/2019	365	28-Jan-20	2.75%	16660.33	5830.03	605,830.03	-	605,830.03	12.83%
Commonwealth Bank	Term Depos	17/08/2018	180	12-Feb-19	2.60%	0.00	12478.31	-	359,878.58	-	0.00%
National Australia Bank	Term Depos	15/02/2019	367	17-Feb-20	2.65%	13589.57	0.00	510,019.18	-	510,019.18	10.80%
Commonwealth Bank	Term Depos	10/09/2018	181	11-Mar-19	2.64%	0.00	6581.92	-	500,000.00	-	0.00%
National Australia Bank	Term Depos	11/03/2019	365	10-Mar-20	2.58%	15480.00	0.00	600,000.00	-	600,000.00	12.70%
Elders Rural Bank	Term Depos	28/03/2019	366	28-Mar-20	2.55%	24610.59	24456.64	962,484.04	-	962,484.04	20.38%
Westpac Bank	Term Depos	18/04/2018	365	18-Apr-19	2.76%	0.00	16560.01	-	600,000.00	-	0.00%
Elders Rural Bank	Term Depos	31/10/2018	180	30-Apr-19	2.67%	0.00	7944.16	-	600,000.00	-	0.00%
Westpac Bank	Term Depos	17/05/2018	365	17-May-19	2.72%	0.00	16319.99	-	600,000.00	-	0.00%
Commonwealth Bank	Term Depos	24/05/2018	365	24-May-19	2.71%	0.00	14262.33	-	526,285.22	-	0.00%
National Australia Bank	Term Depos	12/02/2019	120	12-Jun-19	2.65%	0.00	3135.39	-	359,878.58	-	0.00%
National Australia Bank	Term Depos	28/10/2018	273	28-Jul-19	2.60%	10305.26	6948.45	529,926.83	-	529,926.83	11.22%
Elders Rural Bank	Term Depos	15/11/2018	270	15-Aug-19	2.70%	12205.85	0.00	611,129.42	-	611,129.42	12.94%
Commonwealth Bank	Term Depos	22/10/2018	365	22-Oct-19	2.71%	24503.40	22243.05	904,184.60	-	904,184.60	19.14%
Elders Rural Bank	Term Depos	17/06/2018	180	17-Dec-18	2.65%	0.00	7389.47	-	550,000.00	-	0.00%
						<b>117,354.99</b>	<b>160,833.04</b>	<b>4,723,574.10</b>	<b>4,762,725.67</b>	<b>4,723,574.10</b>	<b>100.00%</b>

Capital Value of Portfolio	4,723,574.10
Redeemed Value of Portfolio	4,762,725.67
Market Value of Portfolio 30/06/19	4,723,574.10
Estimated Profit/(Loss) 30/06/19	<u>4,723,574.10</u>



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: 31 July 2019

..... General Manager ..... Mayor



**9.3 Tourism Report**  
**Number of visitors to VIC**

**June 2019**

<b>JUNE</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>
Walk in's	234	292	386	304
Phone enquiries	28	37	30	31
Email enquiries	1	3	4	0
<b>WEBSITE</b>	<b>June</b>	<b>May</b>	<b>April</b>	<b>March</b>
Unique Visits	2,967	4,128	3,762	5,151
Visits	4,555	5,146	5,684	7,675
No of Hits	161,405	168,108	165,997	209,084

**Comments from the Visitors Book – JUNE**

Very helpful / Very friendly service & nice, great toilet / Very helpful and friendly / great!  
 / Great information centre & little town.

**Walcha Mountain Festival**

The organisation for the Walcha Mountain Festival is taking shape with a line up of great food and market stallholders keen to attend, great kids activities, the Fleece to Fashion Awards parade, music and exhibitions.

**Freak Show Festival of Motorcycles**

We are holding a town meeting /information session on Tuesday 30 July at 6.00pm at the Ex-Services Club. The purpose of this gathering is to inform the local businesses and the general community of the enormity of this event and how it could impact the town and businesses. This opportunity will offer a forum for questions, understanding and to empower businesses to be best prepared. Emails to accommodation/eatery places, a face-to-face brief was conducted to all businesses within the CBD followed by a letter drop to places we didn't have email details to. It has been advertised in the Apsley Advocate as well as a Letter to the Editor in an additional edition.

Susie Crawford  
 Tourism Manager

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**9.4 Grant Information**

**Grants Currently Applied for:**

<b>Name of Grant:</b>	<b>Purpose of Grant:</b>	<b>Amount Requested:</b>	<b>Council Contribution:</b>	<b>Date Outcome Announced:</b>	<b>Outcome</b>
My Community Project	Replacement of Walcha Bowling Club Synthetic Green	\$200,000	Nil Council is Sponsor only	September 2019	
My Community Project	Install and upgrade heating – Walcha Ex-Services Memorial Club	\$100,000	Nil Council is Sponsor only	September 2019	
Tech Savvy Seniors	To run a Tech Savvy Seniors program	\$1,518			Application in review by State Library
Youth Opportunities Program	A year long program of structured and non-structured activities, trips, sporting development and leadership building opportunities.	\$47,500	Staff wages for some coordination	Unsure of timeline.	

**Grants Currently Being Investigated:**

<b>Name of Grant:</b>	<b>Purpose of Grant:</b>	<b>Closing Date:</b>
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://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://investment.infrastructure.gov.au/infrastructure_investment/heavy_vehicle_safety_and_productivity.aspx)

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



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<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/>  
[https://www.sl.nsw.gov.au/sites/default/files/tss\\_201920\\_grant\\_guidelines\\_1.pdf](https://www.sl.nsw.gov.au/sites/default/files/tss_201920_grant_guidelines_1.pdf)

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# ENGINEERING SERVICES

## 9.5 Wages & Overtime Summary

Pay Period	Week Ending	Overtime Hours	Amount (\$)
51	16/06/2019	87.00	4,372.93
52	23/06/2019	147.25	7,475.65
1	30/06/2019	71.50	3,786.09
2	07/07/2019	59.50	3,192.01
3	14/07/2019	49.75	2,564.06
<b>TOTAL</b>		<b>415.00</b>	<b>\$21,390.74</b>

## 9.6 Shire Roads Maintenance

### Local Roads Maintenance:

#### *Local Roads Dust Suppression:*

Council recommended that dust suppression works be funded to aid those living in close proximity to unsealed roads. A prioritisation process was undertaken to ensure that the highest priority projects were identified for treatment. Due to the accumulation of unspent funds that were carried over for this function, Council were able to complete four projects this year. Two projects took place on Winterbourne Road, with the remaining two projects located on Brackendale and Glen Morrison Roads. A good outcome was achieved overall.



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..... General Manager ..... Mayor



*Wollun Road Bridge Replacement:*

The Wollun Road bridge replacement is progressing well. The temporary bridge and bypass track are in place, the existing timber bridge has been removed and piling has commenced. Precast components have been manufactured off site and have now been delivered for installation. Bridge completion is expected by the end of July, with opening to occur in August



**State and Regional Roads Maintenance:**

*Thunderbolts Way Corridor Strategy Update:*



Work has commenced on the following projects:

- Legge Street to Aberbaldie Road Reconstruction
- Hamilton Street to Jamieson Street Reconstruction
- Segment 4600 (Glen Morrison Rd Intersection)
- Segment 4590 (Walcha Dairy)
- Segment 4580 (Walcha Dairy)
- Segment 4570 (Lakes Road Intersection)

The work within town is close to finalisation for the detailed design. Once Council has received the final designs for both segments within town, a large Asphalt tender will be released to the market to ensure economies of scale. Segment 4590 and 4600 have completed pavement designs and are now in the detailed design phase, while segments 4580 and 4570 are currently in the geotechnical design phase.

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*Mount Pleasant Rehabilitation (Oxley Highway):*

The project is aimed at rehabilitating the fatigued and failed pavement surface, by removing unsuitable material and placing a granular overlay. The project is progressing well is now completed, with only linemarking remaining to be completed. A final seal will be placed during the summer season.



*Maintenance Patching Works – Oxley Highway:*

Areas of failed pavement on the Oxley Highway were identified for intervention treatment for road safety purposes. A maintenance crew were established, using mainly contracted staff for the works. This work is now completed.



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**Urban Works:**

*Kerb and Gutter Extensions / Replacement:*



Kerb and Gutter replacements are now completed successfully, with the primer seal placed ready for a final seal during the summer reseal program. Further works will be completed on Hill Street to link the kerb and gutter from the section recently completed to South Street.

*Nowendoc Interpretative / Historic Sign:*

The Nowendoc Sign has been completed in a short period of time, erected by Council Staff. Staff did a fantastic job in building a structure to house the large signs that were designed by the Nowendoc Community in consultation with the Engineering Department and Barrier Signs. It is a great addition to Nowendoc.



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*Fitzroy Street East – Streetscape Continuation:*

Work has commenced on the continuation of Streetscape to the eastern side of Fitzroy Street. The work has focused upon the area in front of the Nivison Fountain and the Royal Hotel.



**Completed Maintenance Snapshot:**

<b>Local Roads</b>	
Maintenance Grading:	Roads:
	Glen Morrison
	Rosedale
	Glenbrook
	Millbank
	Lymington
	Englefield
	Queenscairn
	Geraldine
	Inglebah Flat
	Hurricane Gully
Rural Addressing	Roads:
	Campfire
	Strathleigh
	Surveyors Creek
	Thunderbolts Way
	Winterbourne
Pothole Repair	Roads:
	Brackendale

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<b>State &amp; Regional Roads</b>	
Oxley Highway Maintenance:	Tasks:
	Sign Maintenance & Repair
	Servicing Rest Areas
	“Ezy Street” Pothole Patching
Regional Roads:	Tasks:
	“Ezy Street” Pothole Patching
	Service Rest Areas
	Guidepost Maintenance
<b>Urban Roads</b>	
Urban Maintenance:	Tasks:
	Town Street Cleaning
	Street Tree Maintenance
	Parks and Garden Maintenance

**Proposed Works for the Coming Period:**

Shire Roads:

- ◆ Grading to occur on Campfire, Surveyors Creek, Strathleigh, Pine Hills, Wirraway, Upper Yarrowitch River Roads.
- ◆ Further bridge maintenance.

State & Regional Roads:

- ◆ Maintenance:
  - Pothole Patching.
  - Vegetation Maintenance.
  - Drainage Works
- ◆ Continue to prepare thunderbolts way upgrades
- ◆ Mount Pleasant rehabilitation finalisation
- ◆ Finalise mulching works

Works In Town:

- ◆ Streetscape maintenance.
- ◆ Sporting grounds maintenance.
- ◆ Town Mowing - parks, gardens and cemeteries.
- ◆ Town garden maintenance.
- ◆ Continue streetscape installation.
- ◆ Complete kerb and gutter works

Dylan Reeves  
 Director – Engineering Services



**9.7. Water**

Town Water Supply

Water Restrictions have been at Level 4 since 14 February 2019. Average usage for June was 248L/person/day a reduction of 20L per day last month. A new format for 'Water Matters', Council's weekly water report in the Apsley Advocate commenced last month. The advertisements highlight the current water restriction level and target usage, as well as providing a pictorial water saving tip each week.

Macdonald River Feasibility Study

See separate report.

**9.8 Sewer**

Sewer Treatment Plant (STP) Upgrade

As previously reported Stage 1 of the upgrade project is complete. Council 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 was recently approved by the DoI Water technical advisor. Council is now awaiting the final approval from Infrastructure NSW to proceed with Stage 2. There has been no communications from Infrastructure NSW since 21 June.



**9.9 Waste**

Walcha Waste Depot

Preparatory work has began for the introduction of gate fees and staffing commencing Monday 30<sup>th</sup> September.

Tess Dawson  
Senior Manager - Water, Sewer & Waste



# 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 month of March 2019 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:

June 2019		
DA Number	Description	Address
10.2018.37	Single dwelling alteration	102E North Street, Walcha
10.2019.43	Building - other	172W Hill Street, Walcha
10.2019.44	Building - other	Walcha Racecourse Reserve
10.2019.45	Building - other	34 Berman Street, Walcha
10.2019.47	Building - other	John Oxley Oval, Walcha
CDC Number	Description	Address
18.2019.8	Single Dwelling Alteration	14553 Thunderbolts Way, Walcha

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.

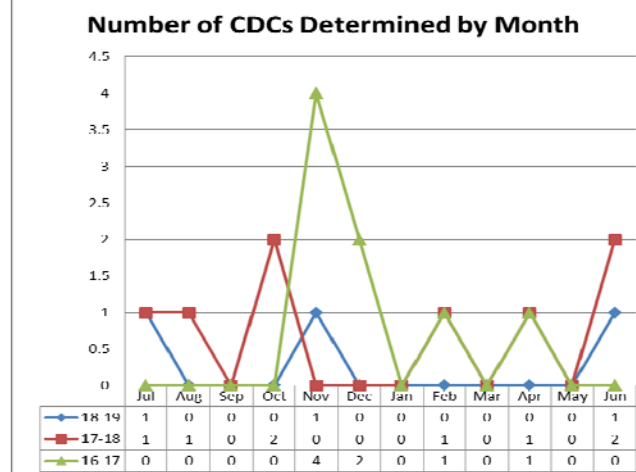
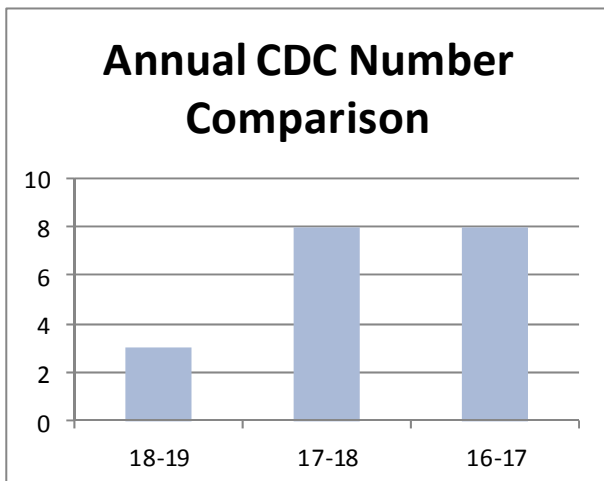
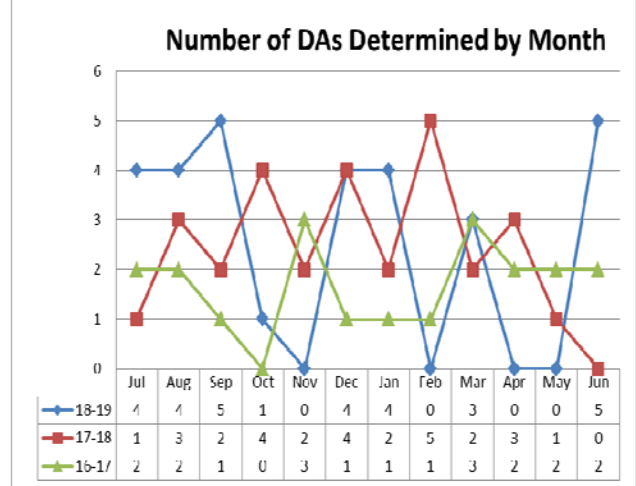
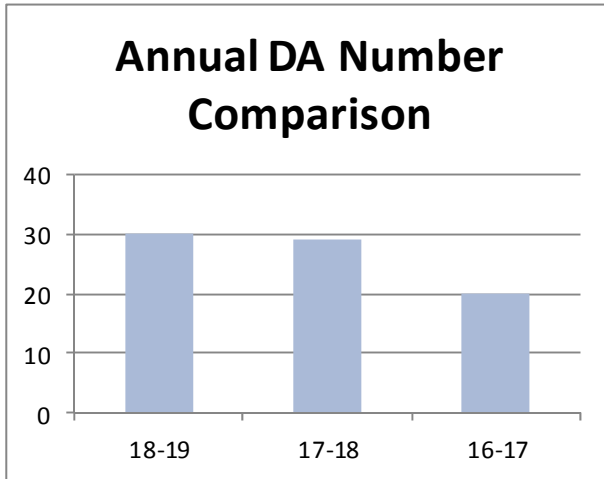
Submitted to Council: 31 July 2019

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**Annual Comparison** **Monthly Comparison**

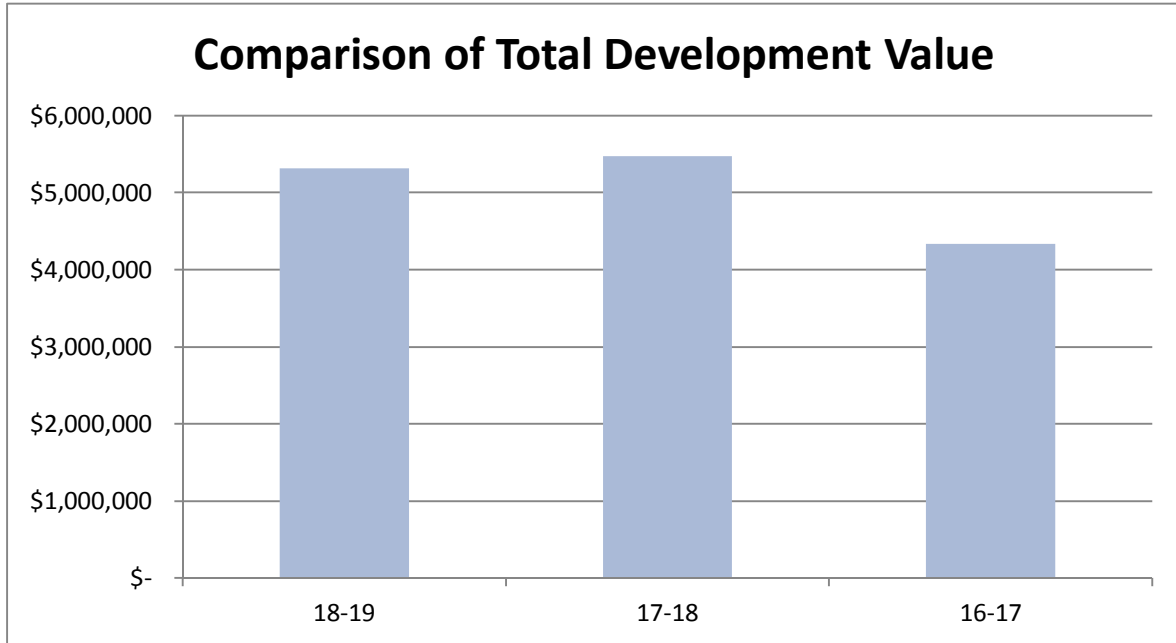


Private Certification of Complying Development Applications are as follows:

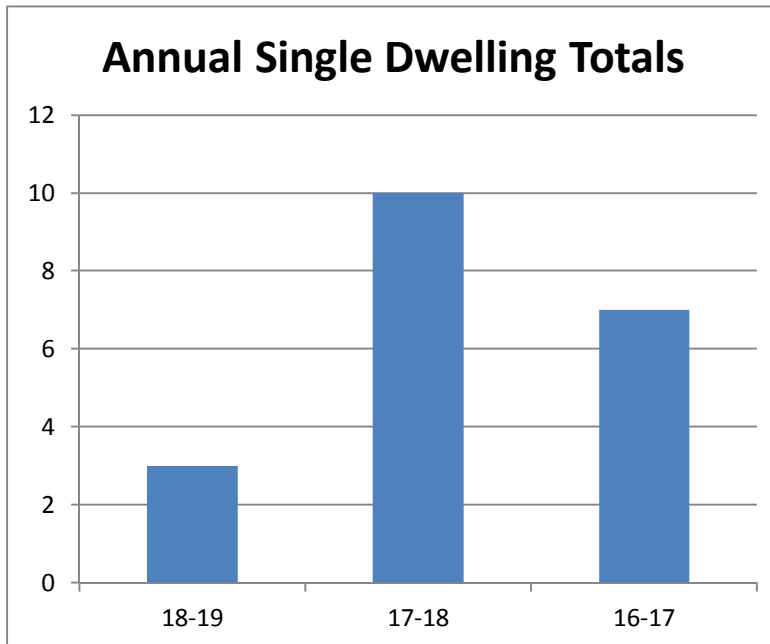
Year	Total Applications	Walcha Council	Private Certification
18-19 To Date	5	3	2
17-18	8	4	4
16-17	8	8	0



**Development Values**

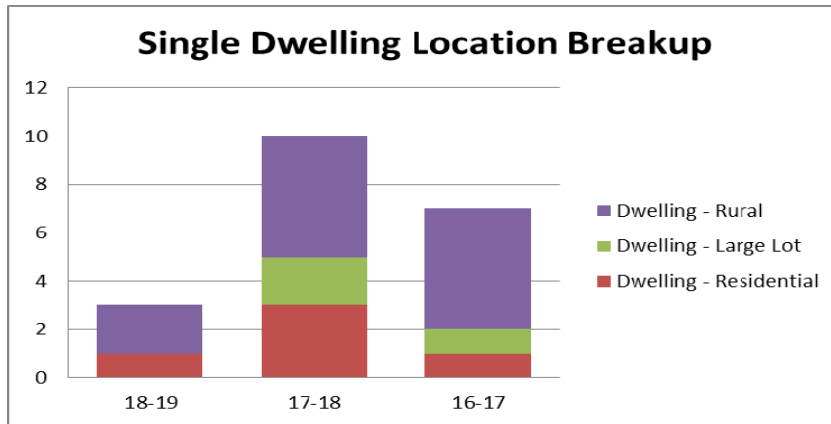


**Total Number of Single Dwellings and their Locations**



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**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 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.

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.

Submitted to Council: 31 July 2019

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Construction Certificates	2017/2018	2018/2019 YTD	This Period
Number Issued Council	5	11	2
Number Issued (Private Certifier)	11	3	0

**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 development consent.

Occupation Certificates	2017/2018	2018/2019 YTD	This Period
Number Issued (Council)	3	9	1
Number Issued (Private Certifier)	9	3	0

**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	7	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	93	5

**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

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



- 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	2	0

**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	10	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	48	9
Footings & slab inspections	9	0
Framework inspections	2	0
Waterproofing inspections	1	0
Stormwater inspections	2	0
Final inspections	16	3
Complaints	11	0

**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

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



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.

Annual Fire Safety Statements	2017/2018	2018/2019 YTD	This Period
Number received	15	14	1
Number of relevant premises	21		

**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
Number Issued	8	2	0

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Submitted to Council: 31 July 2019

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**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
<b>Total Number of S68s Determined</b>	6	12

S68 Compliance Inspections	2018/2019 YTD	This Period
<b>Site inspections</b>	10	2
<b>Internal drainage inspections</b>	7	5
<b>External drainage inspections</b>	7	0
<b>Water supply work inspections</b>	1	0
<b>Final inspections</b>	2	0

**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.

Food Premises Surveillance 2018/2019						
	High Risk Fixed*	Medium Risk Fixed*	Low Risk Fixed*	Mobile*	Temporary*	TOTAL
<b>Total No.</b>						<b>42</b>
<b>No. Primary Inspections</b>	0	0	-	0	0	<b>30</b>
<b>No. Re-inspections</b>	0	0	-	0	0	<b>0</b>
<b>No. additional Re-inspections</b>	0	0	-	0	0	<b>0</b>
<b>No. FSS Required</b>	20					<b>20</b>
<b>No. FSS Current</b>	20					<b>20</b>

*\*All food premises are currently undergoing risk re-evaluation.*

**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
<b>Number Issued</b>	2	1	0

**Swimming Pool Inspection and Compliance**

Submitted to Council: 31 July 2019

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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
<b>Certificates of Compliance Issued</b>	0	0	0
<b>Certificates of Non-Compliance Issues</b>	0	0	0
<b>Inspections Conducted</b>	0	0	0

**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
<b>Overgrown allotment</b>	Warning	9	1
	Intention	0	0
	Order	0	0
	Penalty Notice	0	0
<b>Accumulation of waste</b>	Warning	5	2
	Intention	3	0
	Order	2	0
	Penalty Notice	0	0
<b>Keeping of animals</b>	Warning	12	3
	Intention	2	0
	Order	1	0
	Penalty Notice	0	0
<b>Vehicles and traffic on nature strip</b>	Warning	2	1
	Intention	2	0

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor





	Order	1	0
	Penalty Notice	0	0
<b>Abandoned vehicle</b>	Warning	1	0
	Intention	0	0
	Order	0	0
	Penalty Notice	0	0
<b>Noise abatement</b>	Warning	9	3
	Intention	0	0
	Order	0	0
	Penalty Notice	0	0
<b>Environmental pollution</b>	Warning	1	1
	Intention	0	0
	Order	0	0
	Penalty Notice	0	0

**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
<b>July</b>	3	2	0
<b>August</b>	0	1	0
<b>September</b>	1	0	0
<b>October</b>	0	1	0
<b>November</b>	4	4	0
<b>December</b>	5	5	0
<b>January</b>	2	2	0
<b>February</b>	2	2	0
<b>March</b>	0	0	0
<b>April</b>	1	0	0
<b>May</b>	1	2	0
<b>June</b>	0	0	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*.

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Submitted to Council: 31 July 2019

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<b>Companion Animal Registrations 2018/2019</b>							
	<b>Desexed</b>	<b>Non desexed</b>	<b>Pensioner (desexed)</b>	<b>Pound Purchase (desexed)</b>	<b>Recognised breeder</b>	<b>Working</b>	<b>Value \$</b>
<b>Jul</b>	2	0	1	0	0	0	\$138
<b>Aug</b>	2	0	0	0	3	1	\$285
<b>Sep</b>	1	0	0	0	0	0	\$57
<b>Oct</b>	1	0	1	0	0	0	\$81
<b>Nov</b>	4	0	1	0	0	0	\$309
<b>Dec</b>	4	0	0	0	0	0	\$228
<b>Jan</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Feb</b>	0	1	3	0	1	0	\$336
<b>March</b>	0	0	1	0	0	0	\$24
<b>April</b>	0	0	1	0	0	0	\$24
<b>May</b>	0	1	0	0	0	0	\$57
<b>June</b>	8	1	0	0	0	1	720

<b>Companion Animal Seizures 2018/2019</b>						
	<b>Seized</b>	<b>Surrendered</b>	<b>Released</b>	<b>Rehomed</b>	<b>Euthanased</b>	<b>Stolen/Escaped</b>
<b>Jul</b>	2	1	1	0	1	0
<b>Aug</b>	7	3	3	1	3	0
<b>Sep</b>	4	2	1	0	3	0
<b>Oct</b>	0	0	0	0	0	0
<b>Nov</b>	3	0	3	0	0	0
<b>Dec</b>	1	0	0	0	1	0
<b>Jan</b>	2	0	2	0	0	0
<b>Feb</b>	0	0	0	0	0	0
<b>March</b>	0	5	0	0	5	0
<b>April</b>	1	0	1	0	0	0
<b>May</b>	5	3	2	3	3	0
<b>June</b>	2	0	0	0	2	0

<b>Companion Animal Ranger Services 2018/2019</b>				
	<b>Dog attack investigation</b>	<b>Roaming dogs</b>	<b>Roaming cats</b>	<b>Barking dogs</b>
<b>Jul</b>	0	2	0	0
<b>Aug</b>	2	3	1	0
<b>Sep</b>	0	0	0	1
<b>Oct</b>	1	2	2	2
<b>Nov</b>	1	2	0	1
<b>Dec</b>	0	3	0	1

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



<b>Jan</b>	0	1	2	2
<b>Feb</b>	0	1	0	1
<b>March</b>	1	2	0	2
<b>April</b>	0	2	0	3
<b>May</b>	2	5	0	5
<b>June</b>	1	0	1	3

	Caution	Dangerous Dog		Nuisance Dog		Menacing Dog		Penalty Notice
		Notice	Order	Notice	Order	Notice	Order	
<b>Jul</b>	7	0	0	0	0	0	0	0
<b>Aug</b>	0	0	0	0	0	0	0	2
<b>Sep</b>	0	0	0	0	0	0	0	0
<b>Oct</b>	1	0	0	0	0	0	0	0
<b>Nov</b>	0	0	0	0	0	0	0	0
<b>Dec</b>	0	0	0	0	0	0	0	0
<b>Jan</b>	0	0	0	0	0	0	0	0
<b>Feb</b>	0	0	0	0	0	0	0	0
<b>March</b>	0	0	0	0	0	0	0	0
<b>April</b>	0	0	0	0	0	0	0	0
<b>May</b>	1	0	0	0	0	0	0	0
<b>June</b>	1	0	0	0	0	0	0	0

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**9.13 Building and Amenity Maintenance**

Project work at Council facilities May 2019	
Project	Total
Captain Cook Sportsground Amenities	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)	25
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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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



# COMMUNITY SERVICES

## 9.14 Walcha Council Community Care

### Groups

May 2019

#### Women’s Group and Wanderer’s Group

5 June 2019 – 16 clients from the Women’s Group and the Wanderer’s Group attended morning tea at the Community Day Centre Rooms.

19 June 2019 – 19 ladies attended the day held in the Community Day Centre Rooms. The theme for the day was called “Australia – The story of us”. Activities included watching the documentary “Australia – The story of us”. The group enjoyed a discussion about significant events throughout Australias history. The day was lots of fun and included a delicious aussie lunch of meat pies, peas and mash.

#### Wanderer’s Group

26 June 2019 – The Wanderer’s Group travelled to Glen Innes where the group visited the Gawura Gallery. The Gallery offers contemporary artwork from local, interstate and international Artists. The modern gallery exhibits a range of works from established and emerging Indigenous artists, including Fine Arts. Morning tea was in Guyra at the park with the big lamb and lunch was held in the Café at the Gallery. Although the weather was absolutely freezing everyone enjoyed the day.



Shannon Eason, Elaine Bartholomew, Hope Strudwick, Dennis Anderson, Mary Haines, Irene Bartholomew and Sandra Wallace at the Gawura Gallery

Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



**Men’s Group**

11 June 2019 – 10 gentlemen attended morning tea held in the Community Day Centre Rooms.

25 June 2019 – 5 gentlemen attended lunch held at the Apsley Arms Hotel

**Mixed Group**

15 and 16 June 2019 – 27 clients attended the trip to Port Macquarie. The group left the Community Day Centre car park at 8.30am with the first stop for morning tea at Stockyard Creek picnic area halfway down the mountain. The group later arrived at the Town Green where lunch was enjoyed at the Town Green Inn. After lunch we arrived at the Elpaso Motor Inn and enjoyed a couple of hours of free time to fill in the afternoon.

Dinner was held at the Port City Bowling Club with a seafood smorgasboard on offer before heading over to the Glass House Theatre for the nights entertainment. Daniel Thompson did a great job describing the life and the music of Johnny Cash. Everyone really enjoyed the concert.

The following morning we travelled down the coast road to visit the North Brother Mountain Lookout, after calling into some of the beaches along the way. Lunch was held at the Panther’s Club back in Port Macquarie. A guided tour of Riccardo’s Tomatoe and Strawberry Farm was the final visit for the trip with he group enjoying the tour and an opportunity to pick some stawberries to bring home.



Riccardo’s Tomatoe and Strawberry Farm tour



Joy Hayes, Sally Munday, Coral Goodwin, Donna Martin, Jan Cross, Don Murchie, Vidi Kulinskis, Marg Partridge and Denise Wall at North Brother Mountain Lookout

Enjoying a walk at  
Lighthouse Beach



Daniel Thompson  
and band during  
the Johnny Cash  
tribute concert

Submitted to Council:

31 July 2019

..... General Manager ..... Mayor



**Craft Group**

12 June 2019 – 5 clients attended the morning tea and craft day held in the Community Day Centre Rooms. The group bought along projects that they are working on individually as well as continuing with the quilt that is the ongoing group project.

**Exercise Group**

As part of the wellness and reablement program WCCC now offer our clients the opportunity to come along to a weekly exercise class. The program is designed to keep people active and improve their balance and mobility, physical fitness, cognitive capacity and overall general health and wellbeing. Kellie Makeham is the instructor and clients are enjoying the program with more people attending each week.

**Creative Art Class**

21 June 2019 – 5 clients attended the morning art class with the guest workshop artist Susan Douds. The workshop was learning about water colour painting and the group had a fabulous morning with their artist talents being released.

**Card Group**

A small group of card players have been meeting in the Community Day Centre Rooms for to play 500's. The group enjoy the social get together as well as playing cards.

**Transport – June 2019**

Medical drives – 14 clients utilized the service with 27 trips during the month.

Access bus – 6 clients used the service making 29 trips during the month.

Bus to Tamworth – 4 client used the service on 28 June 2019.

Bus to Armidale numbers were as follows:

- ◆ 4 June 2019 – 4 clients
- ◆ 11 June 2019 – 6 clients
- ◆ 18 June 2019 – 6 clients
- ◆ 25 June 2019 – 7 clients

Taxi Vouchers – 24 clients used the Taxi Vouchers with Walcha Taxi Service and Walcha Community Transport in June with a total of 183 Taxi Vouchers returned.

Uralla Food Pantry – A fortnightly trip to transport disadvantaged people in the community to access low cost pantry food, bread, fruit and vegetables made available from Foodbank NSW. People must pass the eligibility criteria for the transport and the Food Pantry.

**Meals on Wheels**

This month there were 11 clients who received hot main meals with 3 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 June was:

- ◆ 148 Hot meals,
- ◆ 112 frozen meals and
- ◆ 113 desserts





**Feedback, Suggestions and Complaints**

Feedback was provided about the Fashion Parade held at the Walcha Bowling Club on 22 May 2019:

- ◆ The Fashion Parade from Black Pepper was a great success and well attended by the community. Those of us that were models conducted ourselves appropriately (I think). The girls from Armidale were very happy with the day. The lunch was just right.

**Meetings and Training / Community Rooms**

13 June 2019 – Dementia Support Group meeting held at the Community Day Centre Rooms.

14 June 2019 - Debby Maddox from the Rural Assistance Authority in Armidale has been very well utilised assisting with paper work for those applying for the subsidies. People have attended the Friday afternoon get togethers with the aim of supporting others emotionally and socially that are effected by the ongoing drought.

20 June 2019 – Walcha Hospital Auxiliary meeting held in the Community Day Centre Rooms

27 June 2019 – Walcha Support Group meeting held in the Community Day Centre Rooms

Cathy Noon  
Community Care Coordinator



**9.15 Library**

**June 2019**

Monthly Statistics:

- ◆ Loans: 545
- ◆ Returns: 560
- ◆ Reservations placed: 53
- ◆ New members: 3
- ◆ Door count: 926
- ◆ Computer use: 68
- ◆ E-audio – Users: 48
  - Downloads: 208

This month our new RFID machine went live! Most people have been very responsive to it, especially the kids that come in. They find it very exciting and feel very proud when they are able to issue their own books.

We held our Youth Advisory Committee meeting this month. This was our biggest meeting yet with the whole of St Patrick’s year 5 and 6 sitting in on the meeting, along with the committee members. The main topic of discussion for this meeting was activities and programs we could submit for the Youth Opportunities Grant. We received some very valuable feedback which helped us with our application for the Youth Opportunities Grant. Now we just have to wait and see if we are successful.

This month I also applied for some more funding to be able to hold the Tech Savvy Seniors Programs again in 2020. I am confident we will receive this funding again, which will be very beneficial in assisting us to deliver the program successfully. We have already had a lot of interest in another program so I look forward to seeing the outcome of the application from the State Library.

Cassie and I obtained our First Aid qualifications this month. We feel this qualification is incredibly beneficial in the environment we work in, with people from all walks of life frequently visiting the library.

Relatively quiet this month, however I look forward to being able to report on the school holiday program next month!

Madison Garrad  
Library Coordinator/Youth Worker



**9.16 Preschool**

Due to School Holidays there is no Preschool Report this month.

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.**

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



Item 10:  
  
Committee  
Reports

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor



## Walcha Town & District Beautification & Tidy Towns Committee Meeting Minutes

held on

Wednesday, 19 July 2019

at

2:00 pm

at Walcha Council Chambers

### **PRESENT:**

Councillor Peter Blomfield (Chair), Dylan Reeves (Director – Engineering Services), Stephen Sweeney (Works Supervisor – Urban), Phyllis Hoy, Beverly Betts, Caroline Street, Caroline Street

### **1. APOLOGIES:**

Councillor Clint Lyon, Jim Hallenan, Robyn Vincent, Joanne Ireland

### **2. CONFIRMATION OF MEETING MINUTES HELD ON WEDNESDAY, 16 MARCH 2016:**

RESOLVED on the motion of Beverly Betts and Caroline Street that the Minutes of the Walcha Town & District Beautification & Tidy Towns Committee Meeting held on 17 October 2018, copies of which have been distributed to all members, be taken as read and confirmed a true record.

### **3. BUSINESS ARISING:**

#### **3.1 Long Term Tree Plan for Walcha**

Dylan Reeves updated the Committee on the previous long term tree plan, which has been updated by Stephen Sweeney. The long term tree plan is attached to these minutes, as requested by the committee. The Committee agreed to review the updated plan and bring any suggestions for further work to the next meeting.

Committee Minutes



### **3.2 Walcha Garden Competition:**

The Committee discussed this item and agreed to postpone the competition until the end of the drought conditions and water restrictions allow for the watering of gardens.

## **4. GENERAL BUSINESS:**

### **4.1 Rose Garden**

The Committee discussed the complexity of installing new gardens in drought and decided to postpone this item.

### **4.2 Mill Hole Garden Upgrade**

The Committee discussed the complexity of installing new gardens in drought and decided to postpone this item.

### **4.3 Hospital Wall Upgrade**

Stephen Sweeney approached the Committee in relation to making the hospital wall garden a drought tolerant garden by incorporating rocks and a concrete surface, rather than mulch and plantings. The Committee welcomed the idea and listened to some suggestions from Stuart Wellings from top shelf rocks. The Committee agreed to allocate further funds to this project from the beautification budget if it is adopted by Council.

### **4.4 Streetscape 2019**

The Committee requested an update on streetscape works that are to occur during the 2019-20 financial year. Dylan Reeves updated the Committee stating that works will commence in July in front of the Royal, Fitzroy Street East.

### **4.5 Parking Bay South of Walcha (Glen Grow Rest Area)**

This project was discussed at the meeting; however there has been no progress due to the project not making it onto the 2018-2019 financial year priority list.

### **4.6 Carpark at the High School**

Councillor Peter Blomfield and Stephen Sweeney gave an update on this item, stating that the trees have been planted at the carpark, with success. Peter Blomfield stated that further works in relation to the condition of the carpark should be addressed with further funds; Dylan Reeves updated the Committee stating that grant funding is being sought through the "Facilities Around Schools" program, funded by Roads and Maritime Services.

### **4.7 Toilets at the Cemetery Plan**

The Committee discussed the need for a toilet at the cemetery, Dylan Reeves stated that the project has been adopted by Council and has a budget of \$42,500 for the 2019-2020 financial year.



#### **4.8 Clean footpaths where required**

Councillor Peter Blomfield requested that the footpaths be cleaned where there is a grim build up occurring. The Committee discussed the need for pressure washing to alleviate this issue, which was postponed until water restrictions are reduced.

#### **4.9 Tree plan for the showground area – Thunderbolts Way Upgrade**

The design for the Thunderbolts Way upgrade in front of the showground is nearing completion. The Committee requested a copy be provided at the next meeting so that the design can be reviewed and tree planting suggested for the site.

#### **4.10 Discussion on resilient species in drought**

Phyllis agreed to provide a resilient species list for the next meeting.

#### **4.11 New Street Bins**

The Committee requested an update on the new street bins, Dylan Reeves updated the Committee stating that they will be installed during this financial year.

#### **4.12 Derby Street Corner – Hill ad Derby Street**

The Committee raised another project that has been discussed previously, however this project didn't make it into the 2018-2019 priority projects. This project will be considered when Council has considered a budget for the 2019-2020 financial year.

#### **4.13 Water to trees and park murals. Sculpture on roundabout - second**

The Committee received information on this item from Stephen Sweeney, stating that trees at risk are watered using a mobile water container. Staff drive to the affected trees and water at times of high risk. The sculpture on the second roundabout was not discussed.

#### **4.14 John Oxley Park**

Beverly Betts requested the parks and gardens crew whipper snip and tidy up the entrance to John Oxley Oval. Stephen Sweeney agreed that he would add this to their list of jobs.

#### **4.15 Recommendation for Council to adopt a budget for the 2019-20 financial year.**

The Committee discussed the need for further funding of projects during the 2019-20 financial year. Dylan Reeves updated the Committee, stating that the projects that currently have funding are as follows:



Funding was approved for the 2018-19 financial year, of which Council contributed \$55,000 for the Committee to utilise. The Committee unanimously agreed on the below projects:

1. Installation of the Walcha Rose Garden - \$30,000
2. Walcha Hospital Wall Installation - \$12,500
3. Walcha Central School Tree Planting - \$2,500
4. Walcha Mill Hole (John Oxley Cairn) Park Upgrade - \$10,000

It is also noted that the Committee received further funding for:

1. Entry Signage to Walcha LGA - \$30,000
2. Mill Hole Upgrade Stage 2 – \$20,000

Further projects nominated by the Committee that could be funded in the 2019-20 financial year and beyond include:

1. Ohio North Park Upgrade - \$27,500
2. Sealing Glen Grown Rest Area - \$12,500
3. Angle Street Park – Naming, Planting Tees and Signposting - \$15,000
4. Rock Wall, Corner of Hill and Derby Street - \$7,500
5. Mill Hole Project, Stage 2 - \$10,000
6. Hospital Wall Project, Stage 2 - \$12,500
7. Showground area (Thunderbolts Way) Plantings – Budget TBD.

**The committee RECOMMENDS that Council consider a budget for the 2019-20 financial year for the above listed beautification projects.**

#### **4.16 Disguise the STP by investigating plantings on the Oxley Highway**

Councillor Peter Blomfield requested that the Committee investigate ways to disguise the STP with plantings. The Committee agreed to visit the site on a following meeting day to determine the viability of this project.

#### **5.1 Meeting Dates Schedule**

Dylan Reeves made the Committee aware that the next meeting will be held on 27 August 2019. All meetings will be held at 2pm.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 3:45PM.**

**CONFIRMED \_\_\_\_\_ (Signed)**

**Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_**



# Walcha Council Youth Advisory Committee Meeting



Held on

Thursday, 20 June 2019

at

11:30am

at

St Patrick's Primary School Library

**PRESENT:**

Clr Rachael Wellings – Chairperson, Madison Garrad – Youth Worker, Will Hall, Jack Healey, Ella Jenkins, Ella Lynch, Charlie Powell, Hunter Scrivener, Sophie Timbs, Tahlia Bird, Oscar Blomfield, Oliver Greig, Wyatt Haslem, Justin Hicks, Ted Kermode, Ella Luchich, Darcy Macpherson, Bateson Pittman, Abigail Van Eyk, Tayla Carter, Thomas Micallef, Annie Darcy, Ashleigh Wall, Emily Blake, Thea Dunn, Jemma Warden and Samuel Swain.

**IN ATTENDANCE:**

Simon Warden (Walcha Central School teacher), Karen Barnes (Walcha Central School Youth Worker) Belinda Burton (St Patrick's School Acting Principal).

**1. APOLOGIES:**

Karen Kermode (Community Services Manager).

Committee Minutes



**2. MINUTES OF PREVIOUS MEETING HELD 14 DECEMBER 2018:**

Councillor Wellings started the meeting with an introduction. She then read out the minutes of the previous Youth Advisory Committee.

It was agreed that the minutes were a true and accurate record of the meeting. Moved Abigail Van Eyk, Seconded Tayla Carter.

**3. BUSINESS ARISING**

**3.1 Summary of April 2019 Youth Week holiday program**

Youth Worker went over the school holiday programs that have been offered since the last meeting in March. Youth Worker also provided a summary of the programs that are scheduled so far for the July school holidays.

**4. GENERAL BUSINESS**

**4.1 Youth Opportunities Grant**

Councillor Wellings explained the Youth Opportunities Grant. The group then brainstormed ideas to put forward for the grant. The ideas suggested were:

- ◆ Coding workshop (over multiple days)
- ◆ Diabetes camp
- ◆ Pottery classes
- ◆ Woodwork
- ◆ Talent quest
- ◆ Rugby league
- ◆ Art activity (NERAM, Tamworth)
- ◆ Scooter workshop
- ◆ Mud Run
- ◆ Union workshop
- ◆ Indoor hockey/field hockey
- ◆ Glow in the dark run
- ◆ Obstacle course
- ◆ Dance workshop (hip-hop boys and girls)
- ◆ Pizza and chill night
- ◆ Fun run/park run
- ◆ Cooking classes
- ◆ Colour run
- ◆ Basketball comp - Walcha team
- ◆ Disco
- ◆ A ping pong competition
- ◆ Karaoke night in the park
- ◆ Lego masters club
- ◆ UNO championship
- ◆ Billabong Zoo at Port Macquarie
- ◆ Mud run
- ◆ Beach day
- ◆ Jump Up
- ◆ Guitar course
- ◆ Trip to Walcha dairy
- ◆ Laser Tag
- ◆ First Aid Course
- ◆ Get Your CV ready
- ◆ Net World
- ◆ Riverside
- ◆ Touch football skills



#### **4.2 Rural and Regional Youth Opportunities Grant**

Youth Worker spoke about the idea of a 'team bonding' camp such as Pindari Adventures. YW explained the types of activities offered at this particular camp. YW explained that the main focus of the camp would be respect, responsibility, perseverance, resilience, choices & consequences and team building. YW also explained that the opportunity would only be available to a small group of people and there would be an application process.

Committee broke into groups to shortlist the activities listed above.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12:23PM.**

## Walcha Preschool Advisory Committee Meeting

held on

Tuesday, 25 June 2019

at

5:10 pm

at

Walcha Preschool

### **PRESENT:**

Karen Kermode (Community Services Manager) Zoe Herbert (Nominated Supervisor), Meggie Davey, Bonnie Brown, Sarah Fletcher and Jordy Young.

### **1. APOLOGIES:** Rachael Wellings

### **2. CONFIRMATION OF MEETING MINUTES HELD ON MONDAY 9 APRIL 2019:**

The Minutes were agreed to be a true and accurate record of the meeting.

### **3. Business Arising**

3.1 The last instalment of the drought subsidy has been passed on to families. No official notice has been received that this grant will be extended.

3.2 The layout has been chosen for the mud kitchen after input from the committee members and staff. It will be open plan with a fitted kitchen, coffee window, digging patch with rocks, fully covered roof and a water tank connected to a hand water pump. Possible floorings include concrete, stamped concrete and flag stones. Jordy Young presented her playground plan ideas that were requested at the last meeting.

3.3 The General Manager has advised that the preschool community is welcome to contribute to the cost of mature trees for the playground. A general invitation to contribute will be sent out at the time, however we will not be able to actively seek donations. The trees won't be purchased until the water restrictions have been lifted.

### **4. Nominated Supervisor's Report – Term 2 2019**

A written report was provided by the Nominated Supervisor to the Committee. It highlighted the following:

#### ***Bus***

*Numbers have stayed consistent from last term with Monday and Tuesday being quiet and Wednesday and Thursday being the busier days.*

### ***Extended hours***

*Again the numbers are consistent from last term Thursday afternoon is the busiest time for extended hours with 4 to 5 children staying until 4:30-5pm. The morning is more popular than the afternoons.*

### ***Staffing***

*With Sakulsri's absence for the past month or so Chelsea did an amazing job at stepping into her role at short notice, Sakulsri returned last week. Chelsea has become a valuable team member and will continue to work with us as a casual.*

*Emma is reducing her hours which Jenn and Chelsea are able to pick up, this should create a smooth transition for the children with Jenn and Chelsea being regular faces throughout the term.*

*I will be away for the last week of term and again Jenn and Chelsea will be able to pick up these extra hours to continue the consistency for the children.*

### ***Events***

*This term preschool held a family morning tea to celebrate National Families Week. Families were invited to come and share morning tea with their children and activities were set up for families to do with their children. These included a photo booth, a shop, hand printing and a few cultural activities from our international families.*

*Preschool also hosted Spotty Bear a show where the children learnt that our differences are what makes us special. The children were able to join in with the singing and dancing and some lucky children were called up the front to be in the show as well.*

Comments from the committee were positive about the changes that had been introduced for the storypark community posts. Also very positive feedback was given for the National Families Week morning teas that were held.

## **5. General Business**

### **5.1 Policy Review**

Policies were reviewed by the Committee and small changes were recommended. Updated policies are attached:

- Supervision of Children Policy
- Dealing with Complaints Policy
- Family Communication and Involvement Policy
- Collection of Children from Premises
- Outdoor Safety Policy
- Indoor Safety Policy
- Child Health Policy
- Contact between Children and Animals Policy
- Dental Accidents Policy
- Sleep and Rest Policy
- Behaviour Guidance Policy

- Orientation for Children Policy

Discussion was held over the Child Health Policy regarding alcohol being allowed at the preschool Christmas party. Alcohol has been allowed in the past; however it has never been advertised. The decision was made to leave the policy as it stands, and trial an “alcohol free” Christmas party this year and gauge the effect it has on the number of parents attending.

**6. Community Services Manager Report**

**6.1 Building and playground update**

We are well and truly on the count down for the building to be finished. The painters are currently onsite, and the electrical fit out, plumbing fittings, softfall installation and flooring are all that is left to finish. Once the building has been issued with an occupation certificate we can start to use the storage rooms, which will mean have the shipping containers can be removed. The Department of Education will need to inspect and issue the service approval before we can move everything over. They have been in contact and we will be able to lock in an inspection date with them in a few weeks time.

The settlement date for the new section of playground is 25 July 2019.

We have applied for a small garden grant of \$1500 which if successful we will use to replace the vegetable garden.

**RECOMMENDED: That Council ADOPT the policies Supervision of Children Policy, Dealing with Complaints Policy, Family Communication and Involvement Policy, Collection of Children from Premises, Outdoor Safety Policy, Indoor Safety Policy, Child Health Policy, Contact between Children and Animals Policy, Dental Accidents Policy, Sleep and Rest Policy, Behaviour Guidance Policy and the Orientation for Children Policy as presented.**

There being no further business the Chair declared the meeting closed at 5.42pm.

**CONFIRMED** \_\_\_\_\_ **(Signed)**

**Date:** \_\_\_ / \_\_\_ / \_\_\_ **Chairperson**

**Attachment 5.1**

**Dealing with Complaints (formally Parent Grievance) Policy - NOA6 & NOA7**

**Aim**

Walcha Preschool’s aim is to welcome comments and concerns in any area of our work and encourage families to speak with us if you have any concerns or comments that may help us improve the preschool or our performance.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Who is affected by this policy?**

- Child
- Families
- Educators
- Management

**Implementation**

Any parent/caregiver with a concern or complaint in relation to the running of Walcha Preschool either in administration or child interaction should do the following:

- Voice their complaint or concern with the nominated supervisor or service provider.
- Write their complaint or concern addressing it to the nominated supervisor or service provider. You will receive a personal response unless you have chosen to be anonymous.
- Families can speak to any educator about a specific complaint or concern. Educators will put in steps to address your concern or complaint as quickly as possible. However, educators do reserve the right to have the complaint put in writing.
- If a service wide problem has been brought to an educator’s attention all families and educators will be informed of the contents of your complaint but not your name.

**Escalation Procedure**

If you are unsatisfied by the outcome, you have the option to escalate your complaint, using the Walcha Council Complaints Handling Policy.

**Relevant Legislation and Key Resources**

- Children (Education and Care Services National Law NSW) and Regulations 2011 and 2012
- National Quality Framework and National Quality Standards
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Walcha Council Complaints Handling Policy

**Review**

The policy will be reviewed annually. Review will be conducted by:

- Management
- Employees
- Families
- Interested Parties.

Date Adopted	30/11/2016	Minute No. 86/20162017
	31/10/2018	Minute No. 68/2018-19
Staff review	22/5/2019	
Nominated Supervisor		
Management Committee Representative:		

**Family Communication and Involvement Policy (Parent Communication Policy combined with Parental and Family Involvement Policy) NQA6**

**Aim**

Walcha Preschool aims to have family members involved in the operation of the preschool. Suggestions will be taken into account regarding our program and included if appropriate. Walcha Preschool values the input of its family members and welcomes them as a valued resource. We aim to provide an environment where there is a strong emphasis on family/preschool communication to allow consistency and continuity between the home and the preschool environment.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Who is affected by this policy?**

- Child
- Families
- Educators

**Family Communication**

Walcha Preschool aims to provide as many outlets as possible for family/Centre communication. These include:

- Face to face
- A newsletter which will be emailed or put in the children's pockets to be taken home each term
- A notice board displaying upcoming events and notices
- Educators will communicate with families regarding their child, with the opportunity to plan formal meetings if necessary
- A suggestions book in the foyer where parents can anonymously (or give their names if desired) make suggestions to improve the preschool
- Facebook polls are used to gather information from families
- Walcha Preschool Facebook group. This is a closed group and only families with children enrolled can access
- Storypark App
- Skoolbag communication app

Each family will be allocated a 'pocket' where correspondence between educators or the nominated supervisor or service provider and the family can take place. If necessary, educators have support and access to translation services to provide this information for non-English speaking families.

**Parental and Family Involvement**

- Families are welcome to visit at any time of the day
- Families are encouraged to make suggestions and offer input on our program, philosophy or management
- Families are encouraged to share aspects of their culture with the educators and children as well as appropriate experiences
- Families are welcome to participate in the preschool's daily routine by helping with activities such as craft, enjoying a meal with preschool and special activities.

**Relevant Legislation and Key Resources**

- National Quality Framework
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Guide to the National Quality Standards
- Australian Children's Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)

**Review**

The policy will be reviewed annually. Review will be conducted by:

- Management



- Employees
- Parents
- Interested Parties.
- 

Date Adopted	30/11/2016	Minute No. 86/2016-2017
	31/10/2018	Minute No. 68/2018-19
Staff Review	22/5/2019	
Nominated Supervisor		
Management Committee Representative:		

**Collection of Children from Premises Policy (formally Arrival and Departure Policy) – NOA2 & NOA6**

**Aim**

To ensure and encourage the safety of children, families, visitors and educators during arrival and departure experiences at Walcha Preschool and to educate such persons of appropriate procedures.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22 000.

**Who is affected by this policy?**

- Child
- Families
- Educators

**Implementation**

The following guidelines must be adhered to at all times to ensure the safety of the children.

**Arrival:**

- All children must be signed IN by their parent or responsible adult. This also assists educators in the event of evacuation of Walcha Preschool. This is the parent/caregivers responsibility. If this is not completed, an educator will make a note of the arrive time of the child.
- A locker is available to children for the storage of their bag and clothing for the day.

**Departure:**

- Nominated supervisors are to ensure that the authorised pick-up list for each child is kept up to date.
- No child will be released into the care of any persons not known to educators. If educators do not know the person by appearance, the person must be able to produce some form of photo identification to prove that they are a person authorised to collect the child on the child’s enrolment form.
- Parents must give prior notice where the person collecting the child is someone other than those authorised on the enrolment form. The person nominated by the parent must be able to produce some form of identification.
- Children are not to be released into the care of persons not authorised to collect the child, e.g. court orders concerning custody and access.
- Parents or an authorised person must give prior notice of any variation in the persons picking up the child. If notice is not given, and educators cannot contact the parent, the child must not be released into the care of that person.
- If the authorised person collecting the child appears to be intoxicated, or under the influence of drugs, and educators feel that the person is unfit to take responsibility for the child, the educators are to bring the matter to the person’s attention before releasing the child into their care.

Wherever possible, such discussion is to take place without the child being present. Educators are to suggest that they contact another authorised person from the enrolment form, inform them of the situation and request they collect the child as soon as possible. If the person refuses to allow the child to be collected by another authorised

person, educators are to inform the police of the circumstances, the person's name and vehicle registration number.

Educators cannot prevent a parent or guardian from collecting a child, but do have a moral obligation to persuade a parent to seek alternative arrangements if they feel the parent is in an unfit state to accept responsibility for the child.

- All children must be signed OUT by a parent or authorised person as this assists educators in knowing who has left Walcha Preschool
- At the end of each day 2 educators check the premises including outdoors and indoors to ensure that no child remains on the premises after Walcha Preschool closes.

Individuals visiting Walcha Preschool must also sign in when they arrive at Walcha Preschool, and sign out when they leave. Details of absences during the day must also be recorded.

**Relevant Legislation and Key Resources**

- Children (Education and Care Services National Law NSW) and Regulations 2011 and 2012
- National Quality Framework and National Quality Standards
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Australian Children's Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Staying Healthy in Child Care, 5th edition.

**Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013	Minute No. 19/2013-14
	30/09/2015	Minute No. 50/2015-16
	13/12/2017	Minute No. 95/2017-18
	31/10/2018	Minute No. 68/2018-19
Date of Staff Review	22/5/2019	
Nominated Supervisor		
Management Committee Representative:		

**Supervision of Children Policy - NOA1, NOA2 & NOA5**

**Aim**

The correct supervision will be provided to all the children while attending Walcha Preschool. The correct supervision of children takes into consideration the safety and welfare of every child.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Who is affected by this policy?**

- Child
- Educators
- Family
- Volunteers
- Students
- Management

**Implementation**

At all times, Walcha Preschool will comply with the supervision ratios as set out in the Regulations. These are as follows:

- 1:10 for children who are 3 or more years of age but under 6 years of age.

Records will be maintained naming the Nominated Supervisor on duty at any time Walcha Preschool is in use.

Any time a child is present on the premises, there will be at least two primary contact educators present on the premises. We will further uphold our duty of care by:

- All educators, permanent and relieving, will be made aware of this policy regarding adequate and responsible supervision of children during the educator’s induction.
- Educators rostering and routines will at all times make sure enough educators are available for the adequate supervision of children.
- At no time will students or volunteers be included in the ratio of adults supervising children.
- Students and volunteers will never be left alone with a child or a group of children.
- The Nominated supervisor will ensure that The National Regulations in relation to the supervision of children are adhered to.

**INDOORS**

- A minimum of two educators (at least one being a permanent educator) will provide supervision when children are indoors.
- Supervising educators give their attention to the children and not to any other duties.
- When children are resting or sleeping they will be supervised.
- During hand washing and/or toilet times children will be supervised in the bathroom area.
- Children undergoing toilet training will not be left unsupervised in the bathroom.
- No child is to be left unattended when eating.

**OUTDOORS**

- The correct ratio will be met outside.
- Where one educator is called inside for any reason, they must not go inside until another educator has come outside to replace them.
- Educators supervising outdoors, should position themselves to see as much of the play area as possible.
- One educator should be positioned close to the climbing frame as often as possible.
- Any water activity should be closely supervised by one educator at all times.
- Except for necessary discussions or concerns regarding children or matters relating to Walcha Preschool, educators will not congregate together outside where practicable.

**Relevant Legislation and Key Resources**

- National Quality Framework
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Guide to the National Quality Standards
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Work Health and Safety Act 2011 (WHS Act) [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

**Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013 01/06/2016 26/09/2018	Minute No. 19/2013-14 Minute No. 183/2015-16 Minute No. 50-2018/19
Staff Review	22/5/2019	
Nominated Supervisor		
Management Committee Representative:		

### **Outdoor Safety Policy – NOA2 & NOA3**

#### **Aim**

Walcha Preschool will minimise risk of child accidents, injuries and illnesses in the outdoor environment.

#### **Background**

The outdoor play area needs to be carefully designed so children's needs and interests are catered for and injuries are minimised. Early childhood educators are responsible for planning and setting up safe play environments. The most important factor in playground safety is a well designed playground. Play areas need to support children's development based on their abilities, needs and interests. Planning should take into account the uses and limitations of the available equipment and the outdoor environment.

A well-designed playground:

- allows easy supervision, especially of climbing structures and water play areas
- allows a safe flow of play between quiet and noisy activity areas
- provides age-appropriate areas
- provides plenty of shade
- provides adequate drainage
- is free of harmful plants
- complies with Australian Standards.

#### **Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

#### **Practices**

To ensure that the outdoor environment is safe from hazards staff will:

- Establish a routine of checking the outdoor play area each morning before children arrive at the service to remove or manage any safety concerns.
- Supervise the children at all times
- An Outdoor Safety Checklist will be used.
- Equipment will be checked daily, and maintained as required.
- Consider the height of the equipment –check for potential bumping, choking and entrapment hazards
- Take into account the age-appropriateness of the equipment - equipment that allows for a variety of play and set-up options for different stages of development – children will want to keep playing on equipment that provides greater challenges
- Consider the durability and quality of the equipment.
- Identify areas which may require more supervision, and assigning appropriate staff members
- Listening to the sounds of the environment such as laughter versus crying or whether it is too noisy or too quiet
- Review the physical environment before children enter a playground and continuing to monitor safety during play.
- Ensure a First Aid Kit is accessible, checked and maintained regularly.
- Identify and remove any hazardous plants
- Remove any animal droppings on equipment by using hot soapy water and dispose of the waste hygienically
- Educate and reinforce safe play rules to the children
- Cover the sandpit at the end of the day
- Place the equipment in a well-shaded area to avoid direct sunlight and continue to monitor the surface temperature during outdoor play time, this could result in equipment being packed away early when in summer routine.
- Water play equipment will be supervised at all times

#### **Relevant Legislation and Key Resources**

- Work, Health and Safety Act 2011 and Regulations 2011 (NSW); Australian Standards for play equipment and soft fall.

- National Quality Framework
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Guide to the National Quality Standards
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Children’s Centres Model Policies and Practices (No. 2), University of NSW, 2003.
- Best Practice Guidelines in Early Childhood Physical Environments, Walsh CS,1996
- Kidsafe NSW Inc –[www.kidsafensw.org.au](http://www.kidsafensw.org.au)

**Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013 Minute No. 19/2013-14 01/06/2016 Minute No. 183/2015-16 26/09/2018 Minute No. 50/2018-19
Staff Review	22/5/2019
Nominated Supervisor	
Management Committee Representative:	

**Indoor Safety Policy – NOA2 & NOA3**

**Aim**

Walcha Preschool will minimise the risk of and respond effectively to accidents and injuries in indoor environments.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Background**

To avoid or reduce accidents and injuries it is important to create and maintain a safe indoor environment. Recognising potential hazards, eliminating or controlling hazards, responding quickly and appropriately to emergencies, is important.

Typical causes of injury indoors include falls from equipment and furniture such as bookshelves and couches, slipping on wet floors, tripping and slipping hazards such as blocks or books left on the floor, snagging hazards such as clothing caught on protruding objects, entrapment of body parts including fingers being caught in small spaces such as gate hinges or doors. These hazards can be minimised through close supervision and developing and following a safety checklist.

**Practices**

To ensure that the indoor environment is safe from hazards, staff will:

- Supervise the children at all times
- Keep equipment clear of thoroughfares
- Provide sufficient space for dramatic play areas and equipment such as blocks
- Offer suitable positioning of quiet and noisy activity areas, in consideration of room limitations
- Establish a routine of checking the indoor play area each morning before children arrive at the service to remove or manage any safety concerns.
- A safety checklist will be used and kept in the indoor area for educators.
- The checklist will be completed and equipment to be maintained on a regular basis — daily, weekly, monthly or as required.
- Encourage children to use equipment safely.

- Develop rules with children for safe play.
- Encourage children to rest when tired.
- Make sure that all furniture is stable and secured so that it does not fall on children or catch on loose clothing or ribbons.
- Store all cleaning products and chemicals in locked cupboards and out of children’s reach.
- Where necessary Safety Data Sheets (SDS) will be kept for certain products
- Never use empty drink bottles or other non-original container as dispensers for these products, as a child may confuse the contents for a drink.
- Store all medications appropriately and out of children’s reach.
- Ensure rooms are well ventilated to help prevent the spread of infectious diseases.
- Regularly check smoke detectors and fire extinguishers. Fire drills will also be conducted on a regular basis.
- Evacuation routes are shown in main room, kitchen and outdoors
- Hot water is regulated between 40-43 degrees Celsius.
- Any hazards relating to the premises/building the maintenance staff will be notified and repairs completed in a timely manner.
- Ensure soft furnishings and carpets are fire resistant, well-laid and regularly cleaned
- Be vigilant about picking up items off the floor, especially in walkways and around lockers.
- Regularly check the doors in the indoor area to ensure that children are unable to access areas which may not be safe, such as kitchens or access areas where there is no adult supervision.
- Ensure all electrical outlets and appliances are suitably protected to prevent electric shock.

**Relevant Legislation and Key Resources**

- Kidsafe NSW Inc –[www.kidsafensw.org.au](http://www.kidsafensw.org.au)
- WHS Act 2011 [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)
- Staying Healthy in Child Care, 5th edition.
- Children (Education and Care Services National Law NSW) and Regulations 2011 and 2012
- Work, Health and Safety Act 2011 and Regulations 2017 (NSW)
- Australian Standards for toys, equipment and glass in buildings
- National Quality Framework and National Quality Standards
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)

**Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013 30/09/2015 13/12/2017 31/10/2018	Minute No. 19/2013-14 Minute No. 50/2015-16 Minute No. 95/2017-18 Minute No. /2018-19
Date of Staff Review	22/5/2019	
Nominated Supervisor		
Management Committee Representative		

**Child Health Policy – NQA2**

**Aim**

Walcha Preschool aims to provide, promote and encourage the maintenance of a safe and healthy environment to ensure the safety and wellbeing of all children. The policy must be upheld by all educators, children, families, visitors or other persons attending the Walcha preschool.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Who is affected by this policy?**

- Child
- Educators
- Families
- Management
- Visitors

**Implementation**

Walcha Preschool is a smoke, alcohol and illegal substances free premises.

In order to keep children and educators free from the dangers of tobacco smoke, other smoke and illegal substances, the following rules apply.

Smoking and the consumption of alcohol is prohibited in all areas of Walcha preschool during the hours of operation including:

- Inside
- Outside in the playground.
- Outside in the car-park.

Smoking is also prohibited:

- At any social activity, whether in work hours or not, where the children and educators are involved.

Walcha Preschool has No Smoking signs displayed.

**Relevant Legislation and Key Resources**

- WHS Act 2011 [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)
- Education and Care Services National Regulations
- Children (Education and Care Services) National Law (NSW) No 104a
- Children (Education and Care Services) Supplementary Provisions Act 2011
- Children (Education and Care Services) Supplementary Provisions Regulations 2012
- National Quality Framework
- Guide to the National Quality Standards
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Staying Healthy in Child Care, 5th edition.

**Review**

The policy will be reviewed annually. Review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013	Minute No. 19/2013-14
	30/09/2015	Minute No. 50/2015-16
	13/12/2017	Minute No. 95/2017-18
Staff Review	12/06/2019	
Nominated Supervisor		
Management Committee Representative:		

**Contact between Children and Animals Policy – NOA2**

**Aim**

Walcha Preschool will ensure it provides a safe, clean and humane environment for all animals that visit the preschool. The preschool will ensure pest control measures are taken at the service. The Preschool will minimise health risk for children from contact with animals, such as injuries, infection and allergies.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Background**

Responsible ownership of pets, animals or birds that reside at the preschool or visit the preschool premises is a must. Children need role modelling of appropriate behaviours with animals and guidance for caring for the needs of animals. This policy also takes into consideration unwanted visitors such as pests and vermin.

Maintaining animal health and minimising contact between animals and children is necessary for children's and staff health and safety. Animals can become a source of infection and injury, and children under the age of 4 years old are most at risk of dog bites.

**Practices**

When animals are present in the preschool or when visiting petting zoos, the preschool will:

- Make best endeavours that all animals and their homes are kept clean and hygienic.
- Staff must ensure they have clean bedding and water.
- Food and water is available for the pet.
- Children must be supervised at all times when interacting with animals.
- Make enquiries to ascertain that pets and animals pose no known health or safety risk for the children; such as allergies.
- Animals will not have access to children's bedding, toys, food preparation areas, eating surfaces or utensils.

Animals visiting the preschool as part of the children's program are the responsibility of the owner(s). For example Wildlife Show's and "living safely with pets" educational program.

The staff will endeavour to:

- The environment remains safe and hygienic at all times during the visit.
- Inform families of the pending visit if part of the program.
- Floors are cleaned on a daily basis.
- Supervise children when in contact with any animal.
- Encourage children and staff to wash their hands after petting an animal.
- Not allow the children to put their faces near the animal.
- The operator regularly removes and appropriately disposes of animal faeces and other wastes, by using hot soapy water.
- Ensure there is no contact with animals while the children are eating.
- Keep children away from any unknown dogs when on outings.

There are situations that may spontaneously occur, involving animals. For example, there may be a situation where an animal has made its way unaccompanied into Walcha Preschool. The staff will use this as a spontaneous learning experience for the children. At all times they will ensure the safety and well being of the children.

If an animal is potentially dangerous; such as a snake or spider, staff will contact an appropriate authority for assistance. In NSW this authority is the National Parks and Wildlife Service 131 555 (8.30am - 5.00pm).

The animal's movements will be monitored to ensure a speedy and efficient capture by a professional, but priority is to be given to staff, child and family safety. At no time is the potentially dangerous animal, insect or bird to be approached or touched by staff, children or families.

- Pest control will occur during the school holidays for vermin, insects and spiders.
- Educators will monitor any occurrences in the preschool to determine the success of control measures.



- If pests and vermin are seen, staff will advise the Nominated Supervisor/Nominated Supervisor and will arrange for additional pest control visits.
- Where appropriate, staff discuss with children safety issues relating to dangerous products, plants, vermin and objects

**Relevant Legislation and Key Resources**

- Kidsafe NSW Inc – [www.kidsafensw.org.au](http://www.kidsafensw.org.au)
- WHS Act 2011 [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)
- Education and Care Services National Regulations
- Children (Education and Care Services) National Law (NSW) No 104a
- Children (Education and Care Services) Supplementary Provisions Act 2011
- Children (Education and Care Services) Supplementary Provisions Regulations 2012
- National Quality Framework
- Guide to the National Quality Standards
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Staying Healthy in Child Care, 5th edition.

**Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013 30/09/2015 13/12/2017	Minute No. 19/2013-14 Minutes No. 50/2015-16 Minute No. 95/2017-18
Date of Staff Review	12/06/2019	
Nominated Supervisor		
Management Committee Representative:		

**Dental Accidents Policy - NOA2**

**Aim**

To facilitate the prevention and management of dental trauma in children, Walcha Preschool will train their educators in dental trauma through first aid training. Walcha Preschool will seek information from the local Area Health or Public Health unit. The educators will be skilled through training to deal with a dental emergency and applying first aid for a dental injury.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Who is affected by this policy?**

- Child
- Educators
- Families
- Management
- Visitors

**Implementation**

**First Aid for a knocked out or chipped tooth in a younger child**

If a child has a dental injury where the tooth is chipped or the whole tooth is knocked out:

- Manage as an emergency, inform the parents/family and complete an injury report form.
- Do not reinsert the tooth back into the socket (avulsed deciduous teeth are not usually placed back).

- Gently rinse the tooth or tooth fragments in clean milk or clean water to remove blood and place in a clean container or wrap in cling wrap to give to the parent or dentist.
- Seek dental advice as soon as possible and ensure educators or the parent takes the tooth/tooth fragments to the dentist with the child.

First Aid for a knocked out or chipped permanent tooth in an older child or adult

- Manage as an emergency, inform the parents/family and complete an injury report form.
- Gently rinse the tooth fragments in clean milk or clean water for a few seconds to remove excess dirt and blood.
- Handle the tooth by its crown (the white enamel top part of the tooth), not its root and be careful not to rub off the endothelial fragments on the root of the tooth as these are needed for the tooth to take if replaced by the dentist.
- If an adult or older child who can be relied on not to swallow their tooth, it is preferable to replace the tooth back into the socket. (Be certain that the tooth is placed into the socket the correct way round, in its original position, using the other teeth next to it as a guide).
- Hold the tooth in place by gently biting on a clean handkerchief or gauze pad.
- If unable to reinsert the tooth, get the casualty to hold the tooth inside the mouth next to the cheek or place the tooth in clean milk, sterile saline, or clean water. Place a firm pad of gauze over the socket and have the casualty bite gently on the gauze.
- Seek dental advice as soon as possible and ensure you or the family takes the child to the dentist with the tooth/tooth fragments within 30 minutes, as the root endothelial layer begins to deteriorate after 30 minutes.
- If the tooth has been in contact with dirt or soil, advise the family that tetanus prophylaxis may be required and advise them to consult with both their dentist and doctor.

**Relevant Legislation and Key Resources**

- Australian Dental Association [www.ada.org.au](http://www.ada.org.au)
- Parasol First Aid Guide
- Education and Care Services National Regulations
- Children (Education and Care Services) National Law (NSW) No 104a
- Children (Education and Care Services) Supplementary Provisions Act 2011
- Children (Education and Care Services) Supplementary Provisions Regulations 2012
- National Quality Framework
- Guide to the National Quality Standards
- Australian Children’s Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Staying Healthy in Child Care, 5th edition.

**Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	31/7/2013 30/09/2015 13/12/2017	Minute No. 19/2013-14 Minute No. 50/2015-16 Minute No. 95/2017-18
Date of Staff Review	12/06/2019	
Nominated Supervisor		
Management Committee Representative:		

**Sleep and Rest Policy – NQA2 & NQA3**

**Aim**

Walcha Preschool will provide a safe sleep and rest environment for all children.

### **Background**

An inquest into the death of Indianna Rose Hicks in 2012 found Indianna, who was five months old when she died suddenly and unexpectedly while in care, died from Sudden Infant Death Syndrome (SIDS). A recommendation was made via the Consultation Regulation Impact Statement on proposed options for changes to the National Quality Framework (NQF), that Regulation 168 in the National Regulations, 'Education and care service must have policies and procedures' be amended to include a requirement for a policy on 'Sleep and rest for children and infants', including matters set out in Regulation 81 (Sleep and rest).

Early childhood educators are responsible for planning and setting up safe sleep and rest environments. Effective sleep and rest strategies are important factors in assisting a child to feel safe and secure at preschool. Planning and set up should take into account the age, needs and requirements of the individual child.

Approved providers, nominated supervisors and educators have a duty of care to ensure children are provided with a high level of safety when sleeping and resting and every reasonable precaution is taken to protect them from harm and hazard.

### **Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

### **Practices**

- Children should sleep and rest with their face uncovered.
- A quiet place should be designated for rest and sleep, away from interactive groups. If designated for rest, the space should allow for a calm play experience.
- Sleep and rest environments and equipment should be safe and free from hazards.
- Supervision, planning and the placement of educators across a service should ensure educators are able to adequately supervise sleeping and resting children.
- Educators will closely monitor sleeping and resting children and the sleep and rest environments. This involves checking/inspecting sleeping children at regular intervals, and ensuring they are always within sight and hearing distance of sleeping and resting children so that they can assess a child's breathing and the colour of their skin. Factors to be considered while monitoring sleeping and resting children include the age of the child, medical conditions, individual needs and history of health and/or sleep issues.
- Educators will consult with families about their child's individual needs and be sensitive to different values and parenting beliefs, cultural or otherwise, associated with sleep and rest. However If a family's beliefs and requests are in conflict with current recommended evidence-based guidelines, the service will need to determine if there are exceptional circumstances that allow for alternate practices. Child safety will always be the first priority.
- Children who do not wish to sleep are provided with alternative quiet educational activities and experiences, while those children who do wish to sleep are allowed to do so, without being disrupted.
- If a child requests a rest, or if they are showing clear signs of tiredness, regardless of the time of day, there should be a comfortable, safe area available for them to rest (if required).
- Opportunities for rest and relaxation, as well as sleep, are provided.
- Educators will look for and respond to children's cues for sleep (e.g. yawning, rubbing eyes, disengagement from activities, crying, decreased ability to regulate behaviour and seeking comfort from adults).
- Create a physical environment is safe and conducive to sleep. This means providing quiet, well-ventilated and comfortable sleeping spaces.
- Light bedding is the preferred option.

### **Relevant Legislation and Key Resources**

- National Quality Framework
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Guide to the National Quality Standards
- Australian Children's Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Red Nose <https://rednose.com.au/section/safe-sleeping>
- Department of Health inactivity and screen time recommendations <http://www.health.gov.au/>

**Review**

The policy will be reviewed annually. Review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	25/6/2018 – Minute 8-2018/19
Staff Review	12/06/2019
Nominated Supervisor	
Management Committee Representative:	

**Behaviour Guidance Policy – NOA 5**

**Aim**

It is widely accepted that positive interactions and behaviour guidance strategies enhance children’s confidence and self-esteem and that children’s development is enhanced by respectful and supportive relationships with adults who demonstrate respect for them as individuals.

All children have the right to feel safe within their environment. No child has the right to compromise the safety of others. It is necessary that inappropriate and dangerous behaviour is dealt with in an appropriate manner to ensure that all children and staff feel safe at all times when they are attending our service.

**Policy**

The preschool is responsible for providing a safe, stimulating and well planned program that aims to meet the needs of all children in care. Ideally, behaviour management should be a partnership between children, families, and educators. In order to support children’s behaviour effectively it is recognised that they need an environment which shares common understandings, expectations and practices about the management of their behaviour. Unacceptable behaviour within the preschool will be dealt with in a fair and consistent manner. In the case of a child regularly displaying unacceptable or dangerous behaviour, all efforts will be made to provide effective strategies to assist the child in developing more appropriate behaviours. If all avenues have been exhausted the child will be excluded from the service.

**Procedures**

In following this procedure it will be recognised that:

- All individuals have the right to be treated with respect, always.
- Individuals choose their own behaviour.
- Families, educators, school, peers and significant adults influence children’s choices.
- There are consequences for behaviour, whether it is positive or negative.
- Individuals must be responsible for their choices according to their developmental stage.

Educators will utilise positive behaviour guidance procedures and practices within the preschool at all times. In doing this educators will:

- Set positive guidelines for children to follow
- Use a calm voice when addressing a child about their behaviour
- Be conscious of your body language when speaking to children eg. getting down to the child’s level
- Speak using positive language when dealing with children’s behaviour
- Treat all children with respect
- Treat all children as individuals
- Provide an environment that encourages positive behaviour
- Encourage children to make choices
- Model appropriate and positive social behaviour
- Use positive language for action eg. “I like the way you have .....
- Set appropriate limits and guidelines for children
- Support children experiencing separation anxiety
- Be open and honest with families strategies to be used at home as well as in care

- Suggest support of outside agencies as appropriate
- Maintain confidentiality and privacy of individuals
- Never use physical punishment
- Let children know if their behaviour is unacceptable, while reinforcing that they are still accepted as part of the group
- Children are made aware of limits, expectations and room rules before they are implemented
- All educators should use the same behaviour guidance strategies for each child
- Older children are encouraged to help set guidelines for appropriate behaviour within the room and centre
- Educators will keep accurate and non-bias records of any behaviour displayed by a child that they are concerned about.

**Challenging behaviour**

- Depending upon the age of the child, the room leader and or the nominated supervisor will talk to the child about their behaviour and the consequences that it will result in
- The nominated supervisor will then speak to the child’s parent/guardian about the behaviour that has been occurring and try to identify any reasons for the behaviour

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Relevant Legislation and Key Resources**

- National Quality Framework
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Guide to the National Quality Standards
- Australian Children’s Education and Care Quality Authority (ACECQA) [www.acecqa.gov.au](http://www.acecqa.gov.au)

**Review**

The policy will be reviewed annually. Review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

Date Adopted	30/11/2016 – Minute 86/2016-2017 26/09/2018 Minute No. 50/2018-19
Staff Review	12/06/2019
Nominated Supervisor	
Management Committee Representative:	

**Orientation for Children Policy - NQA5**

**Aim**

To provide children and families with an orientation procedure that allows the child and family to feel comfortable and to have trust in Walcha Preschools educators and environment.

**Legislative Requirements**

Walcha Preschool and all educators must ensure all operations are compliant to the following Acts/Regulations as required by the State of New South Wales. Failure to meet the below requirements is a criminal offence and may result in fines of up to \$22,000.

**Related Policies**

Enrolment Procedure Policy  
Educators and Parent Relationship Policy

**Who is affected by this policy?**

- Children
- Families
- Educators

**Implementation**

We believe orientation is an important process where educators are able to get important information about the new child's needs and those of the family. This process helps to make the transition from home to care as smooth as possible with the aim to maintain continuity between home and preschool, which helps the child adjust to the new setting.

The nominated supervisor or staff member will offer the opportunity for the new child to attend the preschool (together with parent/s or guardian/s) to visit and meet the educators, and familiarise with the environment.

The children may participate in the activities if they so desire. Positive interactions at this time (between families, educators and the child) are important for the children to build a sense of belonging within the preschool environment. Educators are aware that some children respond to new experiences faster than others and will adapt to the situation.

At this time, the daily timetable and program will be discussed, as well as routines and any special requirements for the child that may need to be accommodated. Families will also be encouraged to send any special comfort items (teddy etc) to help the child in the initial settling in period. Families will also be invited to phone and check on their child at any time if there are any concerns.

Part of this orientation visit is also to explain/collect the required documentation for the child (enrolment form, immunisation record and medicare number). The immunisation record must be submitted to the preschool before the child can attend.

Educators will also discuss how best to help the child settle into preschool – with some parents choosing to gradually build up to a full day so the child is reassured that the parents will return to collect them. Educators will encourage parents to say goodbye when dropping off – and reassured that if the child remains distressed over a period of time, that educators will contact them.

Families are able to stay as long as needed to reassure their child, but sometimes its easier for the educators to settle the child if the families come earlier on collection to spend time with their child – rather than do this at drop off time.

Families will be kept informed about how their child is settling in on collection and are welcome to discuss any aspects with the nominated supervisor at a convenient time. Information on the Walcha Preschool child orientation policy will be available in different languages when required.

**Transition to school**

When a child first attends school, there is a great change for that child and for their family. We believe that the child's families are the most important link in this transition. The better the bridge between home and school, the better the education: that's the message of recent research.

The preschool will always talk about starting school in a positive manner that will reinforce a healthy attitude toward the transition.

**Relevant Legislation and Key Resources**

- Education and Care Services National Law and Regulations 2011;
- Guide to the Education and Care Services National Law and the Education and Care Services National Regulations
- Australian Children's Education and Care Quality Authority (ACECQA)- [www.acecqa.gov.au](http://www.acecqa.gov.au)

**Review**

The policy will be reviewed annually. Review will be conducted by:

- Management
- Employees
- Families

**July 2019 Council Meeting Business Paper Page 207**

Walcha Preschool Advisory Committee Meeting Minutes  
25 June 2019

WO/2019/01573

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- Interested Parties.

Date Adopted	30/11/2016 – Minute No. 86- 2016/17 26/09/2018 – Minute No. 50-2018/19
Staff Review	12/06/2019
Nominated Supervisor	
Management Committee Representative:	



# Item 11:

# Delegate Reports

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Submitted to Council: 31 July 2019

..... General Manager ..... Mayor





**NAMOI UNLIMITED**

*Premier agricultural region in Australia*

**MINUTES**

A meeting of the **BOARD OF NAMOI JOINT ORGANISATION OF COUNCILS TRADING AS NAMOI UNLIMITED** was held on **TUESDAY 2 JULY 2019**, commencing at 12.30pm in the Council Chambers at Liverpool Plains Shire Council.

**1. WELCOME, ACKNOWLEDGEMENT AND/OR PRAYER**

Councillor Andrew Hope, Mayor of Liverpool Plains Shire Council welcomed Members to the meeting and to the lands of the Kamilaroi people and paid his respects to Elders past, present and future.

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	Tamworth Regional Council	✓	
Cr Eric Noakes	Walcha Council	✓	
Darren Keegan	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

MOTION	THAT, applications for a leave of absence and apologies for the July meeting are accepted.
ENDORSED	
MOVED:	Liverpool Plains Shire Council
SECONDED:	Walcha Council
CARRIED	
ADDITIONAL COMMENTARY:	<p>Applications for leave for this meeting from Members were received from:</p> <ul style="list-style-type: none"><li>▪ Cllr John Coulton, Mayor Gwydir Shire Council</li><li>▪ Cr Catherine Egan, Deputy Mayor Gwydir Shire Council</li><li>▪ Alison McGaffin, NSW Department of Premier and Cabinet</li></ul> <p>An apology for the meeting was received from Jodie Healy, NSW Office of Local Government.</p>

## 3. PUBLIC FORUM AND/OR PRESENTATIONS

Nil requested at time of distribution of this Notice of Meeting.

## 4. CONFIRMATION OF MINUTES - ATTACHMENT A

MOTION:	THAT, the minutes of the Board meeting held Tuesday 7 May 2019 are a true and accurate record of the meeting.
ENDORSED	
MOVED:	Tamworth Regional Council
SECONDED:	Walcha Council
CARRIED	

## 5. DISCLOSURES OF INTERESTS

In accordance with Code of Meeting Practice and specifically Section 451 of the Local Government Act, 1993 declarations of interest made by Councillors and designated staff attending the meeting.

<b>MEMBER</b>	<b>ITEM</b>	<b>REPORT</b>	<b>Type of Interest Declared (P, SNP, LSNP, RC)</b>	<b>REASON</b>
Nil	Nil	Nil	Nil	Nil
<b>STAFF</b>	<b>ITEM</b>	<b>REPORT</b>	<b>Type of Interest Declared (P, SNP, LSNP, RC)</b>	<b>REASON</b>
Rebel Thomson	16.1	Recruitment of the Executive Officer	Pecuniary	Rebel Thomson is the current Executive Officer and has applied for the position to be discussed.  Rebel Thomson will remove herself from this part of the meeting agenda by leaving the room.
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

Nil.

## 9. STRATEGIC REGIONAL PRIORITIES REPORTS

### 9.1 Water for the Future – ATTACHMENT B and ATTACHMENT C

MOTION:	THAT, the draft Water for the Future reports Volumes 1 and 2 are endorsed by the Board for a period of public exhibition for 28 days.
AMENDED	
MOVED:	Tamworth Regional Council
SECONDED:	Liverpool Plains Shire Council
CARRIED	
ADDITIONAL COMMENTARY:	Members noted that the Board has had discussion about the content and commended the consultants Rhelm on the work done in these reports.  The Chair believes that the reports will drive focus and directions for water resources as a region, guiding the organisation for the next 3-5 years.

### 9.2 Water for the Future Recommendations – ATTACHMENT D

MOTION:	THAT, the identified actions and structures detailed in ATTACHMENT D are to be incorporated into the 2019-2020 Annual Business Plan.
ENDORSED	
MOVED:	Tamworth Regional Council
SECONDED:	Walcha Council
CARRIED	

### 9.3 Water for the Future – China Study Tour Report ATTACHMENT E

RECOMMENDATION TO THE BOARD:	THAT, draft report is endorsed and the recommendations are referred to the working group to consider.
ENDORSED	
MOVED:	Tamworth Regional Council
SECONDED:	Walcha Council

CARRIED

ADDITIONAL COMMENTARY:

Tamworth Regional Council noted that the highlights of the report for the region should be;

- The training and education opportunities that were facilitated by the Executive Officer for regional producers.
- The engagement with the business community is the way to facilitate outcomes for businesses looking to export.

The Chair thanked the Executive Officer for her efforts in the pursuit of the strategy and the coordination of the trip. The other significant outcome was the formalisation of the agreement with Ningbo, China.

Businesses in Gunnedah who attended have actively shared their experience and the opportunities with the business community.

#### 9.4 2019-2020 Business Plan – ATTACHMENT F

MOTION:

THAT, the 2019-2020 Business Plan is endorsed.

ENDORSED

MOVED:

Liverpool Plains Shire Council

SECONDED:

Walcha Council

CARRIED

#### 9.5 Building Capacity and Capability with Contaminated Lands

MOTION:

THAT, the report is noted.

ENDORSED

MOVED:

Tamworth Regional Council

SECONDED:

Liverpool Plains Shire Council

CARRIED

### 10. INTER-GOVERNMENTAL RELATIONS

#### 10.1 Increasing Resilience to Climate Change (Round 1)

MOTION:

THAT, the report is noted.

ENDORSED

MOVED:

Liverpool Plains Shire Council

SECONDED:

Walcha Council

CARRIED

COMMENTARY:

Tamworth Regional Council sought to confirm that the work will encompass all the levels of waste water produced by all member Councils. The outcomes need to reflect the strengths and variation in waster water. The Executive Officer confirmed that this was the expectation from the project.

Gunnedah Shire Council asked when the project may commence, the Executive Officer reported that contracts had to be executed and a new project

plan completed. The project should commence in this quarter of the year.

## 11. ADVOCACY AND LEADERSHIP

Nil.

## 12. EXECUTIVE OFFICER REPORTS

### 12.1 Action List – ATTACHMENT G

MOTION:	THAT, the actions of the Executive Officer are noted.
ENDORSED	
MOVED:	Tamworth Regional Council
SECONDED:	Liverpool Plains Shire Council
CARRIED	

ADDITIONAL COMMENTARY: Actions for the NSW Office of Local Government are now complete.

### 12.2 Correspondence Received

Nil.

### 12.3 Calendar of Planned Activities - ATTACHMENT H

MOTION:	THAT, activity is NOTED.
ENDORSED	
MOVED:	Liverpool Plains Shire Council
SECONDED:	Walcha Council
CARRIED	

ADDITIONAL COMMENTARY: Recognised that there were a number of authorising bodies involved in solar and wind proposals. Some development approvals rest with Councils, some are significant and rest with the NSW Government.

The development of reliable and sustainable energy and networks is a concern for all of the Councils. Energy is critical for growth across the region.

Liverpool Plains Shire Council asked the Executive Officer to clarify the intent of the workshop planned for the 15 July 2019. The workshop is an offer from the NSW Government representatives to provide information to the General Managers and Councils about what programs and services are available to assist small business, seeking export and seeking investment.

Tamworth Regional Council asked that the information from the Solar Farm Briefing conducted by the NSW Department of Planning and Environment is distributed to members.

Members agreed that David Kitto and staff are asked to give a briefing to the Councils, and Councils assist with the coordination and communicating of information to communities.

### 13. ADDITIONAL REPORTS PERTAINING TO THE PRINCIPAL FUNCTIONS

Nil.

### 14. REPORTS FROM DELEGATES

#### 14.1 Briefing from the Resource and Energy Team (NSW Government)

MOTION:	THAT, David Kitto and staff are invited to brief the Member Councils on the development of solar and energy proposals in the region.
ENDORSED	
MOVED:	Tamworth Regional Council
SECONDED:	Walcha Council
CARRIED	

#### 14.2 Briefing from the NSW Regional Town Water Supply Coordinator

MOTION:	THAT, James McTavish Cross Border Commissioner and NSW Regional Town Water Supply Coordinator is invited to brief the Member Councils on the Water for the Future Strategy.
ENDORSED	
MOVED:	Liverpool Plains Shire Council
SECONDED:	Walcha Council
CARRIED	

#### 14.3 Submissions to IPART

MOTION:	THAT, the Board delegates to JOLT the authority to make submissions on behalf of the region on the current consultations.
ENDORSED	
MOVED:	Tamworth Regional Council
SECONDED:	Walcha Council
CARRIED	

ADDITIONAL COMMENTARY: IPART recently released a number of reports including ratings, regulation and compliance and elections.  
JOLT is to review these documents and prepare submissions for review.

## 15. QUESTIONS WITH NOTICE

Nil provided at time of distribution of this Notice of Meeting.

## 16. CLOSED REPORTS

### 16.1 Recruitment of the Executive Officer

MOTION:	THAT, Ms Rebel Thomson ne offered the role of Executive Officer for Namoi Unlimited, that the contract be for a term of 4 years, the total remuneration package commence at a value of \$200,000.
ENDORSED	
MOVED:	Liverpool Plains Shire Council
SECONDED:	Walcha Council
CARRIED	

## 17. CONCLUSION OF THE MEETING

The meeting concluded at 1.30pm.