



BUSINESS PAPER  
ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 27 November 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: 27 November 2019

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



Dear Mayor & Councillors

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

Yours sincerely

A handwritten signature in black ink, appearing to read 'Anne Moddero'.

Anne Moddero  
GENERAL MANAGER

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7. Referral to Closed Council – Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash.  
WO/2019/02923

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



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

- 7.1 Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash WO/2019/02899

Resolution to move into Open Council.

Resolution to adopt Closed Council Report and Recommendations.

8. Notices of Motion

8.1

9. Matters of Urgency

(Resolution to admit matters of urgency before being further considered by Council).

10. Management Review Report

WO/2019/02856

11. Committee Reports

- 11.1 Minutes of the Walcha Council Risk, Audit & Improvement Committee Meeting held on Tuesday, 1 October 2019 at the Walcha Council Chambers, Hamilton Street Walcha. WO/2019/02514

12. Delegate Reports

- 12.1 Minutes of the New England Tablelands (Noxious Plant) County Council Meeting held at the Armidale Office, Rusden Street, Armidale on Tuesday, 20 August 2019. WI/2019/014924

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Submitted to Council: 27 November 2019

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



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**Present:**

**Apologies:**

**Confirmation of the Ordinary Meeting Minutes held on Wednesday,  
30 October 2019:**

**Matters arising from the Minutes of the Ordinary Meeting held on Wednesday,  
30 October 2019:**

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Submitted to Council: 27 November 2019

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





## ORDINARY MEETING OF COUNCIL

held on

Wednesday, 30 October 2019

at

2:00pm

at

Walcha Council Chambers

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

**IN ATTENDANCE:** Mrs AD Moddero – General Manager, Mrs LJ Latham – Environmental Services Manager, Mr DJM Reeves – Director – Engineering Services and Mr JG O’Hara.

**1. APOLOGIES:**

Nil.

MINUTES



**2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 25 SEPTEMBER 2019:**

55 **RESOLVED** on the Motion of Councillors Levingston and Heazlett that the Minutes of the Ordinary Meeting held on Wednesday, 25 September 2019, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

**3. BUSINESS ARISING**

Nil.

**4. DECLARATIONS OF INTEREST**

**Item 6.3 Part Day Public Holiday 2020 & 2021 Survey Results**

Clr Ferrier declared a pecuniary interest in this item as he is the Secretary of the Walcha Jockey Club.

**5. MAYORAL MINUTE**

56 **RESOLVED** on the Motion of Councillor Noakes that the following Mayoral Minute be **NOTED** by Council.

The October Ordinary Meeting of Walcha Council today marks a changing time for Council and the community of Walcha. General Manager of 15 years Jack O’Hara bows out after devoting a large part of his working life to this community. His vision and competence has guided Walcha through some difficult times, including financial pressures and attempted amalgamations. Under his stewardship Walcha retains a legacy of a strong financial position and is the envy of many regional councils. As a mentor he has been invaluable in my, and many other Councillors’ path to guiding the Council into the future. As he steps aside from this position we wish him well in his future endeavours. Jack’s wife Sonia and their daughters Elyse and Karly have been an integral part of the community and I would imagine will enjoy the extra time they have as a family. I am sure his skills will be much sort after in many areas and we wish him well in his future endeavours.

On the flip side we welcome our new General Manager, Anne Modderno. Anne and her family, husband Luke and children Mirella and Dante will be a great asset to Walcha and we look forward to a productive relationship over many years.

**6. SENIOR OFFICERS REPORT**

57 **RESOLVED** on the Motion of Councillors Lyon and Kealey that the Senior Officers’ Reports be **RECEIVED** for further consideration.



**6.1 Working Funds 2018 – 2019 Annual Financial Statements**

**WO/2019/02627**

58 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that the Report be **NOTED** by Council.

**Afternoon Tea:**

At 2:45pm the Meeting was suspended for Walcha Central School students presentation and then followed by afternoon tea. The Meeting recommenced at 3:25pm.

**6.2 Walcha Local Strategic Planning Statement**

**WO/2019/02677**

59 **RESOLVED** on the Motion of Councillors Kealey and Ferrier that Council **ADOPT** the Walcha Local Strategic Planning Statement as presented.

**6.3 Part Day Public Holiday 2020 & 2021 Survey Results**

**WO/2019/02652**

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

60 **RESOLVED** on the Motion of Councillors Kealey and Lyon that Council **ENDORSE** the application for a Part Day Public Holiday for the Walcha Council Local Government Area from 12 noon until 6pm on Friday, 7 February 2020 and Friday, 5 February 2021 for the Walcha Races **FURTHER THAT** Council survey the community and key stakeholders directly after the 2020 & 2021 Part Day Public Holiday to ensure that Council receive a true and fresh account of the positives and /or negatives of holding the Part Day Public Holiday.

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

**6.4 Regional Meetings Schedule 2019**

**WO/2019/02640**

61 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that Council hold the Regional Meetings 2019 as follows:

Monday, 18 November 2019

- 11:30pm Moona/Winterbourne – Europambela’s Shearers’ Quarters
- 2:30pm Ingleba Hall
- 6:00pm Walcha Council Chambers

Tuesday, 19 November 2019

- 9:00am Yarrowitch Hall
- 11:30am Brackendale – “Brockley Park” Woolshed
- 2:30pm Nowendoc Hall
- 6:00pm Woolbrook School Library

**6.5 Review of Public Gates (Ramps)**

**WO/2019/02676**

The Report was **NOTED** by Council.



**6.6 2018 – 2019 Annual Report for Notation WO/2019/02683**

62 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the Report was **NOTED** by Council.

**6.7 Committee of the Whole Referral – Private Hire of Council Plant Request WO/2019/02659**

63 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of Private Hire of Council Plant be referred to be discussed in Committee of the Whole and close the meeting to the public for the reasons 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.

**6.8 Committee of the Whole Referral – Tender for Specialist Consulting Services Walcha Off Stream Storage Dam WO/2019/02670**

64 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of Tender for Specialist Consulting Services Walcha Off Stream Storage Dam be referred to be discussed in Committee of the Whole and close the meeting to the public for the reasons 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.

**6.9 Committee of the Whole Referral – Walcha Council Plant Committee Meeting Minutes WO/2019/02669**

65 **RESOLVED** on the Motion of Councillors Lyon and Ferrier that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of Walcha Council Plant Committee Minutes be referred to be discussed in Committee of the Whole and close the meeting to the public for the reasons 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.

**7. COMMITTEE OF THE WHOLE**

66 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett 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 they 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.

67 The Meeting resumed in **OPEN** Council on the Motion of Councillors Kealey and Lyon.



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.

**7.1 Private Hire of Plant Request WINT/2019/06120**

The Committee **RECOMMENDED** on the Motion of Councillors Kermode and Lyon that Council hire the Community Bus at \$75 per day with a full tank of fuel and the following conditions of use:

- The hirer must hold an appropriate current licence or accreditation to operate the bus.
- Any damages or injury caused to persons or property by the operation of Council plant (whilst on hire) shall be the responsibility of the hirer, e.g.: accidental injuries, vehicle / equipment damage, damage to water lines, electricity, telecommunications or other buildings or property.
- Applicants wishing to hire the Community bus are to sign Council’s standard request form prior to hire commencing.
- A written Community Bus Hire Form must be completed by the individual wishing to hire the bus and must be provided to Council in advance of the proposed hire date. This must be accompanied by a photocopy of current licence plus a copy of appropriate accreditation.
- It is an obligation of the hirer to ensure that only the authorised driver operates the bus.
- The hirer is responsible for any costs associated with the provision of alternative transport, accommodation etc should the plant break down.
- The hirer must accept full responsibility for their conduct and agree to pay for all costs incurred through damage.
- Any damages or injury caused to persons or property by the operation of Council plant (whilst on hire) shall be the responsibility of the hirer, e.g.: accidental injuries, vehicle / equipment damage, damage to water lines, electricity, telecommunications or other buildings or property.
- The Community Bus to be returned in the same condition that it was hired, including a full tank of fuel.

**7.2 Tender for Specialist Consulting Services – Walcha Off Stream Storage Dam WINT/2019/06122**

The Committee **RECOMMENDED** on the Motion of Councillors Lyon and Kealey that the Tender for Specialist Consulting Services – Walcha Off Stream Storage Dam not be awarded to GHD Pty Ltd, NGH Pty Ltd or Niche Environment and Heritage **FURTHER THAT** the Committee authorise the General Manager to recommence the tender process for Specialist Consulting Services.





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**7.3 Walcha Council Plant Committee Minutes held at Council Chambers, Hamilton Street Walcha on Monday, 21 October 2019. WINT/2019/06126**

**4.1.1 Replacement of a Low Loader**

The Committee **RECOMMENDED** on the Motion of Councillors Heazlett and Lyon that the low loader tendered by Drake Trailers Pty Ltd be selected as the winning tender.

**4.1.2 Replacement of a Backhoe**

The Committee **RECOMMENDED** on the Motion of Councillors Lyon and Ferrier that the tender submitted by JCB Construction be selected as the winning tender.

**4.1.3 Replacement of a 20T Excavator for the Waste Facility**

The Committee **RECOMMENDED** on the Motion of Councillors Lyon and Kealey that the General Manager and Director – Engineering Services compile a cost impact on Tier 3 & Tier 4 with the preferred tenderer and report back to Council in November 2019.

**4.1.4 Replacement of a 12T Tipper**

The Committee **RECOMMENDED** on the Motion of Councillors Heazlett and Ferrier that the 12T tipper tendered by PACCAR Kenworth be selected as the winning tender.

**4.1.5 Replacement of a 100 inch mower**

The Committee **RECOMMENDED** on the Motion of Councillors Kealey and Blomfield that the 100 inch mower tendered by Toro Australia Group be selected as the winning tender.

**4.1.6 Purchase of a Yard Loader for the Walcha Depot**

The Committee **RECOMMENDED** on the Motion of Councillors Ferrier and Kealey that the yard loader tendered by CJD Equipment (Volvo L35) be selected as the winning tender.

**4.1.7 Replacement of a 14FT Grader**

The Committee **RECOMMENDED** on the Motion of Councillors Lyon and Kealey that the General Manager and the Director – Engineering Services compile a cost impact on Tier 3 & Tier 4 with the preferred tenderer and report back to Council in November 2019.



**ADOPTION OF COMMITTEE OF THE WHOLE**

68 **RESOLVED** on the Motion of Councillors Lyon and Kealey that the Report and Recommendations of the Meeting of the Walcha Council Committee of the Whole held on Wednesday, 30 October 2019 be **ADOPTED** by Council.

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

**8. NOTICES OF MOTION**

Nil.

**9. MATTERS OF URGENCY**

Clr Kealey raised the matter of Sergeant Anthony Smith, Walcha Police, leaving Walcha as a matter of urgency.

It was ruled as a matter of urgency by the Chairperson.

69 **RESOLVED** on the Motion of Councillors Kealey and Wellings that the matter of Walcha Police Sergeant Anthony Smith leaving Walcha be considered by Council.

70 **RESOLVED** on the Motion of Councillors Kealey and Kermode that the Mayor write a letter of thanks and appreciation of service to our exiting Sergeant Anthony Smith.

**10. MANAGEMENT REVIEW REPORTS** **WO/2019/02616**

71 **RESOLVED** on the Motion of Councillors Lyon and Kealey that items included in the Management Review Report, numbered 10.1 to 10.16 inclusive, be **NOTED** by Council.

**11. COMMITTEE REPORTS**

**11.1 Minutes of the Walcha Council Tourism Advisory Committee Meeting held on Tuesday, 10 September 2019.** **WO/2019/02354**

**4.3 Mobile Billboard Proposal**

72 **RESOLVED** on the Motion of Councillors Lyon and Kermode that the Tourism Manager continue to investigate Rob Dale of 6D Designs offer to use his Pantex truck sides to print a Walcha promotional billboard onto.

**11.2 Minutes of the Walcha Council Preschool Advisory Committee Meeting held on Tuesday, 17 September 2019.** **WO/2019/02473**

**6.2 Fees for 2020**

73 **RESOLVED** on the Motion of Councillors Lyon and Wellings that Council **ADOPT** the following Preschool Fees for 2020 **FURTHER THAT** place them on Public Exhibition for a period of 30 days.



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**11.3 Minutes of the Walcha Council Youth Advisory Committee Meeting held on Thursday, 26 September 2019. WINT/2019/05828**

**11.4 Minutes of the Walcha Council Community Care Meeting held on Monday, 14 October 2019. WO/2019/02643**

**12. DELEGATE REPORTS**

Nil.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 5:10PM.**





Item 6:

Senior Officers'  
Reports

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Submitted to Council: 27 November 2019

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



**Item:** 6.1 **Ref:** WO/2019/02903  
**Title:** Quarterly Review of Operational Plan & Budget as at September 2019  
**Author:** Chief Financial Officer  
**Previous Items:** Not Applicable  
**Attachment:** Quarterly Budget Review Statements – under separate cover

*CSP Ref: 8.2.1 – Maintain a stable and secure financial structure for Council.*

**September Quarter Budget Review**

The September Quarter Budget Review is attached for adoption by Council.

**General Fund**

The original 2019–2020 budget predicted an Operating Surplus of \$8,790,085 and an overall Cash Surplus of \$22,199. After current quarter budget adjustments which includes unfunded carry overs of \$469,993 the result is now predicted to be an Operating Surplus of \$10,190,289 (including Capital Funding) and an overall Cash Deficit of \$457,186.

There are significant carry overs from 2018-19 as shown in the tables below. These include projects funded from External Restrictions, \$646,528. There are also a number of carry over projects with carry over funding. The effects of these are neutral on the budget.

Amendments to the budget include an increase to Financial Assistance Grant (FAG) funding of \$118,052. It is recommended that the additional FAG funding is added to the Plant Replacement Reserve.

There is one fully funded budget amendment being \$200,000 from My Community Project to replace the Bowling Green at the Walcha Bowling Club.

Other major budget amendments include \$300,580 for the purchase of a house on Thee Street, to be funded from Internal Restrictions, \$63,384 additional costs for Walcha Oval/Captain Cook Park Facilities Upgrade from working funds and Hospital Wall project \$12,500 from working funds.

**General Fund Major Budget Variation Items - Quarter Ending September 2019**

Income Item	Amount	Reason
My Community Projects	200,000	Walcha Bowling Club green replacement
Rural Women’s Gathering	64,050	Carry over – registrations, stall holders etc
FAG – General	101,735	Adjustment to funding
FAG – Roads	16,317	
WLRM – Woolbrook Tip	9,100	Carry Over - Milestone payment on completion
SCCF 2 – Walcha Pool Refurbishment	133,644	Carry Over - Milestone 2 + payment on completion
Walcha Rotary Contribution	10,000	Community Service Clubs Storage Facility (SCCF 2) additional bay

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



Income Item	Amount	Reason
SCCF 2 – Walcha Oval/Captain Cook Park Facilities Upgrade	19,524	Carry Over - Final milestone payment
NSW Liquor & Gaming	5,000	Carry Over - Monument Park Cenotaph – final payment
Restart NSW – Fixing Country Roads	223,375	Carry Over – Wollun Bridge 50%
Bridges Renewal Program	223,375	Carry Over – Wollun Bride 50%
Restart NSW – Fixing Country Roads	176,068	Carry Over – Niangala Bridge
Black Spot Funding	113,342	Carry Over – TBW Baringa Road
Saving Lives on Country Roads	93,187	Carry Over – TBW Topdale Road
Restart NSW	208,746	Carry Over – Truck Wash Bay 50%
Fixing Country Truck Washes	299,000	Carry Over – Truck Wash Bay 50%

Expenditure Item	Amount	Reason
IT Maintenance	122,710	Carry over
Internal auditor	68,785	Carry over
LGS Financial Control Centre	8,000	Carry over
Recruitment Expenses	10,465	Carry over
Workplace Health & Safety	13,305	Carry over – external restriction
Crown Lands Management Plan	37,284	Carry over – external restriction
Walcha Bowling Club Green Replacement	200,000	Fully funded project
Walcha Soundtrails Quota Club	6,000	October 2018 Council Resolution, not in original budget
Rural Women’s Gathering	96,683	Carry over event - \$38,132 external restrictions + \$64,050 income
WLRM – Woolbrook WTS Conversion	20,552	Carry over capital project, WLRM \$9100 on completion, \$11,452 internal reserves
Preschool Mud Kitchen	18,375	External Restriction \$15,000, Council \$3,375
Streetscape – Fitzroy St (South to Derby Street)	9,342	Carry over capital project
Council House – 54N Thee Street	300,580	Housing Investment Reserve \$250,675, Infrastructure Reserve \$49,905
Monument Park Upgrade, plaques	2,500	Carry over capital project
Public Art	40,370	Carry over unspent funds \$18,620 + External Restrictions \$21,750
SCCF 2 – Pool Refurbishment	248,283	Carry over capital project – External restriction

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Expenditure Item	Amount	Reason
		\$114,639 + funding
SCCF 2 – Community Service Clubs Storage	45,909	Carry over capital project – External Restrictions \$35,909 + funding
SCCF 2 – Walcha Oval/Captain Cook Park Facilities Upgrade	82,911	Carry over capital project – funding + Council
SCCF 2 – Community Gym Upgrade	270,925	Carry over capital project – External Restriction \$270,925
Hospital Wall Project	12,500	Council Working Funds
Plant & Equipment purchases	523,053	Carry over capital project – Plant Replacement Reserve
Wollun Road Bridge, Congi Creek	446,750	Carry over capital project – funded – FCR/BRP
Niangala Road Bridge, Herbonnes	169,958	Carry over capital project – funded FCR
Kerb & Gutter Extensions	2,636	Carry over capital project
Thunderbolts Way – Black Spot, Baringa Road	123,294	Carry over capital project – external reserves \$9952 + funding
Thunderbolts Way – Saving Lives on Country Roads – Topdale to Quarry Road	104,519	Carry over capital project – external reserves \$11,332 + funding
Drought Relief Heavy Vehicle Access Program	103,870	Carry Over capital project – external reserve \$103,870
Unsealed Rural Roads – Dust Suppression	39,111	Carry over capital project
Depot Improvements	157,074	Carry over capital project
Truck Wash Bay Upgrade	546,496	Carry over capital project - \$507,746 funding + Council

**Internal Restricted Assets**

Below is a summary of Council’s internally restricted assets at 30 September 2019 after budget adjustments are applied.

	Balance 30/09/19
Plant Replacement	456,174
Infrastructure Replacement	1,843,180
Employee Leave Entitlement	757,000
Preschool	59,883
Tip Site Remediation	220,202
Quarries Remediation	352,922
Housing Investment	0
Project Development	100,000
<b>Total</b>	<b>3,789,361</b>

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



**Water Fund**

The original 2019-20 budget predicted an Operating Deficit of \$140,665 with an overall cash surplus of \$61,016. There is carry over funding and expenditure relating to the MacDonald River Feasibility Study (2019), reducing the cash surplus to \$35,293.

Income Item	Amount	Reason
MacDonald River Feasibility study	35,416	Carry over funding

Expenditure Item	Amount	Reason
MacDonald River Feasibility study	61,139	Carry over project – funding + Council

**Sewer Fund**

The original 2019-20 budget predicted an Operating Deficit of \$5,023 and an overall Cash Surplus of \$73,977. The Sewer Treatment Plant upgrade is carried forward from last year however the funding carry over is much lower with the balance being Council’s contribution.

Income Item	Amount	Reason
NSW Regional Water & Wastewater Backlog Program	180,893	Carry over funding

Expenditure Item	Amount	Reason
Sewer Treatment Plant upgrade	360,773	Carry over capital works

**RECOMMENDATION:** That Council adopt the September 2019 Quarterly Budget Review Statements **FURTHER THAT** Council approve the variations in Income and Expenditure votes as detailed **STILL FURTHER THAT** Council approve the transfer of additional FAG funding, \$118,052, to the Plant Replacement Reserve.

Submitted to Council: 27 November 2019

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



**Item:** 6.2 **Ref:** WO/2019/02535  
**Title:** Amendment to 2019 – 2020 Operational Plan Fees & Charges  
**Author:** Environmental Services Manager  
**Previous Items:** Adoption of 2019 – 2020 Operational Plan & Fees and Charges – WO/2019/1419  
**Attachments:** Yes Table 1

***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 are encouraging active participation at all levels.*
- Strategy – 8.1.2 – Provide a framework for the efficient and effective administration of Council.*
- Goal – 8.2 – Council rate funding for local government projects will be supplemented by income generated from other sources.*
- Strategy – 8.2.1 – Maintain a stable and secure financial structure for Council.*

**Introduction:**

Council has completed an interim review of the 2019 – 2020 Fees & Charges, following the adoption of the 2019 – 2020 Operational Plan. This review identified minor amendments to these fees and charges to ensure fees charged remain relative to the service provided.

**Report:**

The following changes are requested to the Environmental Services Department fees and charges to accommodate fees for assessment and administration of certain activities in accordance with relative legislative requirements, ensure estimated labour components of tasks are accurately reflected in the fee, and ensure all required items are included in the Council’s Fees & Charges schedule.

There are no changes to the Operational Plan.

Budget Implications

Not material

**RECOMMENDATION:**

**The Draft Amended 2019-2020 Fees and Charges as attached in Table 1 be ADOPTED by Council and placed on public exhibition for a period of 28 days. FURTHER THAT delegation be given to the General Manager to adopt the Final Amended 2019-2020 Fees and Charges should no submission be received as a result of the public exhibition.**

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

Walcha Council  
 Ordinary Council Meeting  
 27 November 2019



**Attachment: Table 1**

<b>Walcha Council Development and Planning Fees 2019/2020 Proposed Amendments</b>							
<i>All fees and charges are inclusive of GST where relevant</i>	<b>2019/2020 Adopted Fees &amp; Charges</b>			<b>2019/2020 Proposed Fees &amp; Charges Amendments</b>			<b>\$ Proposed Change per item</b>
	<b>\$ Amount</b>	<b>Plus \$ for each \$1000</b>	<b>%</b>	<b>\$ Amount</b>	<b>Plus \$ for each \$1000</b>	<b>%</b>	
<b>Development Applications for Building Works</b>							
Less than \$5,000	\$110.00			\$110.00			\$-
\$5,001 - \$50,000	\$170.00	\$3.00		\$170.00	\$3.00		\$-
\$50,001 - \$250,000	\$352.00	\$3.64		\$320.00	\$3.00		\$32.00
\$250,001 - \$500,000	\$1,160.00	\$2.34		\$1,000.00	\$1.70		\$160.00
\$500,001 - \$1,000,000	\$1,745.00	\$1.64		\$1,425.00	\$1.00		\$320.00
\$1,000,001 - \$10,000,000	\$2,615.00	\$1.44		\$1,975.00	\$0.80		\$640.00
More than \$10,000,000	\$15,875.00	\$1.19		\$9,475.00	\$55.00		\$6,400.00
<b>Development Application for Subdivisions</b>							
Subdivision Certificate / Title Plan Processing Fee	\$113.00			\$115.00			\$2.00
<b>Development Applications - Other</b>							
Bushfire Attack	\$292.50			\$285.00			\$7.50
Development Application - Sandwich Board ( 5 year approval)	\$31.00			\$30.00			\$1.00
Development Application - Solar energy system installation (photovoltaic systems or solar hot water systems)	\$51.26			\$50.00			\$1.26
Temporary Dwelling (permission to occupy caravan / temporary premises for max.12 months)	\$87.50			\$90.00			\$2.50

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<b>Complying Development Certificates</b>							
Modification to CDC						50% of the original application fee	New fee
<b>Construction Certificate</b>							
Modification to CC						50% of the original application fee	New fee
<b>S68 Application Fees</b>							
Amusement Device	\$27.50			\$25.00			\$2.50
Draw water from Council Standpipe for purpose of carting drinking water	\$-			\$90.00			New fee
<b>Development and Planning Fees</b>							
Dwelling Entitlement Confirmation	\$292.50			\$110.00			\$182.50
Planning Proposal (subject to \$4,500 deposit)	\$-			At cost			New fee
Event camping fee - Per person, per event	\$-			\$5.00			New fee

Submitted to Council: 27 November 2019

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





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**Item:** 6.3 **Ref:** WO/2019/02851  
**Title:** Arrangements for Christmas for Staff & Council 2019  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:** No

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**Introduction:**

This report advises of the proposed arrangements for closure over Christmas and New Year and seeks Council approval for a donation towards a combined council staff Christmas party.

**Report:**

**Leave Arrangements**

The proposed arrangements for Christmas 2019 are:

**Outdoor Staff:**

1. Staff will cease work at 12:30pm on Thursday, 19 December 2019.
2. All staff, except for an emergency crew, will be on leave from Friday, 20 December 2019 until Monday, 6 January 2020.
3. Staff not taking any additional leave will return to work on Monday, 6 January 2020.

**Indoor Staff:**

1. Staff will cease work at 2:00pm on Tuesday, 24 December 2019.
2. All Staff will be on leave from Friday, 27 December 2019 until Thursday, 2 January 2020.
3. Staff not taking any additional leave will return to work on Thursday, 2 January 2020.

**Christmas Party:**

This year Council are planning to have one combined Christmas party with both indoor and outdoor staff. The objective being to celebrate the year's achievements together as one team.

All Staff will cease work by 1:00pm on Thursday, 19 December 2019 for this event. The event will be held from 1:00pm to 5:00pm at the Walcha Showground Function Centre. It is requested that Council donate \$2,500 towards this event.

**RECOMMENDATION: That Council allow the Combined Staff Christmas Party to be held during working hours on Thursday, 19 December 2019 at 1:00pm FURTHER THAT a donation of \$2,500 be made towards the cost of the Function.**

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Submitted to Council: 27 November 2019

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



**Item:** 6.4 **Ref:** WO/2019/02161  
**Title:** Draft Audio Recording Of Meetings Policy  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:** Draft Audio Recording of Meetings Policy – WINT/2019/06410

***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.*

*Strategy 8.1.1 – Councillors will exhibit leadership on Council and regional committees as well as in community organisations.*

**Introduction:**

As of 14 December 2019, all Council Meetings are to be audio recorded and made available on the Council’s website in accordance with the Code of Meeting Practice. This report is to ADOPT an Audio Recording of Meetings Policy to set procedures for the creation, storage, usage, access and disposal of and access to the recordings in accordance with legislative and policy requirements.

**Report:**

The Amended Model Code of Meeting Practice, adopted by Council in April 2019, S 5.18 states the webcasting of Council and Committees of Council Meetings.

The purpose of the audio recordings is to assist in the preparation of minutes, to provide a system of verification to ensure the accuracy of minutes and to provide transparency to the community of the discussion at Ordinary and Extraordinary Meetings of Council.

The Draft Audio Recording of Meetings Policy is attached for your review.

**RECOMMENDATION: That Council**

- 1. Exhibit the Draft Audio Recordings of Meetings Policy for a period of 28 days; and**
- 2. ADOPT the Draft Audio Recordings of Meetings Policy as presented subject to no submissions received during the exhibition period.**

Submitted to Council: 27 November 2019

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



# WALCHA COUNCIL

## POLICY

# Audio Recording of Council Meetings

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### Applicability

All Councillors and Council Staff

### Publication Requirement

Internal and External

### Assigned Responsible Officer

General Manager

### Document Status

Version	Date Reviewed	Prepared by	Endorsed	Approved
1.0	15/11/2019	General Manager		

### Amendment Record

Amendment Version #	Date Reviewed	Description of Amendment



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DRAFT



## **1. POLICY OBJECTIVE**

The objective of this policy is to define the purpose for which audio recordings of Council meetings are made and set out procedures for audio recording of Council and committee meetings in regard to appropriate creation, storage, usage, access, and disposal in accordance with legislative and policy requirements.

The purpose of audio recording is to assist in the preparation of minutes, to provide a system of verification to ensure the accuracy of minutes, and to provide transparency to the community of the discussion at Ordinary and Extraordinary meetings of Council.

## **2. POLICY SCOPE**

The Policy applies to Council as a whole, Councillors and staff and describes how the recording of minutes of Ordinary, Extraordinary and Committee meetings of Council, and the publication of audio recordings from Ordinary and Extraordinary meetings of Council will be managed.

Audio recordings will be made of Ordinary, Extraordinary and Committees of the Council and will exclude matters under Section 10A of the Local Government Act (the Act) in Closed Council.

## **3. POLICY STATEMENT**

In accordance with Section 375(1) of the Act and Local Government Regulations, Section 232, Councils are required to keep accurate minutes of a meeting of Council, or any Committee Meeting. This policy:

- a) facilitates audio recordings of Council's Ordinary, Extraordinary and Committee open meetings to assist, where necessary, in the checking and confirmation of minutes;
- b) ensures the recording, handling, access, storage and disposal of the information is in accordance with best practice and statutory compliant;
- c) stipulates that a copy of the audio of Council's Ordinary and Extraordinary meetings of the Council will be published on the Council's website to in accordance with the Code of Meeting Practice.

## **4. POLICY COMMITMENT**

Walcha Council is committed to providing transparency of open Council meetings to our community members.

## **5. DEFINITIONS**

### **5.1. Audio Recording**

Audio Recording means any recording made by any electronic device capable of recording sound. This includes but is not limited to recordings made by video camera, cassette recorder, or Digital Audio Tape (DAT) recorder, and stored on compact disc (CD), DAT, or in any other format (such as WAV, MP3, USB, cameras etc.).



## 6. OUR RESPONSIBILITIES

### 6.1 Notification of Audio Recording

To ensure compliance with the Surveillance Devices Act 2007, Workplace Surveillance Act 2005 (computer surveillance) and the Privacy and Personal Information Protection Act 1998, advice will be provided to those who are likely to be in attendance at the recorded meetings. The wording of advice to attendees will read:

*“The ordinary, extraordinary and committee open meetings of Council will be audio recorded for community transparency and minute taking purposes. The audio recording of all Ordinary and Extraordinary meetings of Council will be uploaded to Council’s website.*

This advice will be provided or displayed:

- a) On the meeting notice that provides the business agenda;
- b) On notices at the entry to the Council Chamber or place of meeting; and
- c) By the Chairperson verbally at the commencement of each open meeting.

### 6.2 Community Access to audio recordings

Audio recordings are to be provided to the public on Council’s website in accordance with the Code of Meeting Practice.

### 6.3 Official Record of Meeting

The official record of the meeting resides in the adopted minutes and not in the audio recordings. Minutes must be confirmed at a subsequent meeting and following confirmation signed by the person presiding at that subsequent meeting.

### 6.4 Storage and quality of audio recordings

Audio recordings will be posted to the Council’s website within five business days of the meeting being held.

Audio recordings will be destroyed in accordance with Council’s Code of Meeting Practice and the State Records Act 1998 (LG NSW Disposal Schedule 13.6.2).

The General Manager may determine to store a recording for a longer period in special circumstances at their discretion.

The quality of recordings of Council meetings are limited to the capability of existing technology and are supplied on a best effort basis without any post editing or guarantee of quality.

## 7. RELATED LEGISLATION, POLICIES AND REVIEW

### 7.1. Related Legislation and Policies

The following are relative to this policy:

- 1) Local Government Act 1993 NSW;
- 2) Local Government (General) Regulations 2005;
- 3) Surveillance Devices Act 2007;
- 4) Workplace Surveillance Act 2005;
- 5) Privacy and Personal Information Protection Act 1998;



- 6) State Records Act 1998; and
- 7) Walcha Council Code of Meeting Practice (WO/2019/01061)

**7.2. Review**

Council reserves the right to vary, replace or terminate this policy at any time. This policy will be reviewed every 4 years or following an ordinary election of Council, or earlier if there are relevant statutory or State Government policy changes.

DRAFT



**Item:** 6.5 **Ref:** WO/2019/02855  
**Title:** Change of Ordinary Meetings of Council Commencement Time  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:** Yes

***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.*

**Report**

Section 3.1 of the Walcha Council Code of Meeting Practice – Adopted April 2019, states:

*Timing of ordinary council meetings*

3.1 *The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings. Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.*

It is proposed to change the time of the Ordinary Meeting of Council from 2:00pm to 3:45pm. The objective of this change is to provide for a workshop prior to each Council meeting.

The proposed timetable on Meeting Day would be:

1:00pm to 3:15pm	Workshop
3:15pm to 3:45pm	Afternoon Tea
3:45pm to 5:00pm	Council Meeting.

**RECOMMENDATION:**

**That the commencing time of the Ordinary Meeting of Council be changed from 2:00pm to 3:45pm FURTHER THAT this is to commence on 18 December 2019.**

Submitted to Council: 27 November 2019

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





<b>Item:</b>	6.6	<b>Ref:</b> WO/2019/02915
<b>Title:</b>	Walcha Pool Operation, Level 5 Water Restrictions	
<b>Author:</b>	Director – Engineering Services	
<b>Previous Items:</b>	Nil	
<b>Attachment:</b>	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.*

**Introduction:**

Walcha is currently within a critical drought period; resulting in the need for Council to implement level five water restrictions. Level five water restrictions are the most severe restrictions that Council can implement, and has strict conditions listed within the Walcha Council Drought Management Plan, adopted in October 2016. In order to ensure that Walcha’s water is utilised for only the most important uses, this report requests that the Walcha Pool remain open under these severe water restrictions for the benefit of the community.

**Report:**

When the Walcha Council Drought Management Plan was adopted in 2016, Council resolved that under severe water restrictions, pool operations within the Walcha LGA would cease. In light of the long lasting drought, the operation of the pool is seen as a substantial benefit to the community. The pool provides the ability for residents to escape the current dry nature of the environment and the severe water restrictions in place within their homes, extending to those in the rural communities. The Walcha Pool takes approximately 1.1ML to fill, in which has already been completed.

It will use approximately 1ML of additional water for the remainder of the season. This water is consumed through leakage, evaporation and backwashing the media filters. Council has implemented the recycling of this precious resource, by utilizing all of the pool water that remains within the pool at the conclusion of the season for construction projects, or for other important uses.

**RECOMMENDATION:**

**That Council AUTHORISE the General Manager to continue to operate the Walcha Pool during level five water restrictions for the 2019-2020 pool season.**

Submitted to Council: 27 November 2019

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



**Item:** 6.7 **Ref:** WO/2019/02893  
**Title:** Draft Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019  
**Author:** Environmental Services Manager  
**Previous Items:** Not Applicable  
**Attachment:** Under Separate Cover – Draft Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019 – WO/2019/02895

**Community Strategic Plan Reference:**

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

**Strategy 6.1.7** – *Manage land contamination through the planning and development control process.*

**Introduction:**

The objective of the Draft Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019 (the Policy) is to provide a framework to assist Council, residents and proponents of development to respond proactively to contaminated land-based hazards and risks.

This project has been identified to assist Council in identifying, assessing, recording and managing contaminated lands within our LGA. Future applications for development approvals will allow the Council to consider each application regarding contaminated lands more accurately and if required, to advise in remediation, monitoring and managing identified sites in accordance with NSW legislation and standards.

**Report:**

The Policy has been developed in consultation with Namoi Unlimited – comprising of Tamworth Regional Council, Gunnedah Council, Liverpool Plains Council, Gwydir Council and Walcha Council; as part of the EPA funded Regional Contaminated Land Capacity Building Program.

When carrying out planning functions under the *Environmental Planning and Assessment Act 1979* (the *EP&A Act*), Council must consider the possibility that a previous land use, or any adjoining or nearby land use, has caused contamination to the site; as well as the potential risk to health or the environment.

Council also has a statutory responsibility to include specific information on certificates issued for the purposes of s10.7 of the *Environmental Planning and Assessment Act 1979*.

To respond responsibly and proactively to contamination hazards and risks, through the land use planning framework, and to facilitate economic development of contaminated or potentially contaminated land. Proactive measures to prevent possible contamination can have significant environmental and financial benefits for Council and the Community.

To achieve this, Councils will

1. Maintain individual Council specific data bases of contaminated or potentially contaminated land, managed jointly where/when feasible, and record any relevant

Submitted to Council: 27 November 2019

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



information on remediation, abatement, or site audits of work undertaken in the Namoi Unlimited areas;

2. Ensure that information provided by the NSW Environment Protection Authority (EPA) in respect of the EPA Register of significantly Contaminated Land (and other information as appropriate), or information held in Council’s Contaminated or Potentially Contaminated Land Database (CPCL Database) is noted on any relevant section 10.7 (2) Planning Certificate, including advice that further information is available from Council.
3. Ensure that appropriate consideration of contamination issues are made during the rezoning and development assessment process, including;
  - Identification of the presence of, or the potential for, contamination on the land;
  - Consideration of the outcomes of any land contamination study;
  - Consideration of any remediation or abatement that has occurred on the land; and
  - The application of requirements set out in the *Contaminated Land Management Act, SEPP55, SEPP55 Guidelines, and any applicable Local Environment Plans, Development Control Plans, policies or guidelines.*
4. Develop and implement educational material and a formal Communications Strategy to translate the Policy into operational guidelines for Council officers and the community.

Information held in the Contaminated Land Information System is also to be made available to the public by way of access to documents on request in accordance with the requirements of the *Government Information (Public Access) Act 2009*. This includes making publicly available and free of charge, any land contamination consultants reports filed in the council system.

The next step is to exhibit the Draft Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019 for 28 days and bring it back to Council for consideration including submissions, at Council’s Ordinary Meeting on 19 February 2020.

Legal Issues:

Currently contaminated lands are shared between the EPA, NSW Department of Planning, Industry and Environment (DPIE), and Council through two processes;

1. Sites that are considered to have significant contamination are regulated by the NSW EPA under the *Contaminated Land Management Act 1997 and associated Regulations*;
2. Other sites are managed by Councils via the land use planning instruments under the *Environmental Planning and Assessment Act 1979 and Associated Regulations*. In these cases, the planning and development process determines what remediation is needed to make the land suitable for a different use.

In addition to these Acts, the NSW Planning Guidelines – SEPP 55 Remediation of Land 1998 also recommend that “*each local council develop and adopt a formal policy for managing land*”

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Submitted to Council: 27 November 2019

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



*contamination to provide a local context for decision making” and that “the policy should be consistent with the SEPP Remediation of Land Guidelines and either adopt or be based in them, with variations based on local conditions and procedure.”*

SEPP 55 also states that “council’s policy on contaminated land may be contained within a number of documents, such as planning instruments that contain land use restrictions relevant to contamination and a DCP or plan. However, it is advisable to have a formal “stand alone” policy document.”

Therefore, this Policy is designed to satisfy these legislative conditions, via a framework developed by the ROC to manage contaminated or potentially contaminated land within the Region in accordance with the EP&A Act and SEPP55.

Financial Implications:

This project has been developed in consultation with the Namoi Unlimited – comprising of Tamworth Regional Council, Gunnedah Council, Liverpool Plains Council, Gwydir Council and Walcha Council; as part of the EPA funded Regional Contaminated Land Capacity Building Program. Following the funded three year program, the program will require resourcing, by the use of staff and/or a consultant.

Social Implications:

The project will assist Council’s in ensuring that the use of contaminated land, or suspected contaminated land, occurs in a way that minimises risk to the community and the environment.

Management Plan Implications:

The Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019 will need to integrate with Council’s Community Strategic Plan and be reviewed at the same time as each review of the Community Strategic Plan.

Policy Implications:

The Namoi Unlimited Policy Managing Contaminated or Potentially Contaminated Land 2019 will be an integral part of Council Policy.

**RECOMMENDATION:**

**That Council:**

- 1. Endorse the public exhibition of the Draft Managing Contaminated or Potentially Contaminated Land 2019 Policy for a period of 28 days;**
- 2. Following the public exhibition period, if feedback is received, request a further report on the feedback and any amendments to the Draft Policy for consideration and adoption by Council; and**
- 3. Following the public exhibition period, if no feedback is received, ADOPT the Draft Policy as presented.**

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Submitted to Council: 27 November 2019

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



# NAMOI UNLIMITED

*Premier agricultural region in Australia*

## Managing Contaminated or Potentially Contaminated Land 2019

GUNNEDAH SHIRE COUNCIL | GWYDIR SHIRE COUNCIL | LIVERPOOL PLAINS SHIRE COUNCIL  
TAMWORTH REGIONAL COUNCIL | WALCHA COUNCIL

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## Key Terms and Definitions

Abatement	A barrier over affected areas to reduce exposure pathways, and may include a barrier over lead affected areas which contains the contamination on the land
Approved Voluntary Management Proposal	A voluntary management proposal that has been approved by the EPA under section 17 of the <i>Contaminated Land Management Contaminated Land Management Act (1997)</i> as modified by any conditions imposed by the EPA under that section.
Assessment of site contamination	A set of formal methods for determining the nature, extent and levels of existing contamination and the actual or potential risk to human health or the environment on or off-site resulting from that contamination.
Category 1 Remediation	Remediation works requiring Development Consent under SEPP 55
Category 2 Remediation	Remediation works that do not require Development Consent under SEPP 55, but must be notified to Council
CLM Act	<i>Contaminated Land Management Act 1997</i> (NSW)
Competent and qualified contamination consultant	Two contaminated land consultation certified schemes have recently merged: Council recognises this merged scheme now operating under CEnvP Site Contamination and continues to recognise the Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) certification.
Conditions of Consent	Requirements imposed by Council on a development approval to ensure the development complies with required standards. Conditions may apply to both the immediate construction stages of the development and occasionally beyond
Contamination	The condition of land or water where any chemical substance or waste has been added as a direct or indirect result of human activity at above background levels and represents, or potentially represents, an adverse health or environmental impact
Contaminated Land	Land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land and that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.
Contaminated Land Process	The process includes several stages of investigations and actions. The level ultimately required is determined by the circumstances and outcomes from the previous stage. The potential stages of the Contaminated Land Process are: <ul style="list-style-type: none"><li>• Preliminary Site Investigation (PSI)</li><li>• Detailed Site Investigation (DSI): Several reports, such as additional investigations, contamination delineation, monitoring, and/or Site-Specific Risk Assessments may be included in this stage</li><li>• Remedial Action Plan (RAP)</li><li>• Remediation</li><li>• Validation (including Monitoring if applicable)</li><li>• Ongoing Environmental Management Plan (OEMP)</li></ul>

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Council	and Monitoring This is to be taken to mean all Councils within the Joint Organisation of Councils, including when use in the singular.
Data Quality Indicators (DQI)	Pre-determined indicators used to assess if the data is considered fit for its intended uses in operations, decision making and planning. The typical parameters adopted are Precision, Accuracy, Representativeness, Completeness and Comparability (PARCC)
Detailed Site Investigation (DSI)	An investigation with the objective to define the nature, extent and degree of contamination; to assess potential risk posed by contaminants to health and the environment; and to obtain enough information to develop a Remedial Action Plan (if needed)
Development Application	A Development Application is a formal request for consent to carry out development and is considered under Part IV of the <i>Environmental Planning &amp; Assessment Act 1979</i>
Development Consent	Formal approval from Local Councils to proceed with a development. Development Consent is required prior to commencement of any works associated with development governed by Part IV of the <i>Environmental Planning &amp; Assessment Act 1979</i>
Development Control Plan	Provides guidance to the development of land under the applicable Council DCP.
Duty to Report	The duty to report significant contamination to the NSW EPA is a requirement under the <i>Contaminated Land Management Act 1997</i> , with updates provided in the <i>Contaminated Land Management Amendment Act 2008</i> . The triggers for reporting are presented in the "Guidelines on the Duty to Report Contamination under the <i>Contaminated Land Management Act 1997</i> " (2015)
EPA	Environment Protection Authority
Harm	In relation to the contamination of land, harm to human health or some other aspect of the environment (including any direct or indirect alteration of the environment that has the effect of degrading the environment), whether in, on or under the land or elsewhere.
Initial Evaluation	An evaluation undertaken by Council to determine whether contamination is likely to be an issue, and to assess whether further information is required for it to conduct its planning functions
Land Contamination	Land contamination may be the result of past or current uses. The land may be contaminated by a current or historical land use activity directly on that site or through migration of contamination from adjacent sites. See also definition of "contamination"
Lead Abatement Strategy (LAS)	A Strategy approved by the EPA which provides for a cap and cover approach to lead in soil to minimise human contact with the lead contaminant.
LEP	Local Environmental Plan. The LEP guides planning decisions for Local Government Areas through zoning and development controls, which provide a framework for the way land can be used. LEPs are Planning Instruments from the <i>Environmental Planning &amp; Assessment Act 1979</i>
LGA	Local Government Area
Management Order	An order under section 14 (1) under the <i>Contaminated</i>



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National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013 ASC NEPM)	<i>Land Management Act 1997.</i> A measure made under section 14(1) of the Commonwealth Act and the equivalent provisions of the corresponding Acts of participating States and Territories.
Planning Guidelines	NSW Managing Land Contamination Planning Guidelines – SEPP 55 Remediation of Land (1998)
Planning Proposal	A formal application submitted to Council that proposes to rezone land or to change the land use controls applicable to that land
POEO	<i>Protection of the Environment Operations Act 1997 (NSW)</i>
Potentially contaminated land	Land that may be contaminated with a concentration of substances above that naturally present that may pose or is likely to pose a potential or actual risk to human health of the environment such as uncontrolled and unidentified fill on land.
Preliminary Site Investigation (PSI)	An investigation to identify any past or present potentially contaminating activities, to provide a preliminary assessment of any site contamination, and if required, to provide a basis for a more detailed investigation
Control Process	A process used to assess the reliability of field work and analytical results for an investigation
Remedial Action Plan (RAP)	A plan that sets objectives, and documents the process, for remediating a contaminated site
NamoiROC	Namoi Regional Organisation of Councils
Sampling and Analysis Quality Plan (SAQP)	A document outlining the details for a sampling program, such as the objective(s) and the intended process
Section 10.7 Planning Certificate	A planning certificate issued under the <i>EP&amp;A Act 1997</i> that provides information to owners and prospective purchasers as to any restrictions on the land.
SEPP 55	State Environmental Planning Policy No 55 – Remediation of Land
Site Audit	An independent review by a Contaminated Land Auditor, accredited by the NSW EPA, of any or all stages of the site investigation process, conducted in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report (SAR)	A report which summarises the report(s) audited and provides the Auditor's opinion and conclusions. A Site Audit Report must be accompanied by a Site Audit Statement
Site Audit Statement (SAS)	A statement which outlines the conclusions of a site audit. A Site Audit Statement must be accompanied by a Site Audit Report
Validation	The objective of the validation stage of the contaminated land process is to demonstrate whether the objectives stated in the Remedial Action Plan have been achieved
Voluntary Management Proposal	Section 17 (1) of the <i>Contaminated Land Management Act</i> .

## Legislation, Regulations, Policies and Guidelines

<i>Contaminated Land Management Act 1997</i>	Sets out the role of the EPA and the rights and responsibilities of parties it might direct to manage land where contamination is significant enough to warrant regulation
<i>Contaminated Land Management Amendment Act 2008</i>	Introduced amendments aimed to allow sites to be cleaned up more efficiently while reinforcing the 'polluter pays' principle
<i>Contaminated Land Management Regulation 2013</i>	Sets out the recovery of administrative costs for the EPA relating to regulated sites and the auditor system. It also sets out timeframes for administrative matters under the <i>CLM Act</i>
<i>Duty to Report Guidelines</i>	Details the circumstances that can trigger the requirement to notify the EPA about contamination under Section 60 of the <i>Contaminated Land Management Act 1997</i>
<i>Environmental Planning &amp; Assessment Act 1979</i>	Provides the overarching structure for regulation of planning and development in NSW together with the <i>Environmental Planning and Assessment Regulation 2000</i>
<i>Environmental Planning and Assessment Regulation 2000</i>	Provide the overarching structure for the regulation of planning and development in NSW together with the <i>Environmental Planning and Assessment Act 1979</i>
<i>National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013)</i>	Establishes a nationally consistent approach to the assessment of site contamination to ensure sound environmental management practices by the community which includes regulators, site assessors, site auditors, landowners, developers and industry. Measure made under section 14(1) of the Commonwealth Act
<i>NSW Managing Land Contamination Planning Guidelines – SEPP 55 Remediation of Land (1998)</i>	The Planning Guidelines support SEPP55 and address the policy framework, identification and investigation of contamination, the decision-making process, management of contaminated sites and remediation, information management, and principles for proactively preventing future contamination
<i>State Environmental Planning Policy No 55 – Remediation of Land</i>	Ensures planning decisions consider possible land contamination, and promotes remediation to reduce risk of harm
Government Information (Public Access) Act 2009	Access to NSW Government information is governed by the <a href="#">Government Information (Public Access) Act (2009)</a> (GIPA Act).

## **Objectives**

The Regional Organisation of Councils under Namoi Unlimited is committed to ensuring that the use of contaminated land, or suspected contaminated land, occurs in a way that minimises risk to the community and the environment. This will be done by ensuring compliance with the requirements of the *Contaminated Land Management Act (1997)*, the *Environmental Planning and Assessment Act 1979 (EP & A Act)*, *State Environmental Planning Policy (SEPP) 55 – Remediation of Land (SEPP55)* and the associated *Managing Land Contamination: Planning Guidelines (SEPP55 Guidelines)*; *The National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013)*, *ASC NEPM*, and all relevant Council policies, procedures, and processes.

The objective of this Policy is to provide a framework to assist Council, residents and proponents of development to respond proactively to contaminated land-based hazards and risks.

## **Policy Application**

This Policy relates to Council's responsibility in contaminated land matters as the regulatory authority for land use planning. This Policy applies to all land within the Local Government Areas of Walcha Council, Gwydir Shire Council, Tamworth Regional Council, Gunnedah Shire Council, Liverpool Plains Shire Council.

This Policy will be applied by;

- Providing a framework to ensure that changes in regional land use will not increase the risk to human health or the environment;
- Consider the likelihood of land contamination as early as possible in the planning and development control process;
- Link decisions about the development of land with the information available about possible contamination;
- Ensure Councils exercise their functions relating to the development of contaminated land with a reasonable standard of care and diligence;
- Ensure that site investigations and remediation works are carried out in a satisfactory manner, and where appropriate, are independently verified by a Site Auditor;
- Avoid inappropriate restrictions on land use arising from known past contamination or known/suspected contaminating activities;
- Provide information to support decision making, and to inform the community of potential restrictions on property arising from contaminated land matters.
- Reporting contamination to the NSW EPA
- Preventing or minimising the potential for contamination.

## **Policy Statement**

Contaminated Lands is a complicated and technical area where specialist assistance is required to ensure it does not impact on the environment or the health of a community. Historically, investigations were undertaken by the NSW Environment Protection Authority (NSWEPA) with information gained from investigations being made publicly available through their website. This however only identified significantly contaminated areas. Local Councils require applicants, through the Council Development Approvals process to identify areas of contamination as part of the due process in the application. To this effect, it is then up to Councils to accept the information supplied

by the applicant or undertake further investigations in order to meet the NSW legislation for identifying, evaluating and managing any contaminated lands. This process is complex.

This project has been identified to assist Councils in identifying, assessing, recording and managing contaminated lands within their shire boundary. Future applications for development approvals will allow the Council to consider each application regarding contaminated lands more accurately and if required, to advise in remediation, monitoring and managing identified sites in accordance with NSW legislation and standards.

This project has been developed in consultation with the Namoi Regional Organisation of Councils (ROC) – comprising of Tamworth Regional Council, Gunnedah Council, Liverpool Plains Council, Gwydir Council and Walcha Council, also called Namoi Unlimited. These Councils are active participants in the Regional Contaminated Land Capacity Building Program.

To respond responsibly and proactively to contamination hazards and risks, through the land use planning framework, and to facilitate economic development of contaminated or potentially contaminated land. Proactive measures to prevent possible contamination can have significant environmental and financial benefits for the ROC and the Community.

To achieve this, Councils will;

1. Maintain individual Council specific data bases of contaminated or potentially contaminated land, managed jointly where/when feasible, and record any relevant information on remediation, abatement, or site audits of work undertaken in the ROC areas;
2. Ensure that information provided by the NSW Environment Protection Authority (EPA) in respect of the EPA Register of significantly Contaminated Land (and other information as appropriate), or information held in Council's Contaminated or Potentially Contaminated Land Database (CPCL Database) is noted on any relevant section 10.7 (2) Planning Certificate, including advice that further information is available from Council.
3. Ensure that appropriate consideration of contamination issues are made during the rezoning and development assessment process, including;
  - Identification of the presence of, or the potential for, contamination on the land;
  - Consideration of the outcomes of any land contamination study;
  - Consideration of any remediation or abatement that has occurred on the land; and
  - The application of requirements set out in the *Contaminated Land Management Act, SEPP55, SEPP55 Guidelines, and any applicable Local Environment Plans, Development Control Plans, policies or guidelines.*

Develop and implement educational material and a formal Communications Strategy to translate the Policy into operational guidelines for Council officers and the community.

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## Legislative Framework

Currently contaminated lands are shared between the EPA, NSW Department of Planning, Industry and Environment (DPIE), and Council through two processes;

1. Sites that are considered to have significant contamination are regulated by the NSW EPA under the *Contaminated Land Management Act 1997 and associated Regulations*;
2. Other sites are managed by Councils via the land use planning instruments under the *Environmental Planning and Assessment Act 1979 and Associated Regulations*. In these cases, the planning and development process determines what remediation is needed to make the land suitable for a different use.

In addition to these Acts, the NSW Planning Guidelines – SEPP 55 Remediation of Land 1998 also recommend that “each local council develop and adopt a formal policy for managing land contamination to provide a local context for decision making” and that “the policy should be consistent with the SEPP Remediation of Land Guidelines and either adopt or be based in them, with variations based on local conditions and procedure.”

SEPP 55 also states that “council’s policy on contaminated land may be contained within a number of documents, such as planning instruments that contain land use restrictions relevant to contamination and a DCP or plan. However, it is advisable to have a formal “stand alone” policy document.”

Therefore, this Policy is designed to satisfy these legislative conditions, via a framework developed by the ROC to manage contaminated or potentially contaminated land within the Region in accordance with the EP&A Act and SEPP55. The Policy Managing Contaminated or Potentially Contaminated Land within the Regional Organisation of Councils (this Policy) should be reviewed every 4 years.

**NOTE – Schedule 6 of the EP& A Act provides that, planning authorities that act substantially in accordance with SEPP55 and related guidelines, are taken to have acted in good faith when carrying out planning functions.**

## Council Responsibility

When carrying out planning functions under the *EP& A Act*, all Councils must consider the possibility that a previous land use, or any adjoining or nearby land use, has caused contamination to the site; as well as the potential risk to health or the environment.

The general principle of contamination management under SEPP55, and its related guidelines, is that a precautionary approach be taken, and that the identification of any potential land contamination issues occurs at an early stage in the planning process. This shall allow for any orders to prevent harm to be issued and thus reduce delays and costs to a development.

To support the precautionary approach, the requirements of SEPP 55 (s7) states:

*“A consent authority must not consent to the carrying out of any development on land unless: a) It has considered whether the land is contaminated, and b) If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose of which the development is proposed to be carried out, and c) If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose”.*

The *National Environment Protection (Assessment of Site Contamination) Measure* (ASC NEPM, 2013), volume 1, Section 5 (Planning and Development) also supports this approach by stating:

*“Authorities of participating jurisdictions (at local and State government level) that consent to developments, or changes in land use, should ensure a site that is being considered for development or a change in land use, and that the authorities ought reasonably know if it has a history of use that is indicative of potential contamination, is suitable for its intended use.”*

Generally, Councils should not approve a Development Application or support a Planning Proposal unless it is satisfied based on available information under this Policy that:

- Land contamination has been considered;
- If the land is contaminated, that the land is suitable in its contaminated state (or will be suitable following remediation) for all the uses acceptable under the approval; or
- If the land is contaminated, that conditions can be placed in planning instruments or on development consents and approvals under Part 4 or 5.1 of *the Environmental Planning and Assessment Act 1979* that will ensure any contaminated land can be remediated to a level appropriate to its intended use, prior to, or during the development stage.

If Councils receive an LEP amendment request or a Development Application, relevant staff must undertake a review of the amendment / application to determine if the land necessitates further investigation in relation to potential contamination. If this review identifies evidence of potential or actual contamination, further assessment of contamination will be required.

Prior to undertaking any land use planning functions, Council must also consider the possibility that the previous and/or current land uses, and/or a nearby land use, may have caused contamination of the site, and the potential risk to human health and the environment from that contamination needs to be assessed.

Councils personnel having responsibilities in the management of contaminated lands must abide by these requirements and ensure they are considered during the approval phases and the remediation of any known sites. Specific roles and responsibilities for each of the ROC members will be contained within the Council specific procedure.

Where Council has reasons to believe contamination may be present on a site and could pose a risk to human health and/or the environment in the proposed land use scenario, the Contaminated Land Process is therefore triggered.

## **Rezoning Land**

SEPP55 requires consideration of contamination issues when rezoning land. Council must determine, at an early stage in the development process, if a rezoning could allow a change of use that may increase the risk to health or the environment from contamination. Council must be satisfied that the land is suitable for the proposed use or can be remediated to ensure its suitability. This includes considering the history of land that is adjacent to the land being considered for rezoning. A Stage 1 Preliminary Investigation (PSI) will be required at the rezoning stage to assess if the land is potentially contaminated land.

Assessments of rezoning applications on contaminated land will be conducted in accordance with the relevant Councils Contaminated Lands procedures and any information Guides developed.



## **Development**

SEPP55 and Section 4.15 of the EP&A Act require Council to consider the suitability of the site for the proposed development. In most cases the relevant DCP provides development guidelines as to what processes are required when land has been identified as being contaminated. Council does not currently have a Contaminated Land Management DCP, therefore Council's Procedure – **Management and Assessment of Contaminated or Potentially Contaminated Land** is to be used.

Council and the EPA may apply conditions of consent that may limit or restrict the use of the land to ensure the delivery of appropriate outcomes on the land are not detrimental to the user's health and that of the environment.

Where land known to be contaminated with PFAS from the local airport, a streamlined approach for the assessment of soil contamination may be acceptable.

Assessment of Development Applications on contaminated land will be conducted in accordance with each Council's Procedure – **Management and Assessment of Contaminated or Potentially Contaminated Land**.

## **Duty to report contamination**

The duty to report contamination to the EPA is a requirement under the Contaminated Land Management Act. The following parties are required to report contamination as soon as practical after they become aware of any contamination that meets the triggers for the duty to report:

- Anyone whose activities have contaminated land; and
- An owner of land that has been contaminated.

It should be noted that although the above parties have the duty to report contamination, anyone can, at any time, report suspected contamination to the EPA.

Where Council considers that contamination on a site triggers the Duty to Report under the *Contaminated Land Management Act*, and it is not clear if the polluter or site owner has reported the contamination, Council will notify the EPA for further action. Guidelines on reporting contamination under section 60 of the *Contaminated Land Management Act* can be found on the EPA website.

## **Preventing Contamination**

The primary legislation governing the prevention and management of pollution incidents is the Protection of the Environment Operations (POEO) Act 1997. The POEO Act enables the Government to set out explicit protection of the environment policies (PEPs) and adopt more innovative approaches to reducing pollution. PEPs provide environmental standards, goals, protocols and guidelines.



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## **Information Management**

Council has a statutory responsibility to include specific information on certificates issued for the purposes of s10.7 of the *Environmental Planning and Assessment Act 1979*.

The information required to proponents is defined in:

- s59 of the *Contaminated Land Management Act 1997* (i.e. information provided to Council by either the NSW EPA or Accredited Auditors).
- Schedule 4 Planning Certificates of the *Environmental Planning and Assessment Regulation 2000* (i.e. whether there is a policy adopted by Council or any other public authority that restricts the development of the land, in this case due to actual or potential contamination).

Schedule 4 states:

The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- a) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act—if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued,
- b) that the land to which the certificate relates is subject to a management order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,
- c) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act—if it is the subject of such an approved proposal at the date when the certificate is issued,
- d) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act—if it is subject to such an order at the date when the certificate is issued,

Under Schedule 6 of the EP&A Act *A planning authority does not incur any liability in respect of anything done or omitted to be done in good faith by the authority in duly exercising any planning function of the authority to which this clause applies in so far as it relates to contaminated land (including the likelihood of land being contaminated land) or to the nature or extent of contamination of land.*

Whilst there is no direct legislative requirement for a Council to notify a land owner when their land is included as potentially contaminated in a Contaminated Land Information System, Council should notify the landowner, thus providing them the opportunity to establish and acknowledge that the land is not contaminated and should not be notified on a Section 10.7(2) Planning Certificate, or alternatively, to manage or undertake remediation of the land.

Notifying the property owner of a site's inclusion that contamination exists, also allows the owner the opportunity to reduce the potential risk of harm to the health of the land's occupants and to the environment.

Information held in the Contaminated Land Information System is also to be made available to the public by way of access to documents on request in accordance with the requirements of the *Government Information (Public Access) Act 2009*.

This includes making publicly available and free of charge, any land contamination consultants reports filed in the council system.

Given council, as the regulatory authority, is unable to provide consent for a development until it is satisfied that the site is, or can be made, suitable (during the development stage with the implementation of remediation and/or management) for the proposed land use, by forwarding information to proponents on contamination issues with their development application will save cost and time for both parties.

## **Underground Petroleum Storage Systems**

It must also be noted here, that recent changes in UPSS regulations now require local councils to be the regulatory authority with responsibility falling to councils in September 2019 where previously it remained with the NSW EPA. While largely consistent with the Contaminated Land Process, there are specific guidelines and technical notes outlining the process required for sites containing Underground Petroleum Storage Systems (UPSS). These are included in the UPSS Regulation (2014) and must be considered when considering development applications involving UPSS. All Operators of UPSS are required to have systems in place to help prevent, report and remediate leaks.

## **Maintaining a record of remediation work**

SEPP55 requires the relevant consent authority to be notified prior to, and at the completion of, remediation work. This notification is required regardless of whether consent is required. This information will be recorded in the Contaminated or Potentially Contaminated Land (CPCL Database) described further below. The database will record details of what work was done, such as any remediation or abatement, any validation and monitoring reports, any site audit statements and any other relevant information.

## **Database of Contaminated or Potentially Contaminated Land**

Each Council within the ROC will maintain a Contaminated or Potentially Contaminated Land Database (CPCL Database) for land within the local government area.

The CPCL Database will identify properties known to the Council, which have a history of contamination, or that have been associated with uses that may have resulted in contamination. Council may not be aware of all properties that have a history of contamination, Council lead or private enquiries or investigations into whether land is contaminated, or potentially contaminated should be considered. The CPCL Database will record details of any site remediation or abatement that has been undertaken, validation records, and audits of remediation work as required by the SEPP55 Guidelines. Information regarding individual properties will be recorded in the CPCL Database as outlined in Appendix D. Any enquiries associated with a property should be checked against information contained within the CPCL Database and associated GIS layers.

## **Section 10.7 Planning Certificates**

The responsibility for investigating the potential for contamination during the sale of land rests with the vendor and purchaser, however Council will make available any relevant information held on potential contamination.

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**Section 10.7(2) Planning Certificates**

Information to be disclosed on a Section 10.7(2) Planning Certificate is specified in the *Environmental Planning and Assessment Regulation 2000* (Schedule 4) and s59(2) of the *Contaminated Land Management Act 1997*. Council has a legal obligation to provide certain information through Section 10.7(2) Planning Certificates in relation to land contamination.

**Section 10.7(5) Planning Certificates**

Section 10.7(5) Planning Certificates are governed by s10.7(5) of the *Environmental Planning and Assessment Act 1979*, which states that “a council may include advice on such other relevant matters affecting the land of which it may be aware”. As such, there is no specific legislative requirement for Council to provide information pertaining to land contamination issues on s10.7(5) Certificates. However, this needs to be balanced with the fact that the Council owes the applicant a duty to take reasonable care when issuing planning certificates.

**Information under section 59(2) Contaminated Land Management Act 1997**

Section 59(2) of the *Contaminated Land Management Act* prescribes specific matters to be provided in a section 10.7(2) planning certificate.

- a) That the land to which the certificate relates is significantly contaminated land – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued;
- b) That the land to which the certificate relates is subject to a management order – if it is subject to such an order at the date when the certificate is issued;
- c) That the land to which the certificate relates is the subject of an approved voluntary management proposal – if it is the subject of such an approved proposal at the date when the certificate is issued;
- d) That the land to which the certificate relates is subject to an ongoing maintenance order – if it is subject to such an order at the date when the certificate is issued;
- e) That the land to which the certificate relates is the subject of a site audit statement – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.

In addition to this, Council is also required to nominate whether the land is affected by a Policy that restricts the development of the land because of a hazard.

Notations will be applied as a component of section 10.7(2) Planning Certificates at Question 7(e) (Council and other public authority policies on hazard risk restrictions) in the following cases;

***Notation 1***

**Contaminated Land:**

Where land is known to have contaminants above the contaminated land investigation threshold levels for residential land uses, and no remediation or abatement activity has occurred, the following notation will apply:

*Council has adopted a policy that may restrict development of Contaminated or Potentially Contaminated Land. This policy is implemented when zoning, development, or land use changes are proposed. Consideration of Council’s adopted Policy and applicable LEP, and the application of provisions under relevant State legislation is recommended. Some form of contamination has been*

confirmed on this site. Council can provide additional information from its records for this site on request.

N.B. This notation applies where **contamination has been confirmed** on site, in the form of a contamination report, and remediation and/or abatement has not occurred.

### **Notation 2**

#### Potentially contaminated land:

Where land has a previous site history which could have involved contaminants, or where the land is in the vicinity of a current or historic contamination source, and no chemical sampling of soil has occurred, the following notation applies:

*Council has adopted a policy that may restrict development of Contaminated or Potentially Contaminated land. This policy is implemented when zoning, development, or land use changes are proposed. Consideration of Council's adopted Policy and applicable ELP, and the application of provisions under relevant State legislation is recommended. Further investigation may be required for this site.*

N.B. This notation applies to properties that are in the vicinity of a known contaminating source, and/or where contamination is reasonably considered to have occurred on-site, but where **no formal soil contamination sampling has occurred**. Appendix A taken from the SEPP55 Guidelines, provides a list of potentially contaminating industries that may be considered for this notation.

### **Notation 3**

#### Remediated and above the contaminated land investigation threshold levels:

Where contaminated land that has undergone some form of remediation or abatement, and contaminants on site are above the contaminated land investigation threshold levels, the following notation applies:

*Council has adopted a policy that may restrict development of Contaminated or Potentially Contaminated land. This policy is implemented when zoning, development, or land use changes are proposed. Consideration of Council's adopted Policy and applicable LEP, and the application of provisions under relevant State legislation is recommended. Some form of contamination has been confirmed on this site. Council can provide additional information from its records for this site on request, including details of any remediation works that have occurred.*

N.B. This notation applies where information is provided to Council, being a site audit statement, site audit report, Stage 4 validation report or Lead Abatement Strategy (LAS) report that confirms lead or other contaminants are **above contaminated land investigation threshold levels** as identified in the NEPM – Contaminated Land for residential land uses.

### **Notation 4**

#### Remediated and below the contaminated land investigation threshold levels:

Where land that was previously contaminated has undergone some form of remediation or abatement in anticipation of a particular use, or range of uses, and contaminant levels on site are below the contaminated land investigation threshold levels, the following notation applies:

*Council has adopted a policy that may restrict development of Contaminated or Potentially Contaminated land. This policy is implemented when zoning, development, or land use changes are proposed. Consideration of Council's adopted Policy and applicable LEP, and the application of*

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*provisions under relevant State legislation is recommended. Some form of contamination was confirmed on this site in the past. Council can provide additional information from its records for this site on request, including details of any remediation works that have occurred. Information from a site audit statement, site audit report, or a Stage 4 validation report indicate that contaminants are now below the contaminated land investigation threshold levels.*

N.B. This notation applies where information is provided to Council, being a site audit statement, site audit report, or Stage 4 validation report that confirms lead or other contaminants are **below the contaminated land investigation threshold level** as identified in the NEPM- Contaminated Land for residential land uses.

### **Notation 5**

Below contaminated land investigation threshold levels:

Where land has a previous site history which could have involved contaminants, or is in the vicinity of a contamination source, and the land has undergone some form of testing and found to be below the contaminated land investigation threshold level, the following notation applies:

*Council has adopted a policy that may restrict the development of Contaminated or Potentially Contaminated land. This policy is implemented when zoning, development, or land use changes are proposed. Consideration of Council's adopted Policy and applicable LEP, and the application of provisions under relevant State legislation is recommended. Council can supply additional information from its records for this site on request, including tests that indicate that the level of certain contaminants are below the land investigation threshold level on the site.*

N.B. This notation applies to properties that are in the vicinity of a known contaminating source and formal soil contamination sampling has occurred using the NEPM – Contaminated Land for residential land uses and found that certain contaminants are below **the contaminated land investigation threshold level**.

### **Notation 6**

No clear site history:

Where Council records do not contain a clear site history for the land or there is inadequate knowledge of uses that have occurred on the land, the following notation applies:

*Council has adopted a policy that may restrict the development of Contaminated or Potentially Contaminated Land. This policy is implemented when zoning, development, or land use changes are proposed. Council does not hold sufficient information about previous use of the land to determine whether the land is contaminated. Consideration of Council's adopted Policy and applicable LEP, and the application of provisions under relevant State legislation is recommended.*

N.B. This Notation applies to all land in the city where Council records do not contain a clear site history, or where there are gaps in that information, so there is not enough information to have any certainty.

## **Limitations on information in section 10.7 Planning Certificates**

Council will specify in a planning certificate any limitations on the information regarding contamination contained in that certificate. Limitations may arise as a result of the purpose for which the information was collected by Council or provided to Council, or the reliability of the source of the information.

## Appendix A - Potentially Contaminating Activities

(Source: Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (1998))

Some activities that may cause land contamination and likelihood of occurrence.

Activity / Contaminant	Likelihood
Acid/alkali plant and formulation	Low
Agricultural/horticultural activities	High
Airports	High (Tamworth and Quirindi Airports are identified by NSW EPA as being investigated)
Asbestos production, disposal and demolition	High
Chemicals manufacture and formulation	Low
Defence works	Low
Drum re-conditioning works	Medium
Dry cleaning establishments	Medium
Electrical manufacturing (transformers)	Medium
Electroplating and heat treatment premises	Low
Engine works	High
Explosive industry	Medium
Gas works	Medium
Iron and steel works	Low
Landfill sites	High
Metal treatment	High
Mining and extractive industries	High
Oil production and storage	High
Paint formulation and manufacture, including lead paint contamination	High
Pesticide manufacture and formulation	Medium
Power stations	Low
Railway yards	High
Scrap yards	High
Service stations	High
Sheep and cattle dips	High
Smelting and refining	Low
Tanning and associated trades	Medium
Waste storage and treatment	High
Wood preservation	Medium

*Note: This listing is a guide only, it is not enough to solely rely on the contents provided in the table for whether a site is likely to be contaminated or not. A conclusive state can only be determined after a review of the site history and if necessary, sampling and analysis*

## Appendix B: Category 1 Remediation Works

State Environmental Planning Policy No 55—Remediation of Land, Clause 9 defines Category 1 Remediation Work as:

*“Category 1 remediation work: work needing consent.*

*For the purposes of this Policy, a category 1 remediation work is a remediation work (not being a work to which clause 14 (b) applies) that is:*

- (a) designated development, or*
- (b) carried out or to be carried out on land declared to be a critical habitat, or*
- (c) likely to have a significant effect on a critical habitat or a threatened species, population or ecological community, or*
- (d) development for which another State environmental planning policy or a regional environmental plan requires development consent, or*
- (e) carried out or to be carried out in an area or zone to which any classifications to the following effect apply under an environmental planning instrument:*
  - i. coastal protection,*
  - ii. conservation or heritage conservation,*
  - iii. habitat area, habitat protection area, habitat or wildlife corridor,*
  - iv. environment protection,*
  - v. escarpment, escarpment protection or escarpment preservation,*
  - vi. floodway,*
  - vii. littoral rainforest,*
  - viii. nature reserve,*
  - ix. scenic area or scenic protection,*
  - x. wetland, or*
- (f) carried out or to be carried out on any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the Council for any local government area in which the land is situated (or if the land is within the unincorporated area, the Western Lands Commissioner).*

*Note. See Section 5A of the Environmental Planning and Assessment Act 1979 for the factors to be considered in assessing whether there is likely to be a significant effect as referred to in paragraph (c) above. The terms used in that paragraph are defined in that Act by reference to both the Threatened Species Conservation Act 1995 and the Fisheries Management Act 1994.”*



## Appendix C: Category 2 Remediation Works

State Environmental Planning Policy No 55—Remediation of Land, Clause 14 defines Category 2 Remediation Work as:

*“Category 2 remediation work: work not needing consent*

*For the purposes of this Policy, a category 2 remediation work is:*

- (a) a remediation work that is not a work of a kind described in clause 9 (a)–(f), or*
- (b) a remediation work (whether or not it is a work of a kind described in clause 9 (a)–(f)) that:*
  - (i) by the terms of a remediation order, is required to be commenced before the expiry of the usual period under the [Contaminated Land Management Act 1997](#) for lodgment of an appeal against the order, or*

*Note.*

*The usual period for lodgment of an appeal is 21 days or a period prescribed instead by regulations made under the [Contaminated Land Management Act 1997](#).*

- (ii) may be carried out without consent under another State environmental planning policy or a regional environmental plan (as referred to in clause 19 (4)), or*

- (iii) is carried out or to be carried out by or on behalf of the Director-General of the Department of Agriculture on land contaminated by the use of a cattle dip under a program implemented in accordance with the recommendations or advice of the Board of Tick Control under Part 2 of the [Stock Diseases Act 1923](#), or*

- (iv) is carried out or to be carried out under the Public Land Remediation Program administered by the Broken Hill Environmental Lead Centre.*

### **Site Signage**

A sign displaying the contact details of the remediation contractor and site manager (if different from the remediation contractor) must be displayed on the site adjacent to the site access, including a contact telephone number that is available 24 hours a day, 7 days a week. The sign must be clearly legible from the street and be displayed for the duration of the remediation works.

### **Site Security**

The site must be securely fenced, and any other necessary precautions taken, to prevent unauthorised entry to the site for the duration of the remediation works.

### **Toilet Facilities**

Toilet facilities must be provided for workers in accordance with the publication titled Code of Practice: Amenities for Construction Work (WorkCover, 1996). [Note: Toilets for workers must be connected to the sewerage system where practicable. Alternatively, Council approval is required under Section 68 of the Local Government Act 1993 to install an accredited sewage management facility (e.g. portable chemical closet) on the site.]

### ***Soil and Water Management***

All remediation work must be carried out in accordance with a soil and water management plan. A copy of the soil and water management plan must be kept on-site and be made available to Council Officers on request.

### ***Sediment and Erosion Controls***

Appropriate sediment and erosion controls must be installed before remediation works are commenced and be maintained in a functional condition until site stabilisation works have been completed. Prior to the commencement of any remedial work, an erosion and sediment control plan prepared by a suitably qualified person in accordance with “The Blue Book – Managing Urban Stormwater (MUS): Soils and Construction” (Land com) must be submitted to and approved by the certifying authority. Control over discharge of stormwater and containment of run-off and pollutants leaving the site/premises must be undertaken through the installation of erosion control devices including (and not limited to) catch drains, energy dissipaters, level spreaders and sediment control devices such as hay bale barriers, filter fences, filter dams, and sedimentation basins.

### ***Stockpiles***

No stockpiles of soil or other materials are to be placed on footpaths or nature strips without the prior written approval of Council. All stockpiles of soil or other materials must be placed away from drainage lines, gutters, stormwater pits or inlets, trees or native vegetation and be provided with appropriate erosion, sediment and leachate management controls. All stockpiles of soil or other materials likely to generate dust or odours must be covered (where practical). All stockpiles of contaminated soil must be stored in a secure area

### ***Site Access***

Vehicular access to the site must be restricted to a stabilised access point.

### ***Protection of Public Roads***

Appropriate measures must be taken to prevent the spreading of mud, soil or sediment by vehicles leaving the site. These measures could include the installation of shaker grids or wash-down bays to minimise the transportation of sediment. Any wastewater from washing the wheels and underbodies of vehicles must be collected and disposed of in a manner that does not pollute waters. Any mud, soil or sediment tracked or spilled on the roadway must be swept or shovelled up immediately. Hosing of the roadway is not permitted.

### ***Disposal of Water from Excavations***

All excavation pump-out water must also be analysed for suspended solids, pH and any contaminants of concern identified during the contamination assessment phase and comply with relevant EPA and ANZECC water quality criteria prior to discharge to the stormwater system. Other options for the disposal of excavation pump-out water include disposal to sewer with the prior approval of the relevant water utility, or off-site disposal by a licensed liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

### ***Site Stabilisation and Revegetation***

All exposed areas shall be progressively stabilised and revegetated or resealed on the completion of remediation works.

***Bunding***

All land farming areas of hydrocarbon contaminated soils must be banded to contain surface water runoff and to prevent the leaching of contaminants into the underlying soils. This will typically require placement on a sealed surface or on durable plastic. All contaminated water from banded areas must be discharged to sewer with the prior approval of the relevant water authority or be disposed of off-site by a licensed liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

***Protection of Trees***

Trees on the site must not be removed, lopped or otherwise trimmed without the prior approval of Council. Trees to be retained on the site must be protected from damage to their foliage and root systems. Suitable measures may include erecting fences or barriers to keep earthmoving equipment and heavy vehicles well clear of trees.

***Noise***

Noise must be minimised as far as practicable, by the selection of appropriate methods and equipment, and using silencing devices where practicable.

Noise from remediation work must comply with the guidelines for construction site noise specified in the interim Construction Noise Guideline (OE&H- EPA 2009).

[INSERT COUNCIL NAME] is the appropriate regulatory authority for noise from non-scheduled construction activities in its area, except as described in Section 6(2) of the POEO Act 1997, and thus has discretion in dealing with noise. Any noise monitoring must be carried out by a suitably qualified Acoustical Consultant if complaints are received, or if directed by Council, and any noise control measures recommended by the Acoustical Consultant must be implemented throughout the remediation work.

***Vibration***

The use of plant or machinery must not cause vibrations to be felt on any other premises.

***Air Quality***

**Dust Control Dust**

Emissions must be confined within the site boundaries. The following dust control measures may be employed to comply with this requirement:

- Erection of dust screens around the perimeter of the site
- Use of water sprays across the site to suppress dust
- Keeping excavation surfaces moist
- Covering of all stockpiles of soil and other materials likely to generate dust (where practical)
- Securely covering all loads entering or exiting the site.

**Asbestos**

Works involving the potential disturbance of asbestos containing materials must be carried out in strict accordance with SafeWork NSW requirements.

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### Odour Control

Remediation work must not result in the emission of odours that can be detected at any boundary of the site by an Authorised Council Officer. The following measures may be employed to comply with this requirement:

- Use of appropriate covering techniques, such as the use of plastic sheeting to cover excavation faces or stockpiles
- Use of fine mist sprays
- Use of mitigating agents on hydrocarbon impacted areas or materials
- Maintaining equipment and machinery to minimise exhaust emissions.

If odours are detected, the site is to be inspected by a suitably qualified Environmental Consultant and any recommended control measures are to be implemented throughout the remediation process.

### Burning of Materials

No materials are to be burned on site.

### ***Transport***

All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site must be selected to meet the following objectives:

- Comply with all road traffic rules
- Minimise noise, vibration and odour to adjacent premises
- Minimise use of local roads.

All transport operators and drivers transporting soil, materials, equipment or machinery to and from the site must:

- Use the designated haulage routes and site access points
- Make all deliveries and pick-ups between the hours specified in Hours of Operation
- Securely cover all loads to prevent any dust or odour emissions during transportation
- Not track soil, mud or sediment onto the road.

### ***Hazardous Wastes***

Hazardous wastes arising from the remediation work must be removed, stored and disposed of in accordance with the requirements of the EPA and SafeWork NSW, including the following legislation and guidelines:

- Work Health & Safety Act 2011
- Work Health & Safety Regulation 2011
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Waste) Regulation 2005
- Waste Classification Guidelines (NSW EPA, 2014), and associated addenda (available on <http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm>), resource recovery orders and exemptions (current list available on <http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm>)
- Environmentally Hazardous Chemicals Act 1997.

Documentary evidence verifying that all wastes have been classified and disposed of appropriately must be included in the Monitoring and Validation report for the site.

### ***Disposal of Contaminated Soil***

Contaminated soil must be disposed of in accordance with the requirements of the Protection of the Environment Operations Act 1997 and Regulations and any relevant NSW EPA guidelines such as the publication titled Waste Classification Guidelines (NSW EPA, 2014) and associated addenda (available on <http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm>), and resource recovery orders and exemptions (current list available on <http://www.epa.nsw.gov.au/wasteregulation/ordersexemptions.htm>)

NOTE: If contaminated soil or other waste is transported to a site unlawfully, the owner of the waste and the transporter are both guilty of an offence.

### ***Containment / Capping of Contaminated Material***

On-site containment or capping of contaminated soil is not permitted if the concentrations of contaminants are statistically above the soil investigation levels specified in The National Environment Protection (Assessment of Site Contamination) Measure 1999, amended in 2013 (ASC NEPM, 2013) for the range of land-uses permitted on the site (unless otherwise agreed with Council or other relevant authority through the endorsement of a Remedial Action Plan and an On-going Environmental Management Plan).

### ***Importation of Fill***

Fill material must be validated (at its source if practicable), prior to being imported onto the site. The validation must indicate that the material is free of contaminants (i.e. comprises Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM)) or as otherwise approved by the NSW EPA, or the relevant resource recovery exemptions and orders. Fill imported on to the site should also be compatible with the existing soil characteristic for site drainage purposes. Fill material may be validated by one or both of the following methods:

- The fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material or the known history of the site where the material is obtained.
- The fill should be sampled and analysed in accordance with the relevant EPA Guidelines, to ensure that the material is not contaminated.

Documentary evidence verifying that any fill material has been appropriately validated must be included in the Validation Report for the Site.

### ***Groundwater***

An appropriate licence must be obtained from the NSW Office of Water for approval to extract groundwater. Prior to discharge to the stormwater system, site groundwater must be analysed for any contaminants of concern and comply with relevant EPA and ANZECC water quality criteria.

Other options for the disposal of groundwater include disposal to sewer with the prior approval of the appropriate water authority, or off-site disposal by a liquid waste transporter at an appropriately licensed liquid waste treatment or processing facility.

### ***Removal of Underground Storage Tanks***

The removal of underground storage tanks (UST) must be undertaken in accordance with the requirements of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014, WorkSafe NSW and relevant Australian Standards.

Following the removal of USTs, the tank pits must be remediated and validated in accordance with *Protection of the Environment Operations* (Underground Petroleum Storage Systems) Regulation 2014 and relevant guidelines provided under the Regulation.

***Excavation and Backfilling***

All excavation and backfilling work must be carried out by competent persons in accordance with WorkSafe requirements, including the publication titled *Excavation Work Code of Practice*: (WorkCover, 2015).

If it is necessary to excavate adjacent to an adjoining building or structure, and the excavation work may damage or impair the stability of the building or structure, the person proposing to carry out the work must:

- Take all necessary precautions to protect the building or structure from damage, including any shoring or underpinning where appropriate
- Provide details of the proposed work to the adjoining owner at least seven (7) days before the works commence.

**Building and Demolition**

Development consent may be required from Council for any associated building or demolition work.

## Appendix D: Information held in the Contaminated or Potentially Contaminated Land Database

Information to be made available under section 10.7(5) Planning Certificates, or when an enquiry is made about land identified in the Contaminated or Potentially Contaminated Land Database, if Council holds the information.

- Previous property descriptions, for cross-referencing purposes;
- Chronological land use history;
- Complaints about contamination or potentially contaminating activities and whether these were substantiated;
- Information from any initial evaluations;
- Information from any site investigations;
- Notifications of remediation or abatement;
- Any site audit statements;
- Previous zones and permissible uses, particularly uses listed in the applicable LEP;
- Approved Development Applications (DAs) and Building Applications (BAs) for uses listed within the applicable LEP or uses where contamination was an issue;
- Refused DAs and BAs where they have been refused based on contamination-related issues;
- Rezoning requests approved and refused based on contamination-related issues;
- EPA declarations and orders under the *Contaminated Land Management Act* including Voluntary Management Proposals and resulting action.

Copies of relevant documents such as remedial action plans may also be useful on the files in Council's Electronic Document Management System. The sources of information and the purpose for which it was collected should also be recorded. This includes the date of the information and the date on which it was recorded.







# NAMOI UNLIMITED

*Premier agricultural region in Australia*



**Item:** 6.8 **Ref:** WO/2019/02919  
**Title:** Development Application 10.2019.60 – 188W Apsley Street, Walcha  
**Author:** Contract Town Planner  
**Previous Items:** Not Applicable  
**Attachment:** Development Assessment Report, Elevations and Site Plan

***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:**

Council has received a development application for 188W Apsley Street, Walcha, for a garage. The garage is not permissible development, as the dwelling is yet to be constructed and Council has not received an application for a dwelling.

**Report:**

This application is to construct a Colorbond garage and carport 6.6m x 7.0 m (46.2m<sup>2</sup>) prior to the construction of or application lodgement for a dwelling. The shed will be 2.75m high to the ridge and 2.138m high to the eave. It is proposed that the dwelling will be constructed at a later date, and the garage will be used for residential storage. There is no water or sewerage required to the garage.

This application is for a garage in a residential area. Normally the garage is approved either as part of the application for a dwelling or after, as the garage is considered ancillary development to the dwelling.

There may be an issue of precedent, as by approving this garage, a decision precedent will be set for the community. A full assessment report is attached and is recommending approval subject to the appropriate use of conditioning.

Legal Issues:

Consideration under the provisions of *Environmental Planning and Assessment Act 1979*.

Social Implications:

This decision will set a precedent for the community, and it may become a community expectation.

**RECOMMENDATION:** That Council approve Development Application 10.2019.60 for a garage on 188W Apsley Street, Walcha, as per the development conditions listed within the Development Assessment Report.

Submitted to Council: 27 November 2019

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

## Development Assessment Report

<b>DA Number:</b>	10.2019.60	<b>Council:</b>	Walcha
<b>Location:</b>	188W Apsley Street, Walcha		
<b>Development Description:</b>	Garage		
<b>Title Details:</b>	Lot 2 DP 1183497		

### Proposal Overview

Proposed colourbond garage and carport 6.6m x 7.0 m (46.2m) prior to the construction of a dwelling. The shed will be 2.75m high to the ridge and 2.138m high to the eave. It is proposed that the dwelling will be constructed at a later date, and the garage will be used for residential storage. There is no water or sewerage required to the garage.

### Property Details/History

	Checked	Comments
File History	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Title Plan	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Check Ownership	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

Is there any other issue that requires notation? Yes  No

### Application Type

Is this application an Integrated Development Application? Yes  No

Is this application a Designated Development Application? Yes  No

Is this application for State Significant Development? Yes  No

Is this application submitted by/on behalf of a Public Authority? Yes  No

Is this application a staged Development? Yes  No

### Concurrence/Referral

*Section 4.13 – EP & A Act*

Does this application require concurrence referral? Yes  No

Does this application require courtesy comment? Yes  No

Is there any other issue that requires notation? Yes  No

Does this application require referral for decision by Council? Yes  No

**Comment:** Council will need to determine if this is suitable development as a garage is ancillary development to a dwelling and the dwelling should already be constructed.

**Local Environmental Plan**

Section 4.15(1)(a)(i) – EP & A Act

This land is zoned: RU1 General Residential

**List the relevant clause/clauses applicable under the LEP**

Clause	Compliance	Comment
Land Use table	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	A garage is not a permissible use, but would be if there was a constructed dwelling on site. Garage is not a definable use within the LEP.

Is there a draft LEP or draft LEP amendment which may affect this proposal? Yes  No

Is there any other issue that requires notation? Yes  No

Do 'existing use' provisions apply to this development? Yes  No

**Development Control Plan**

Is there a DCP which applies to this land/proposal? Yes  No

**List the relevant clause/clauses under the applicable DCP**

Chapter	Compliance	Comment
3	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Does not comply in the first instance as the garage is ancillary development to the construction of a dwelling.  If a dwelling had of been constructed, the garage meets all necessary development controls.

Is there a draft DCP which may affect this proposal? Yes  No

Is there any other issue that requires notation? Yes  No

**Regional Environmental Plan**

There is no REP applicable to this area.

**State Environmental Planning Policy**

Is this proposal affected by a SEPP? Yes  No

Is there any other issue that requires notation? Yes  No

**Planning Agreement**

Is there a Planning Agreement in force under section 93F of the EP&A Act? Yes  No

Has a Planning Agreement been offered under this development? Yes  No

**Planning Strategies/Local Policy**

Is there a Planning Strategy or Local Policy that requires notation? Yes  No

Has the applicant submitted any supporting planning assessments? Yes  No

Is there any other issue that requires notation?

Yes  No

**Subdivision**

Is this application for subdivision?

Yes  No

**Environmental Impacts**

Does this proposal have any potential impact on:

	<b>Impact</b>	<b>Comment</b>
Social	Yes <input type="checkbox"/> No <input type="checkbox"/>	It will set the precedent for approving garages prior to a dwelling.
Economical	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Siting & Configuration	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Minimal – it will be constructed to the side of the lot leaving enough room for a dwelling to be constructed in the future. Setback 1 m off the side boundary towards the rear of the land.
Privacy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Overshadowing	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Solar Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Visual	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	The land will be vacant with a garage only on it.
Significant Views	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Amenity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Water	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Stormwater drainage method will have to the satisfaction of the certifying authority prior to issue of construction certificate
Air	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Noise	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Land Degradation	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Tree Loss	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Flora	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Fauna	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Has a Threatened Species Impact Assessment been prepared?

Yes  No

Are there any species/communities listed under the TSC Act?

Yes  No

Does the proposed development require approval under the EPBC Act

Yes  No

<b>Heritage</b>	<b>Impact</b>	<b>Comment</b>
European	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

Aboriginal	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is this land classified as containing an item of environmental heritage?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there an impact on and adjoining or in close vicinity to an item of environmental heritage?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is this proposal in a heritage conservation Zone?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is this proposal in an adjoining or in close vicinity to a conservation zone?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has a Heritage Impact Statement been prepared for this proposal?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Has an Archaeological Survey been prepared for this proposal?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there any other issue that requires notation?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**Flooding**

Is this property flood affected? Yes  No

**Bush Fire Prone Land**

Is this property bush fire prone as per the Bush Fire Prone Map? Yes  No

**Contaminated Land**

Has this land been identified as being contaminated land by Council? Yes  No

Has a Contaminated Land Site Investigation been completed? Yes  No

Is it a possibility this land may be contaminated? Yes  No

Is this land in the close vicinity or adjoining a known contaminated site? Yes  No

**Infrastructure**

Has an engineering assessment been completed? Yes  No

Does this proposal have any potential impact on:

	Impact	Comment
Sewer	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There is a sewerage easement nearby and it will be conditioned that the garage be constructed clear of the easement.
Water	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Drainage	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Kerb & Gutter	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Upgrade Existing Road	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	



Road Network	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Existing Easements	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Electricity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Telecommunications	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Pedestrian Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Loading & Unloading	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Parking	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Energy Conservation	Yes <input type="checkbox"/> No <input type="checkbox"/>	

- Does the development require any new easements? Yes  No
- Has an Erosion and Soil Control Plan been submitted? Yes  No
- Was there any outstanding issues requiring attention? Yes  No

**Construction Assessment**

- Is a construction assessment required? Yes  No
- Has a construction assessment been completed? Yes  No
- Is there any other issue/feature/impact that requires notation from the assessment? Yes  No
- Was a construction certificate submitted with this application? Yes  No
- Has Council been appointed as the Principle Certifying Authority? Yes  No
- Is an annual Fire Safety Measures certification required? Yes  No
- Is a public defects liability agreement required? Yes  No
- Is there any other issue that requires notation? Yes  No

**Section 68 Assessment**

- Is a section 68 assessment required? Yes  No

**Developer Contributions**

- Does this proposal require any Developer Contribution? Yes  No

### Signage

Does this proposal require signage? Yes  No

### Notification

Is this application and advertised development application? Yes  No

### Section 88b Instrument

Does Council require a Section 88b instrument to be prepared? Yes  No

### Public Interest

Does this proposal have any construction or safety issues? Yes  No

Is there any public health issues? Yes  No

Are there any other public interest issues? Yes  No

### Assessing Officer General Comment

**Comment:** This application is for a garage in a residential area. There is intention to build a dwelling at a later date. Normally the garage is approved either as part of the application for a dwelling or after, as the garage is considered ancillary development to the dwelling.  
There may be an issue of precedent, as by approving this garage, a decision precedent will be set.

### Recommendation

This development application be approved subject to the following conditions:

#### **PRESCRIBED CONDITIONS (under the Environmental Planning and Assessment Regulation 2000)**

#### **Compliance with Building Code of Australia & insurance requirements under the Home Building Act 1989**

**Please Note:** A reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:

- a) development consent, in the case of a temporary structure that is an entertainment venue, or
- b) construction certificate, in every other case.

1. The work must be carried out in accordance with the requirements of the *Building Code of Australia*.
2. In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

#### **Erection of signs**

**Please Note:** This does not apply in relation to:

- a) Building work, subdivision work or demolition work that is carried out inside an existing building, which does not affect the external walls of the building development consent, in the case of a temporary structure that is an entertainment venue, or
- b) Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.

c) *A complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.*

3. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c) stating that unauthorised entry to the site is prohibited.
4. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**Please Note:** *Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).*

**Notification of Home Building Act 1989 requirements**

**Please Note:** *This does not apply in relation to Crown building work that is certified, in accordance with section 116G of the Act, to comply with the technical provisions of the State's building laws.*

5. Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
  - a) in the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor, and
    - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
  - b) in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder, and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

**Please Note:** *If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under the above becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.*

**Shoring and adequacy of adjoining property**

**Please Note:** *This does not apply if the person having the benefit of the complying development certificate owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.*

6. If the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
  - a) protect and support the adjoining premises from possible damage from the excavation, and
  - b) where necessary, underpin the adjoining premises to prevent any such damage.

**GENERAL CONDITIONS**

8. The development must take place in accordance with the approved plans (bearing the Walcha Council approval stamp) and documents submitted with the application.
9. The garage is not to be constructed within 1 metres of the sewer easement.
10. The garage is not to be used for any other purposes except for residential storage. It is not to be used as a dwelling.

**CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING**

11. A Construction Certificate must be obtained, in accordance with cl.146 of the Environmental Planning and Assessment Regulation 2000, before work commences.
12. Council is to be given written notice of the intention to commence works and the appointment of a Principal Certifying Authority (if the PCA is not Council) at least two days before the proposed date of commencement, in accordance with cl 103 and 104 of the *Environmental Planning and Assessment Regulation 2000*. Such notice is given using the form enclosed with this consent.  
  
Should Walcha Council be appointed the Principal Certifying Authority, the applicant must give at least 2 days' notice to enable inspections to be undertaken.
13. Before construction commences on the site and throughout the construction phase of the development, erosion control measures are to be installed to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
  - divert contaminated run-off away from disturbed areas,
  - erect silt fencing along the downhill side of the property boundary,

**Please Note:** *Failure to take effective action may render the developer liable to prosecution under the NSW Protection of the Environment Operations Act 1997.*

14. A hoarding or fence must be erected between the work site and any public place if the work is likely to cause traffic (pedestrian or vehicular) in a public place to be obstructed or otherwise inconvenience. The erected hoarding is to be sufficient to prevent any substance from or in connection with the work falling into the public place. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. The hoarding, fence or awning is to be removed once the work has been completed.
15. The stormwater drainage method is to be submitted to and approved by Council prior to the issue of a construction certificate.

**CONDITIONS TO BE COMPLETED DURING CONSTRUCTION**

16. Any building work must be carried out between 7.00am and 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays, excluding Sundays and public holidays. No audible construction is to take place outside these hours, to maintain the amenity of the locality.
17. A garbage receptacle must be provided at the work site before works begin and must be maintained until works are completed. The garbage receptacle must have a tight fitting lid and be suitable for the reception of food scraps and papers.
18. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site (and must not be burned on site) and then disposed of at a waste management facility, to protect the amenity of the area and avoid the potential of air pollution.
19. Effective dust control measures are to be maintained during construction to maintain public safety / amenity. Construction activities are to be undertaken so as not to inconvenience the adjoining land owners and are to be restricted solely to the subject site.

20. Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
21. No material or equipment associated with the development is to be placed on public land without the written consent of the Council, and any activity located in close proximity to public areas is to be fenced to prevent damage to persons or property.
22. Any earthworks (including any structural support or other related structure for the purposes of the development):
  - a) 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, and
  - b) must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
  - c) that is fill brought to the site—must contain only virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the Protection of the Environment Operations Act 1997, and
  - d) that is excavated soil to be removed from the site—must be disposed of in accordance with any requirements under the Protection of the Environment Operations (Waste) Regulation 2005.

Any excavation must be carried out in accordance with *Excavation Work: Code of Practice* (ISBN 978-0-642-785442), published in July 2012 by Safe Work Australia.

#### **CONDITIONS TO BE COMPLETED PRIOR TO OCCUPATION/USE COMMENCING**

23. An Occupation Certificate must be obtained before the approved use commences, in accordance with the Environmental Planning and Assessment Act 1979 and to ensure the health and safety of the building's occupants.

**Please Note:** *Failure to obtain an Occupation Certificate is an offence under the legislation. Penalty advice for buildings (penalties do not apply to uses detailed in sections 109M and 109N; i.e. Crown projects, Class 1a and 10 buildings or as detailed for places of public entertainment).*

24. At the completion of the works, the work site must be left clear of waste and debris.

#### **CONDITIONS RELATING TO ONGOING OPERATIONS**

25. A further application is to be made for any change, enlargement or intensification of the premises or land use, including the display / erection of any new structure such as signage, partition walls or building fit-out (unless the proposed work is exempt from the need for consent under *State Environmental Planning Policy (Codes SEPP) 2008*).

#### **COUNCIL ADVICE ONLY**

26. Covenant/s: The applicant / owner has the responsibility of being aware of any covenant which may affect the proposal.
27. Dial Before You Dig: Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.
28. Telecommunications Act 1997 (Commonwealth); Telstra (and its authorized contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's

infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

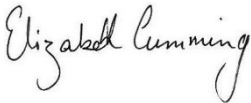
### **Reasons For Conditions**

1. To confirm and clarify the terms of Council's approval.
2. To comply with all relevant legislation.
3. So that the impacts of any increase in the scale or duration of operations may be assessed and appropriately controlled. Section 19 (1) (b) of the *Environmental Planning and Assessment Regulation 2000*, as amended.
4. To prevent and/or minimise the likelihood of environmental harm and public nuisance.
5. To ensure the rehabilitation of the site.
6. To minimise the impact of the development on the natural environment.

### **Conclusions**

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning & Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that I have no pecuniary or non-pecuniary interest in this application.

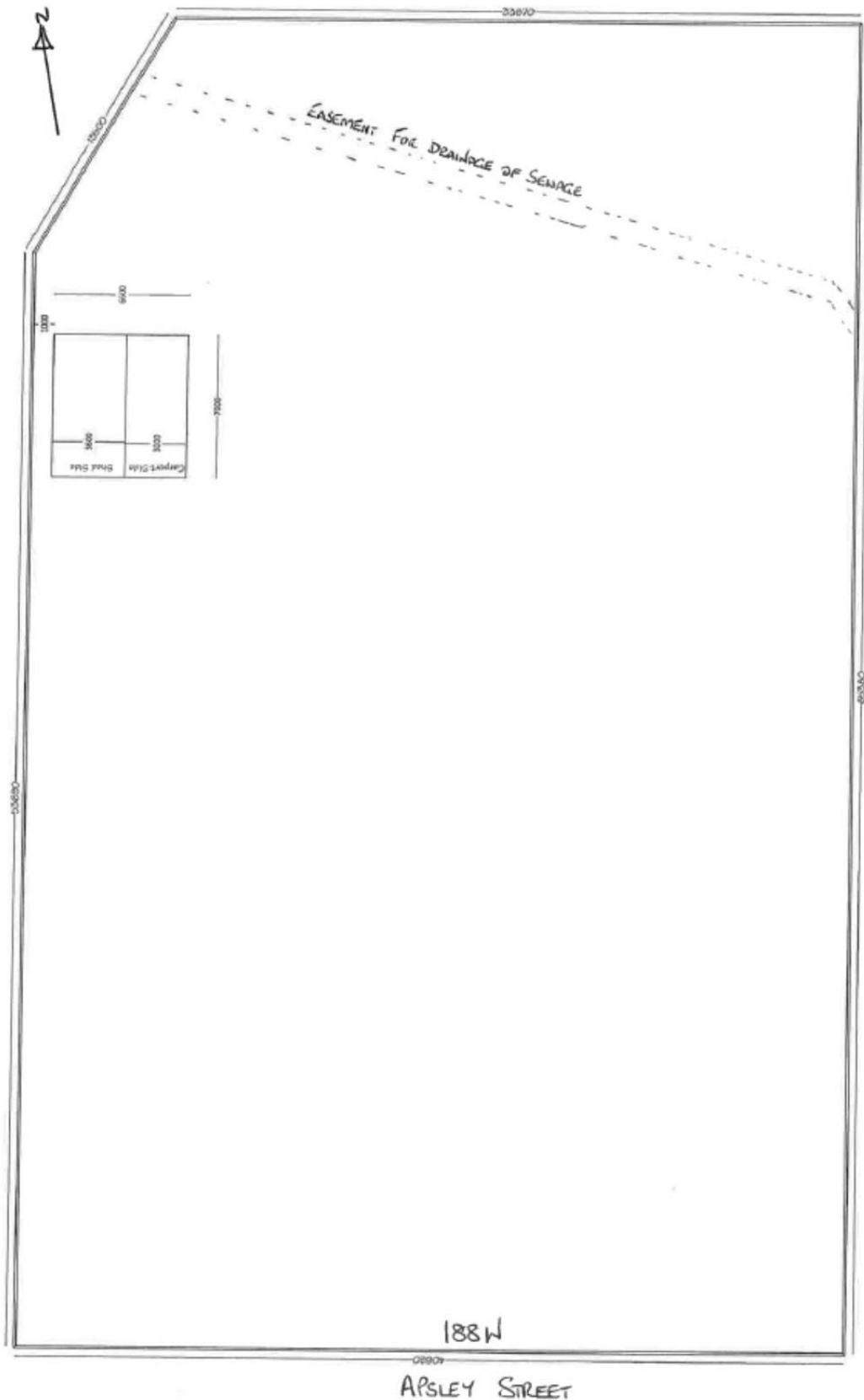


Signed:

Date: 20 November 2019



Site Plan & Elevations – DA – 10.2019.60 – 188W Apsley Street

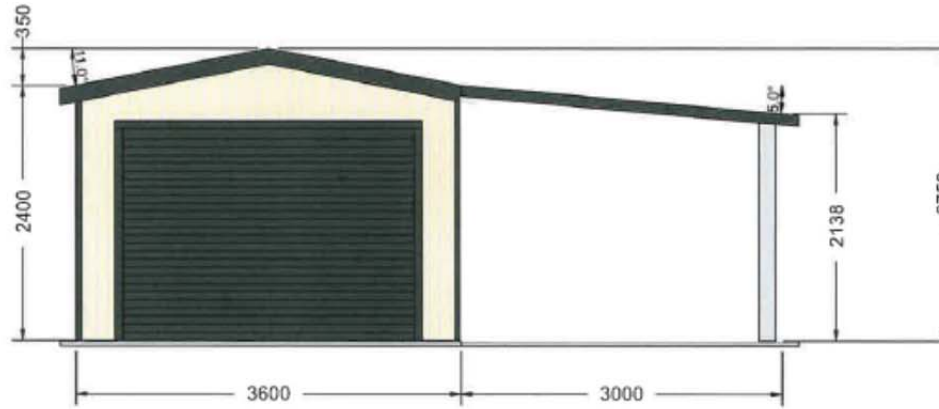


Submitted to Council:

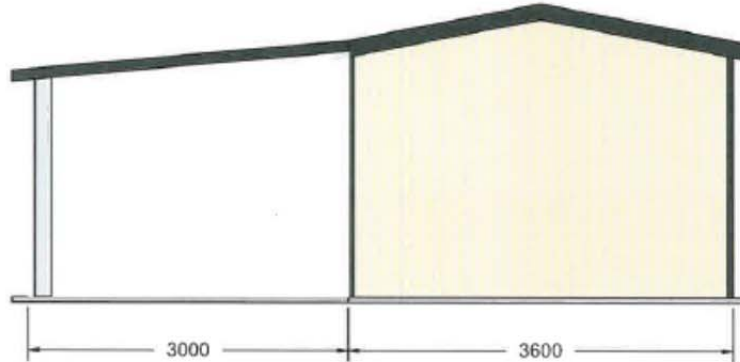
27 November 2019

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FRONT ELEVATION



REAR ELEVATION

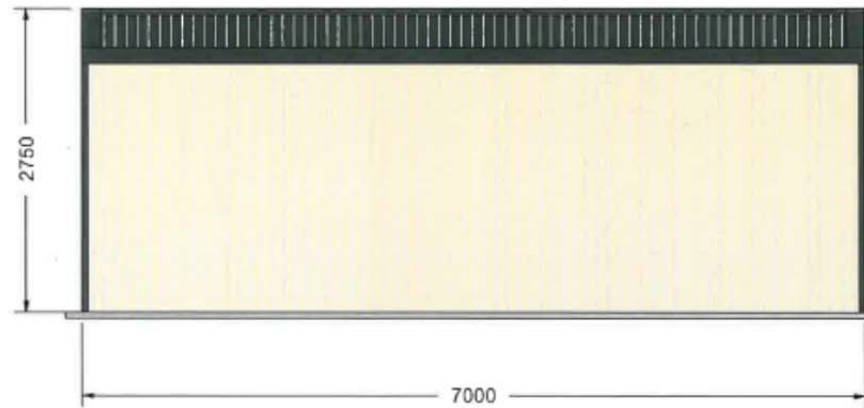
	151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au	CIVIL & STRUCTURAL ENGINEERS COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FENCEWORK - STEEL DETAILING <b>CAMILO PINEDA MORENO</b> Being Licensed Engineer (NSW 1982) (NSW 2004) (NSW 2011) (NSW)	Customer Name: Marie Spink & Lynette Levins Site Address: 188W Apsley Street Walcha, NSW, 2354	Drawing Title: End Elevations Scale: 1:53,170 Date :06-09-2019 Job Number: 20002094 Page: 1 of 9
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Submitted to Council: 27 November 2019

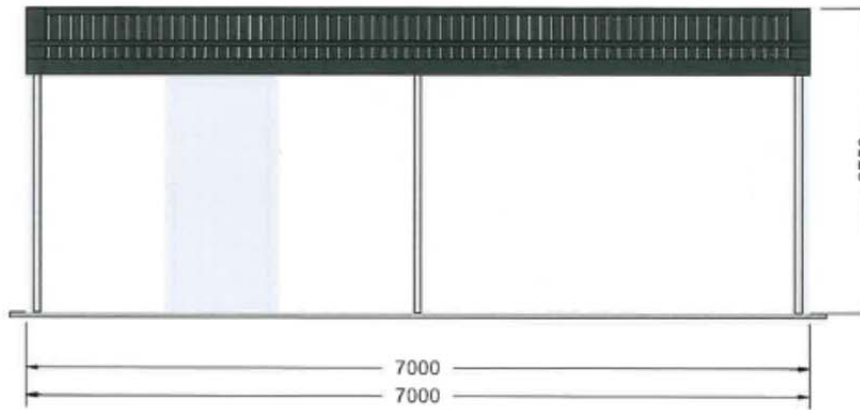
..... General Manager ..... Mayor






WO/2019/02931



LEFT ELEVATION



RIGHT ELEVATION

 151 Smeaton Grange Road, Smeaton Grange, NSW, 2567 Phone: 02 4648 7777 Fax: 02 4648 7700 Email: sales@bestsheds.com.au	 CIVIL & STRUCTURAL ENGINEERS COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FORENSIC - STEEL DETAILING <b>CAMILO PINEDA MORENO</b> Since 1982 10/124 WINDYBUSH ROAD, WINDYBUSH NSW 2354 Signature:  Date: 11/09/19	Customer Name: Marie Spink & Lynette Levin Site Address: 188W Apsley Street Walcha, NSW, 2354	Drawing Title: Side Elevations Scale: 1:51.032 Date :06-09-2019 Job Number: 20002094 Page: 2 of 9
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Submitted to Council: 27 November 2019

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



**Item:** 6.9 **Ref:** WO/2019/02888  
**Title:** Renew our Libraries Campaign – Phase Two  
**Author:** General Manager  
**Previous Items:** Not Applicable  
**Attachment:**

**Community Strategic Plan Reference:**

*Strategy 5.6.1: Maintain and improve library, sporting and recreational facilities.*  
*Strategy 5.6.2: Strengthen organisations and groups providing cultural, recreational and sporting activities.*

**Report:**

The NSW Public Libraries Association’s 2018-19 Renew Our Libraries campaign was a spectacular success, delivering an increase of \$60m in state funding for NSW public libraries over the quadrennial period 2019-20 to 2022-23. This is the largest single increase in state funding since the NSW Library Act was introduced in 1939.

This outcome was achieved as a result of the remarkable support of councils, libraries and communities across the state. Over 80% of NSW councils formally endorsed Renew Our Libraries through Council resolutions.

The NSW Public Libraries Association has requested the support of NSW councils in its advocacy to State Government to develop a sustainable funding model for NSW libraries.

Renew Our Libraries Phase Two has recently been launched <https://renewourlibraries.com.au/> Well known media and advocacy company Essential Media has been engaged to administer the campaign, the objectives of which are to:

- **Index the total increased state funding contribution** to the Consumer Price Index (CPI) in perpetuity. Without indexation the actual value of state funding for NSW libraries will decline over time, leaving NSW councils to either meet the shortfall or reduce services.
- **Protect the new funding commitment** by including all elements of the new state funding model in legislation through the Library Act and/or the Library Regulation. Currently, only the per-capita component of the funding model (increasing from \$1.85 per capita to \$2.85 per capita over the 4-year period 2019-20 to 2022-23) is included in library legislation, **leaving 46% of the total funding for NSW libraries at risk.**

**Index the Funding → Protect the Funding**

These two simple measures will ensure that NSW councils continue to receive a significantly increased state government contribution to the operation of public libraries across the state, which will be protected by legislation and will not be subject to cost of living attrition over time.

This will also mean that the NSW Public Libraries Association, its member councils and libraries across the state can direct their funds and efforts to the ongoing support and development of high quality library services for NSW communities, rather than engaging in expensive and time consuming future funding campaigns.

Submitted to Council: 27 November 2019

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



This is our opportunity to lock in the historic 2019 state funding increase for NSW libraries once and for all, thereby ensuring the future prosperity of the NSW public library network.

Accordingly, it is recommended that Council supports the NSW Public Libraries Association by formally endorsing Phase Two of the Renew Our Libraries Campaign to secure a sustainable funding model for NSW public libraries in perpetuity.

**RECOMMENDATION:**

- 1. That Council make representation to the local State Member, Hon Kevin Anderson, Minister for Better Regulation and Innovation, in relation to the need for a sustainable state funding model for the ongoing provision of public library services.**
- 2. That Council write to the Hon Don Harwin, Minister for the Arts and the Hon Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.**
- 3. That Council take a leading role in lobbying for sustainable state government funding for libraries.**
- 4. That Council endorse the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.**

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Submitted to Council: 27 November 2019

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



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**Item:** 7.0 **Ref:** WO/2019/02923  
**Title:** Referral to Closed Council – Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash  
**Author:** Environmental Services Manager  
**Previous Items:** Nil.  
**Attachment:** Nil.

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**Introduction:**

Council approval is sought for matters to be considered in Closed Council.

**Report:**

Council approval is requested to refer matters for discussion in Closed Council and close the Meeting to the public in accordance with the provisions of Section 10A (2) (c) of the Local Government Act, 1993.

Approval to refer the matters to Closed Council is sought because 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.

**RECOMMENDATION:** That, in accordance with the provisions of Section 10A (2) (c) of the Local Government Act, 1993, the matter of Rental of Walcha Squash Court Complex for Walcha Community Gym and Squash be referred to be discussed in Closed Council and close the meeting to the public for the reasons that the report relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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Submitted to Council: 30 October 2019

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



**Ref:** WO/2019/02856

**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 10:**

**Management  
Review Reports**

Submitted to Council: 27 November 2019

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



# FINANCE AND ADMINISTRATION

## 9.1 Listing of Bank Balances for the Month of October 2019

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

	<u>2019</u>	<u>2018</u>
General	\$1,285,983.56	\$ 905,617.49

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)	\$4,633.04	\$6,545.95

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

Please see the following Report for the investments placed in October 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.

Anne Moddero  
GENERAL MANAGER

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Submitted to Council: 27 November 2019

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

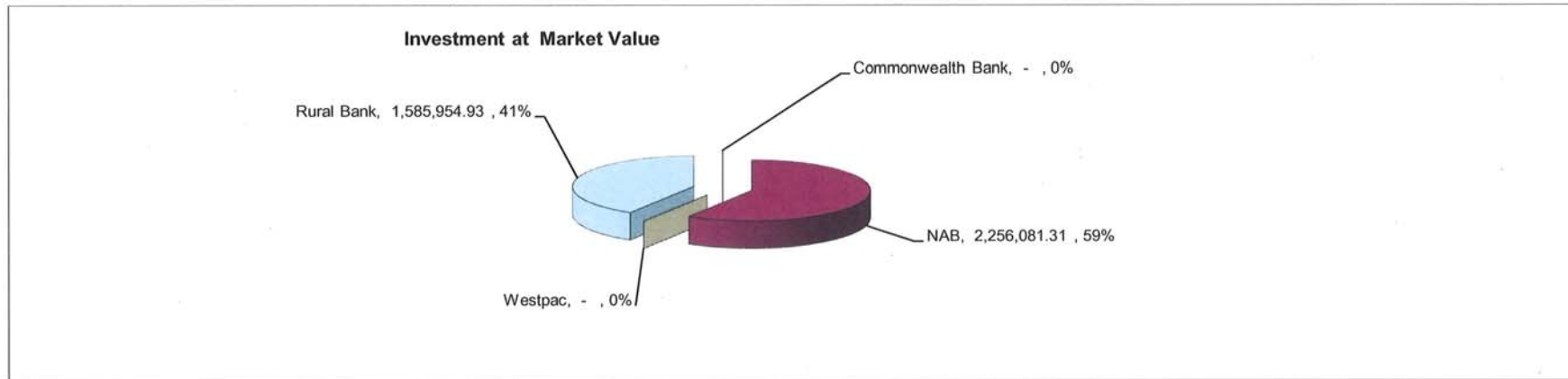




REGISTER OF INVESTMENTS TO 31/10/2019

Institution	Type	Placement Date	Term (Days)	Maturity Date	Rate	Est. Interest	YTD Interest	Amount Invested	YTD Redemption	Est. Market Value At 31/10/19	MV % of Portfolio
National Australia Bank	Term Deposit	28/01/2019	365	28-Jan-20	2.75%	16660.33	0.00	605,830.03	-	605,830.03	15.77%
National Australia Bank	Term Deposit	15/02/2019	367	17-Feb-20	2.65%	13589.57	0.00	510,019.18	-	510,019.18	13.27%
National Australia Bank	Term Deposit	11/03/2019	365	10-Mar-20	2.58%	15480.00	0.00	600,000.00	-	600,000.00	15.62%
Elders Rural Bank	Term Deposit	28/03/2019	366	28-Mar-20	2.55%	24610.59	0.00	962,484.04	-	962,484.04	25.05%
National Australia Bank	Term Deposit	28/07/2019	180	24-Jan-20	1.85%	4928.69	10305.27	540,232.10	-	540,232.10	14.06%
Elders Rural Bank	Term Deposit	15/08/2019	90	15-Nov-19	1.70%	2613.45	0.00	623,470.89	-	623,470.89	16.23%
Commonwealth Bank	Term Deposit	22/10/2018	365	22-Oct-19	2.71%	0.00	24503.40	-	904,184.60	-	0.00%
						<b>77,882.62</b>	<b>34,808.67</b>	<b>3,842,036.24</b>	<b>904,184.60</b>	<b>3,842,036.24</b>	<b>100.00%</b>

Capital Value of Portfolio	3,842,036.24
Redeemed Value of Portfolio	904,184.60
Market Value of Portfolio 31/10/19	3,842,036.24
Estimated Profit/(Loss) 31/10/19	3,842,036.24



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

Signed Rosemary Strobel (Responsible Accounting Officer)

Submitted to Council: 27 November 2019

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



**9.3 Tourism Report**

**October 2019**

**Number of visitors to VIC**

<b>OCTOBER</b>	<b>2019</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>
Walk in's	345	526	506	549
Phone enquiries	98	39	54	45
Email enquiries	100+	8	3	0
<b>WEBSITE</b>	<b>October</b>	<b>September</b>	<b>August</b>	<b>July</b>
Unique Visits	8,973	2,735	3,046	3,223
Visits	12,109	3,987	4,186	4,790
No of Hits	461,862	156,146	192,008	129,464

**Website Statistics**

I would just like to draw your attention to the inflated number of hits to our website as stated above. July – Sept ranged from 129,500 – 192,000. October 461,862. I can only put this down to the interest from the Walcha Motorcycle Weekend. Email enquiries – haven't been officially counted but I estimate there being over 100 direct enquiries, not including those that were returned from the survey's sent out.

**Comments from the Visitors Book – SEPTEMBER**

Friendly, helpful, thanks / very helpful thanks / very helpful, lovely town / friendly & informative / very helpful, thank you / very helpful, lovely service / thanks for your help / thanks / super friendly & very helpful, inspired to come back / super friendly & very helpful, loved the town / lovely welcoming town, enjoyed the festival / wonderfully helpful / wonderful town.

**Freak Show Festival of Motorcycles**

We were informed on Tuesday 22 October that the Freak Show Festival of Motorcycles was cancelled due to the event organisers going into voluntary liquidation. After a day we realised that majority of the motorcyclists still intended on coming so we needed to do something. The Walcha Motorcycle Weekend was born.

**Walcha Motorcycle Weekend**

At the cancellation of the Freak Show Festival of Motorcycles, a town meeting was called and it was decided that we needed to go ahead with some sort of event. Here, the Walcha Motorcycle Weekend was created.

We had 3 weeks to organise the replacement event. Hurdles seemed to constantly keep cropping up, many had to be addressed with urgency. The biggest of these challenges was the bushfires and subsequent road closures. Fearful and concerned phone calls and emails had to be fielded for motorcyclists intending on visiting Walcha as well as concerned Walcha businesses that the weekend would now not go ahead. This was incredibly time consuming and had to take preference over the actual event organising – this was too important to not attend to. There were times when the weekend seemed under extreme threat of going ahead such as when three of our main entrances to town, Thunderbolts Way (south of Nowendoc), Oxley Hwy (east of Yarrowitch), and the New England Hwy between Bendemeer and Moonbi were closed to traffic three days before the event was to take place. I was personally nervous and sceptical that the weekend would be able to proceed. On speaking with Mayor Eric Noakes, confidence was restored, he stated that

Submitted to Council: 30 October 2019

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



we simply had to go ahead as the town had already invested so much. I would like to pay special thanks to Mayor Noakes for his constant calm during the three week storm, it was an incredible support to Tourism and other businesses.

The event itself was well received by all who attended and the weekend deemed a success. This would not have been possible with out the instant commitment to assistance by the service clubs coming to run BBQ's, the businesses agreeing to still extend opening hours, the Rodeo committee, Oxley Explorer for their bus services, and venues providing entertainment. This was truly a widespread community effort and all are to be congratulated for coming to the party with such enthusiasm and immediate commitment. Thank you Walcha. How lucky we all are to have a community that supports each other so well.

**Soundtrails Project**

Hamish Sewell, Soundtrails, spent nine days in Walcha from 23 October. We handed the project support role over to Julia King (Griffin) seeing as Tourism was now fully operational on the replacement event of the Freak Show Festival. Julia King intimately knows the intricacies of the development of the *Open Air Gallery* and the incredible stories that come with it. We were incredibly grateful to Julia for taking this on, it may have been karma as perhaps she was the best person all along.

Susie Crawford  
 Tourism Manager

**9.4 Grant Information**

**9.4.1 Grants Currently Applied for:**

Name of Grant:	Purpose of Grant:	Amount Requested:	Council Contribution:	Date Outcome Announced:	Outcome
Tech Savvy Seniors	To run a Tech Savvy Seniors program	\$1,518			Successful
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.	Unsuccessful
Stronger Country Communities Fund Round 3	Levee Bank Walk Lighting	\$270,438	\$9,473	Jan 2020	TBA
Stronger Country Communities Fund Round 3	Community Hall Renovations	\$63,560	Nil	Jan 2020	TBA

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Stronger Country Communities Fund Round 3	Walcha Mens Shed Relocation	\$429,700	Nil. Mens Shed: \$34,700	Jan 2020	TBA
Library Infrastructure Grant	To replace the front door to an automatic sliding door and associated building and electrical works.	\$23,000	In kind	March 2020	TBA

**9.4.2 Grants Currently Being Investigated:**

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

**Website Links:**

- <https://www.liquorandgaming.justice.nsw.gov.au/Pages/about-us/our-initiatives/infrastructure-grants/arts-and-cultural-funding-round.aspx>
- <http://www.lgnsw.org.au/files/imce-uploads/127/cremf-introduction-1.pdf>
- <http://www.communitybuildingpartnership.nsw.gov.au/>
- <http://investment.infrastructure.gov.au/funding/blackspots/>
- <https://www.transport.nsw.gov.au/projects/programs/fixing-country-roads>
- [https://infrastructure.gov.au/infrastructure/pab/active\\_transport/](https://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)
- <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)

**9.4.3 Status of Grant Projects Report:**

Grant Fund	Grant Description	Update
RESTART NSW	Walcha Sewerage Treatment Plant Augmentation	Walcha Council have had the additional funds approved, however we are awaiting official direction to spend the remaining funds. The remaining works are scoped and ready to proceed.

Submitted to Council: 30 October 2019

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



	Walcha Truck Wash Bay Upgrade	The Truck Wash Bay Upgrade commenced during the week of 12 August. Preliminary works are progressing well, with the existing pond being removed and replaced with gravel, concrete work has commenced as shown within the Engineering Report.
	Thunderbolts Way Corridor Strategy 2018-23	The Thunderbolts Way Corridor Strategy is progressing well; works within town are progressing as are the rural works. There are further details within the Engineering Report.
	Niangala Road Bridge Replacement	This project located at the Aberbaldie Woolshed is now progressing with concrete deck units nearly ready for delivery to Walcha. Abutment works are progressing well and are nearing finalisation. Once finalised the deck units will be installed.
	Walcha Water Security – Emergency Drought Funding	Council was recently awarded \$1,500,000 in emergency drought funding, enabling Council to continue with the Walcha Off Creek Storage Project. The grant funding deeds are currently being established and consultants procured to commence the next phase.
	Lakes Road Bridge Replacement	Lakes Road Bridge replacement is a newly awarded project which will commence in the later part of the 2019-20 financial year.
	Old Brookmount Bridge Replacement	Old Brookmount Road Bridge replacement is a newly awarded project which will commence in the later part of the 2019-20 financial year. This project will be one of four within an upcoming bridge replacement tender alongside the BRP projects listed below).
	Nowendoc, Tops & Brackendale Road Intersection Upgrade	The Nowendoc Intersection Upgrade is a newly awarded project which will commence in the later part of the 2019-20 financial year.
<b>Bridge Renewal Program</b>	Wollun Road Bridge Replacement (50%)	See Above – 50/50 funded.
	Moona Plains Road (Moona Plains Station)	Council was awarded three bridges under the Bridge Renewal Program (BRP) These three bridges, along with the Old Brookmount Road bridge will be replaced together under a single bridge replacement tender.
	Englefield Road Bridge Replacement	
	Glen Morrison Road Bridge Replacement (Stephens)	
<b>Black Spot Program</b>	Baringa Road Intersection Upgrade	The Baringa Road Intersection project is now completed, only follow up works including linemarking is now required.
	Topdale Road Intersection Upgrade	This project is the same as presented above for Baringa Road.
	Cobrabald River Rest Area	The Cobrabald River Rest area is a project aimed to be delivered in the later portion of the 2019-20 program and includes shoulder widening and

Submitted to Council:

30 October 2019

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





	Smiths Creek Upgrade	pavement upgrade works. Smiths Creek Upgrade on Thunderbolts way is aimed to commence as above in the later portion of the 2019-20 financial year. The project includes pavement works and improved guardrail.
<b>Stronger Country Communities Fund</b>	Walcha Community Gym Upgrade	The design has been received for the Walcha Community Gym, alongside specification documentation. The Community Gym will be delivered next calendar year.
	Walcha Pool Upgrade	The Walcha Pool Upgrade has a completed Expression of Interest. 2 Organisations lodged an interest in tendering for which they will be invited to tender on an upper limit budget. The organisations are both committed for this calendar year to December, so the majority of this project will be completed next off season to avoid any unwarranted pool closures.
	Walcha Preschool	The preschool balustrade has now been completed. All construction is now complete. We are awaiting for the licence To operate a Preschool Service to be issued from Dept of Education.
	Walcha Community Storage	The Walcha Community Storage is currently within the DA preparation phase. Onsite meeting with contractor Tuesday, 22 October to arrange construction dates.
<b>Roads and Maritime Services</b>	Yalgoo Rest Area – Heavy Vehicle Rest Area.	The Yalgoo Rest area is planned for construction during the financial year 2020-2021, although it was awarded last year it was applied for in advance.
<b>Multi Purpose Centre</b>	New kitchen	Project has been completed with one defect relating to the exhaust fan ducting yet to be rectified. This is expected to be completed before the end of December.

Submitted to Council: 30 October 2019

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



# ENGINEERING SERVICES

## 9.5 Wages & Overtime Summary

Pay Period	Week Ending	Overtime Hours	Amount (\$)
17	23/10/2019	168.00	9,993.02
18	30/10/2019	117.75	6,343.95
19	06/11/2019	278.00	15,097.10
20	13/11/2019	398.00	22,190.52
21	20/11/2019	494.75	27,581.26
<b>TOTAL</b>		<b>1456.50</b>	<b>\$81,205.85</b>

This figure is higher than normal due to Council’s assistance with the fire situation.

## 9.6 Shire Roads Maintenance

### Local Roads Maintenance:

#### Niangala Road Bridge Replacement:



The Niangala Road Bridge Replacement is progressing well. The pre-cast decks are now complete and ready for delivery. The decks will be installed by Council staff, as will the abutment and centre pier work that is currently underway and nearing completion. Once this preparation work is complete, the pre-cast decks will be installed.

#### Brackendale Road – Edge Repair Program:



Submitted to Council: 30 October 2019

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





The Brackendale Road Edge Program has been delivered in order to address failed edges along the seal where gravel has been lost over time. The eroded edges were posing a safety concern and where a priority for repair. This project will form part of a greater program, to take place as further funds are becoming available.

*Local Fire Response Work:*



Council staff have responded to the fire emergency that has been occurring in the Walcha LGA. The fires have had a large impact on our essential public assets, of which will need to be restored. Our team are currently assessing the damage to these public assets and planning to restore the roads and other assets to a safe capacity once safe to enter.

**State and Regional Roads Maintenance:**

*Thunderbolts Way Corridor Strategy Update:*



Work has commenced on the following projects:

- Legge Street to Aberaldie 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 has a finalised design. A large asphalt tender will be released to the market to ensure economies of scale shortly. Segment 4590 and 4600 have completed pavement designs and detailed designs. Segments 4580 and 4570 are currently in the finalisation of the detailed design phase. Segments 4600 and 4590 will commence immediately after construction water becomes available.

Submitted to Council: 30 October 2019

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





*SH11 Fire Response Works:*

Council Staff have responded to the request from RMS for assistance in clearing the fire impacted Oxley Highway. Council commenced this assistance within the Port-Macquarie Hasting LGA, which is managed by RMS staff, not through an RMCC contract. Since this time, fires have impacted the forested areas within the Walcha LGA on the Oxley Highway, staff are now working in two areas of the highway to ensure the road is safe for the public.



**Urban Works:**

*Walcha Hospital Wall Beautification:*



The Walcha Hospital Wall Beautification is an initiative launched by the Beautification Committee. An increased budget has allowed stone work to take place, in which is proving to be a very attractive feature of the project. The project will be finalised by the installation of a footpath to run the length of the wall, joining the wall to the existing footpath. This design reduces future water consumption and maintenance costs.

*Urban Kerb and Gutter Extensions:*

The Urban Kerb and Gutter Extensions are focused upon linking areas that do not currently have kerb and gutter installed. There are many areas around the township of Walcha where there are missing links in the network. Once these areas are connected, kerb and gutter extensions will occur in accordance with the Asset Management Plan.



Submitted to Council: 30 October 2019

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





**Walcha Truck Wash Bay:**

The Walcha Truck Wash Bay is well underway with the removal of the existing sludge lagoon which required extensive excavation to achieve. Backfilling of the excavated lagoon is now complete and concrete pours have commenced for the treatment system and washbay slabs.



**Completed Maintenance Snapshot:**

<b>Local Roads</b>	
Spraying	Roads: Extensive program - All Sealed and Unsealed Roads
Dust Suppression	Roads: Winterbourne
<b>State &amp; Regional Roads</b>	
Oxley Highway Maintenance:	Tasks: Drainage Servicing Rest Areas Reseal Preparation – Crack Sealing Fire Response Works
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 Pool Preparation Works

Submitted to Council: 30 October 2019

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



**Proposed Works for the Coming Period:**

Shire Roads:

- Gravel re-sheeting on Brackendale Rd
- Brackendale Rd shoulder repairs completion
- Completion of the Niangala Road Bridge

State & Regional Roads:

- Maintenance:
  - Pothole Patching.
  - Vegetation Maintenance.
  - Drainage Works.
  - Reseal preparation (shoulder grading).
- Continue to prepare Thunderbolts Way Upgrade.

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 on Hill Street.
- Pool Operations

Dylan Reeves  
Director – Engineering Services

**9.7. Water**

Town Water Supply

Water Restrictions have been lifted Level 5 as of 6:00pm Thursday, 21 November 2019 having been at Level 4 since 14 February 2019. The main difference between Level 4 and Level 5 water restrictions is the target daily usage per person. In Level 5 restrictions the target usage per person is 150 litres per person per day. Council is preparing a education and communications plan for over the coming weeks assist resident to achieve the new 150Litre daily consumption target.

Average usage for October was 230L/person/day which was above the 200L/person/day Level 4 Target. Current pumping operations are from the emergency dam at Muluerindie as there is no flow in the Macdonald River.

Macdonald River Feasibility Study

Council is separating the task to prepare an Emergency Cartage Plan from the scope of the feasibility study. A proposal for the cartage plan has been sourced through the Namoi Water Alliance Water consultancy.

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Submitted to Council: 30 October 2019

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



**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 (INSW) to spend the remaining funds (approximately \$400k) on upgrade works to the treatment plant infrastructure.

It has been a few months since there have been any updates from INSW but communication was recently received on 16 October 2019 stating ‘INSW met with DPIE Water to follow up your change request, and we hope to have their consultation feedback shortly which will allow us to respond to your request.’

Council awaits INSW’s approval for the scope variation.

**9.9 Waste**

Walcha Waste Depot

Gate fees at the Waste Depot were introduced on Monday 30 September, the scheduled opening date. Overall the transition was smooth and generally accepted by the public. However, there has been feedback received from the community questioning the fairness of the current fee model for residents that have properties out of town. The current arrangements will be reviewed with the Waste Change Committee at the next meeting scheduled for Monday 2 December. All community feedback will be considered in this review.

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 2019-2020. This report is presented for the month of October 2019 for information and comparative purposes only.

## 9.10 Development & Construction

Development Data 2019/2020 YTD	DAs	CDCs
<b>Total Number Determined</b>	12	3
<b>Number Outstanding</b>	6	0
<b>Average Determination Time (days)</b>	32	9
<b>Value</b>	\$791,230.00	\$140,000.00
<b>Number of Single New Dwellings</b>	2	0
<b>Residential</b>	2	-
<b>Village / Large Lot Residential</b>	-	-
<b>Rural</b>	-	-
<b>Number of Multi Unit Dwellings</b>	0	0
<b>Number of Commercial Developments</b>	3	0
<b>Number of Industrial Developments</b>	1	0
<b>Withdrawn / Cancelled</b>	4	0
<b>Refused</b>	0	0

### **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 will be publicly notified:

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<b>October 2019</b>		
<b>DA Number</b>	<b>Description</b>	<b>Address</b>
10.2019.55	Disabled access ramp	45N Derby Street, Walcha
10.2019.56	Walcha Mountain Festival	14598 Thunderbolts Way, Walcha
10.2019.57	Erect a new garage & workshop	19W Walsh Street, Walcha
10.2019.59	Alterations & additions to dwelling	64N Meridian Street, Walcha
10.2019.64	Primitive camping for events	214W North Street, Walcha
10.2019.65	Shipping container & rainwater tank	13932 Oxley Highway, Walcha

<b>Complying Development Certificates</b>	<b>2018/2019</b>	<b>2019/2020 YTD</b>	<b>This Period</b>
<b>Number Issued (Private Certifier)</b>	3	1	-

**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.

<b>Nature of Interest</b>	<b>Number Received 2018/2019</b>	<b>Number Received 2019/2020YTD</b>	<b>Number Received this period</b>
Political Gifts and Donations	-	-	-
Applicant or owner is an employee of Walcha Council or a Councillor	-	-	-
Applicant with any relationship to staff or Councillor	-	-	-

**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.

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Construction Certificates	2018/2019	2019/2020 YTD	This Period
Number Issued Council	11	4	1
Number Issued (Private Certifier)	3	1	1

**Occupation Certificates**

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

Occupation Certificates	2018/2019	2019/2020 YTD	This Period
Number Issued (Council)	9	3	-
Number Issued (Private Certifier)	3	3	1

**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	2018/2019	2019/2020 YTD	This Period
Number Issued	7	1	-

**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	2019/2020 YTD	This Period
Number Issued	90	26	11

**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

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- 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	2018/2019	2019/2020 YTD	This Period
Number Issued	1	1	-

**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	2018/2019	2019/2020 YTD	This Period
Number Issued	10	3	-

**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	2019/2020 YTD	This Period
Site inspections	12	6
Footings & slab inspections	7	5
Framework inspections	-	-
Waterproofing inspections	-	-
Stormwater inspections	-	-
Final inspections	3	-
Food premises fitout inspections	1	-
Complaints	-	-

**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

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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.
- 3)

Annual Fire Safety Statements	2018/2019	2019/2020 YTD	This Period
Number received	14	2	-
Number of relevant premises	26		

**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	2018/2019	2019/2020 YTD	This Period
Number Issued	1	-	-

**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	2018/2019	2019/2020 YTD	This Period
Number Issued	-	2	-

**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			
	2018/2019	2019/2020 YTD	This Period
Number Issued	12	2	1

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S68 Compliance Inspections	2019/2020 YTD	This Period
Site inspections	2	1
Internal drainage inspections	-	-
External drainage inspections	1	1
Water supply work inspections	-	-
Final inspections	-	-

**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 2019/2020						
	Fixed premises High Risk Fixed*	Fixed Premises Medium Risk Fixed*	Fixed Premises Low Risk Fixed*	Mobile*	Temporary*	TOTAL
<b>Total No.</b>	21	4	6	2	4	<b>37</b>
No. Primary Inspections	-	-	-	-	-	-
No. Re-inspections	-	-	-	-	-	-
No. additional Re-inspections	-	-	-	-	-	-
No. FSS Required	21					<b>21</b>
No. FSS Current	19					<b>19</b>

**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	2018/2019	2019/2020 YTD	This Period
Number Issued	1	-	-

**Swimming Pool Inspection and Compliance**

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

Properties to be sold with a pool must have:

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

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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	2018/2019	2019/2020 YTD	This Period
Certificates of Compliance Issued	-	-	-
Certificates of Non-Compliance Issues	-	-	-
Inspections Conducted	-	-	-

**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	2019/2020 YTD	This Period
<b>Overgrown allotment</b>	Warning	3	1
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-
<b>Accumulation of waste</b>	Warning	4	-
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-
<b>Keeping of animals</b>	Warning	16	5
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-
<b>Vehicles and traffic on nature strip</b>	Warning	3	-
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-
<b>Abandoned vehicle</b>	Warning	6	2
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-
<b>Noise abatement</b>	Warning	-	-
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-
<b>Environmental pollution</b>	Warning	1	-
	Intention	-	-
	Order	-	-
	Penalty Notice	-	-

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**9.12 Animal Control**

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

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

Companion Animal Registrations 2019/2020								
	Desexed	Non desexed	Pensioner (desexed)	Pound Purchase (desexed)	Recognised breeder	Under 6 Months	Working	Value \$
<b>Jul</b>	5	3	-	-	2	-	-	\$1,036.00
<b>Aug</b>	1	-	1	-	-	-	1	\$83.00
<b>Sep</b>	-	-	1	-	-	-	-	\$25.00
<b>Oct</b>	1	2	-	-	-	-	-	\$271.00

Companion Animal Seizures 2019/2020						
	Seized	Surrendered	Released	Rehomed	Euthanased	Stolen/Escaped
<b>Jul</b>	6	1	4	-	3	-
<b>Aug</b>	1	-	-	-	1	-
<b>Sep</b>	1	-	-	-	-	1
<b>Oct</b>	3	2	1	1	2	1

Companion Animal Ranger Services 2019/2020				
	Dog attack investigation	Roaming dogs	Roaming cats	Barking dogs
<b>Jul</b>	1	2	1	4
<b>Aug</b>	-	2	2	2
<b>Sep</b>	1	3	3	3
<b>Oct</b>	1	7	1	0

	Caution	Dangerous Dog		Nuisance Dog		Menacing Dog		Penalty Notice
		Notice	Order	Notice	Order	Notice	Order	
<b>Jul</b>	-	-	-	-	-	-	-	-
<b>Aug</b>	-	-	-	-	-	-	-	-
<b>Sep</b>	1	-	-	-	-	-	-	-
<b>Oct</b>	1	-	-	-	-	-	-	-

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**9.13 Building and Amenity Maintenance**

Project work at Council facilities October 2019	
Project	Total
Captain Cook Sportsground Amenities	7

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)	32
Landfill	3
Water Treatment Plant	2
Sewerage Treatment Plant	1.25
Aerodrome (incl. Lions Park)	2
John Oxley Sportsground	1.75
Walcha Oval	2
Squash Courts	2.5
Van	0.5
Swimming Pool (during season)	7

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# COMMUNITY SERVICES

## 9.14 Walcha Council Community Care

September/October 2019

### Groups

#### *Women's Group and Wanderer's Group*

4 September 2019 – 22 clients from the Women's Group and the Wanderer's Group attended morning tea at the Community Day Centre Rooms. The guest speaker for the morning was Sue Law who spoke to the group about her passionate hobby of weaving. The group enjoyed the demonstration and presentation Sue provided and some were even brave enough to give the weaving a go.



Sue Law during the Women's Group demonstration on her weaving loom

25 September 2019 – 44 people attended the Black Pepper Fashion Parade held at the Walcha RSL Club.

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The girls that modelled for the Fashion Parade



*Wanderer's Group*

18 September 2019 – The Wanderer's Group was cancelled due to clients being unavailable to attend.

23 October 2019 – The Wanderers group outing was to Armidale to visit The Aboriginal Keeping Place to See an exhibition of Walcha artist Tyler Stackman's works of art called Thunghutti Dreaming. The exhibition was very interesting and the group enjoyed the social outing together with lunch at the Armidale Bowling Club.

*Men's Group*

10 September 2019 – 10 gentlemen attended morning tea held in the Community Day Centre Rooms.

27 September 2019 – 7 gentlemen attended the trip to Tamworth in the Walcha Community Bus. The numbers allowed the group to utilize the Walcha Community Bus to Tamworth, to attend the 2019 Agility Dog Association Australian Grand Prix, held at the AELEC. Morning tea was enjoyed at the park in Kable Avenue with lunch at the

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Tamworth Longyard. The group were amazed at the skill and agility that the dogs were competing against, with the little poodles being the highlight of the day for us.



Tony White, Mary Natty, Rob Steel, Brian Hoad, Eric O'Keefe and Cathy Noon at the Tamworth Lookout



**Craft Group**

11 September 2019 – Craft Group 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.

9 October 2019 – The Craft Group was cancelled.

**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

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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.

### **Creative Art Class**

16 September 2019 – 5 clients attended the morning art class with the guest workshop artist Susan Douds.

The Art class was cancelled during October due to Susan, the facilitator being unavailable.

### **Card Group**

A small group of card players have been meeting in the Community Day Centre Rooms each Tuesday to play 500's. The group enjoy the social get together as well as playing cards.

### **Transport**

Medical drives – 26 trips during September 2019.

Medical drives – 36 trips during October 2019.

Access bus – 9 clients used the service making 46 trips during September 2019.

Access bus – 5 clients used the service making 34 trips during October 2019.

#### **Bus to Tamworth**

27 September 2019 – 3 client and 7 men from the Men's Group used the service.

25 October 2019 – 6 client used the service.

Bus to Armidale numbers for September were as follows:

- ◆ 3 September 2019 – 5 clients
- ◆ 10 September 2019 – 8 clients
- ◆ 17 September 2019 – 4 clients
- ◆ 24 September 2019 – 5 clients

Bus to Armidale numbers for October were as follows:

- ◆ 1 October 2019 – 5 clients
- ◆ 8 October 2019 – 11 clients
- ◆ 15 October 2019 – 5 clients
- ◆ 22 October 2019 – 8 clients
- ◆ 29 October 2019 – 7 clients

Taxi Vouchers – 25 clients used the Taxi Vouchers with Walcha Taxi Service and Walcha Community Transport in September with a total of 203 Taxi Vouchers returned.

Taxi Vouchers – 24 clients used the Taxi Vouchers with Walcha Taxi Service and Walcha Community Transport in October with a total of 187 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.

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**Meals on Wheels**

For September there were 12 clients who received hot main meals with 3 of those clients also receiving frozen meals for the weekend. There were 3 clients who received frozen meals. The total number of meals for the month was:

- 228 Hot meals,
- 124 frozen meals and
- 138 desserts

For October there were 12 clients who received hot main meals with 3 of those clients also receiving frozen meals for the weekend. There were 3 clients who received frozen meals. The total number of meals for the month was:

- 255 Hot meals,
- 120 frozen meals and
- 140 desserts

**Feedback, Suggestions and Complaints**

- Nil feedback to report for September 2019
- Nil feedback to report for October 2019

**Meetings and Training / Community Rooms**

12 September 2019 – Dementia Support Group meeting held at the Community Day Centre Rooms.

19 September 2019 – Walcha Hospital Auxillary meeting held in the Community Day Centre Rooms

25 July 2019 – Walcha Support Group meeting held in the Community Day Centre Rooms

10 October 2019 – Dementia Support Group meeting held at the Community Day Centre Rooms.

17 October 2019 – Walcha Hospital Auxillary meeting held in the Community Day Centre Rooms

18 October 2019 – “Cuppa on Council” afternoon tea held in the Community Day Centre Rooms. People have attended the Friday afternoon get togethers with the aim of supporting others emotional and socially that are affected by the ongoing drought. Debby Maddox from the Rural Assistance Authority in Armidale has been very well utilised assisting with paper work for those applying for the subsidies.

23 / 24 October 2019 – Walcha Council power line training

31 October 2019 – Walcha Support Group meeting held in the Community Day Centre Rooms

Cathy Noon  
Community Care Coordinator





**9.15 Library**

October 2019

Stats:

- Loans: 725
- Returns: 636
- Reservations placed: 58
- New members: 10
- Door count: 530
- Wi-fi use: not available
- Computer use: 65

Other statistics:

- Eaudio: not available
- Ebooks: not available

October has been a busy month for us! As you can see above we signed up 10 new members this month which is the most we have signed up in a month for quite a long time. The Walcha Library book group have also welcomed some new members. They continue to be a very dedicated group who truly value that we are able to offer them this service each month.

Our October school holiday program went quite well. This set of holidays is always a hard one to cater for given that there are numerous other things happening in the community during this time, such as Pony Club, Tennis Camp and Kids Games. A lot of people also tend to go away during these holidays with the warmer weather and a long weekend. Below is a summary of each activity.

Our first activity was the **Robotics Workshop** which was run by Tamworth library representatives and held in our library. We had five very interested kids between the ages of 8 and 14 attend this workshop. During this workshop the kids were able to build and remotely operate a hostile robot using the VEX IQ robotics kit. They then had a face off against their friends in the battle arena.



Unfortunately the **Skateboarding workshop** had to be cancelled this time around. This was due to limited bookings, therefore we deemed it not worthwhile for the company running the workshop to travel such a long distance. Given that we had already paid for the workshop, they have advised they will come back next year and do a workshop with no payment required. This workshop has been extremely popular in the past, so

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fingers crossed when they come back next year it will be full!

Next we had two Walcha Handmade workshops. The first was a **Sand Art Workshop** followed by a **Cupcake Decorating Techniques Workshop** run by Audi Dunn. Both of these workshops were very popular, however numbers were not as high as previous Walcha Handmade workshops.

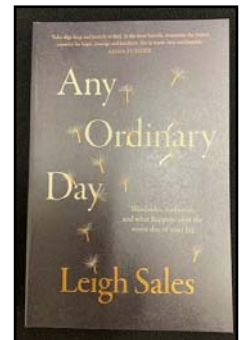


Our final activity was **Games and Lego** at the library. We

had 4 kids attend this activity and they had an absolute ball. They got to hang out in the library with their friends, build LEGO, play games and eat lollies.



It's that time of the year again. Some of you may have heard of the *One Book One Region* program. For those of you who haven't, it is a community promotion through CNRL that aims to encourage literacy and reading by generating discussion and enthusiasm for books in our communities. I have left 8 copies of the chosen book for you, *Any Ordinary Day* by Leigh Sales. Inside the book will be a description about the One Book One Region program, a bookmark and a flyer. These copies have been assigned directly to the Councillors so I encourage you all to take a copy, even if you don't think you will read it you can leave it in a local café, waiting room or other public place. The point of the program is to pass the book along to generate discussion and promote our libraries!



Madison Garrad  
Library Assistant

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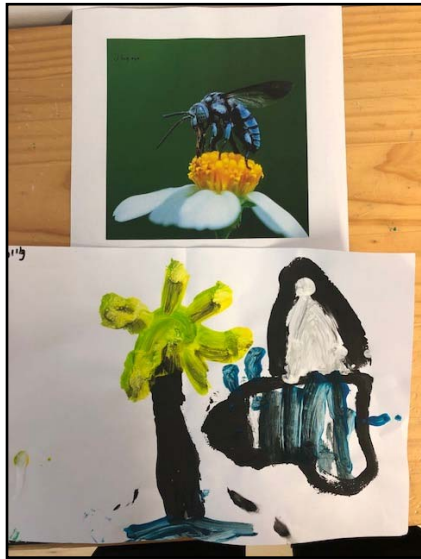


**9.16 Preschool**

**November 2019**

**Bees**

Spring time always brings further investigations into insects and blossoms, at the end of last term the children were looking into seeds and blossoms. This term the children have been noticing more insects and bugs around the playground. One interest in particular was bees, after some of the children noticed two different types of bees in the playground further investigations were done. It was discovered that there are blue and green bees which are native to Australia. Different images were printed off and the children interested painted their own picture of these bees. Seeing the children’s growing detail in their artwork is always amazing to watch. By providing them with matching paint colours and fine brushes the children can have success in painting their chosen bee.



**Excursion**

The Preschool children were invited to the aged care wing at the hospital to do some craft with the residents. The hospital and an amazing supply of stunning beads and Preschool supplied the elastic. When the children arrived they all made bracelets for the residents and then they were all

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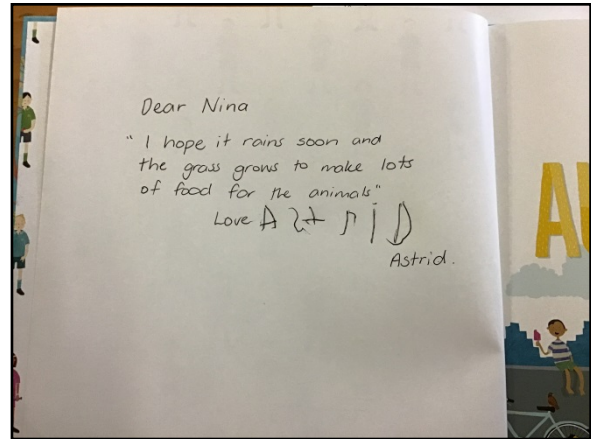


able to make one for them to take home. Enid was lucky to be given many beautiful bracelets, she was so excited. The children also made peg dolls, ate morning tea outside and were given little bottles of bubbles to blow outdoors. The Preschoolers were invited to go back and do some Christmas craft in a few weeks.



**Community Connections**

At the end of last term Walcha Preschool was contacted by one of the previous directors of the preschool who is now the director of Robertson Preschool near Bowral. They have been talking to the children about the drought and what it means to live in a town where water is precious. This is a big concept for these children because they are unaffected by the drought in their town. After many emails back and forth the children of Robertson preschool have decided they would like to donate books to the children going to school next year (because their families have to spend money on food and water for the animals and might not be able to buy books for their children). The children are leaving messages in the books they are donating to us. The Penguin children will send thanks to the children of Robertson preschool through some type of creative art.



Zoe Herbert  
Preschool Nominated Supervisor

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

Submitted to Council: 30 October 2019

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Item 11:  
  
Committee  
Reports

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Submitted to Council: 27 November 2019

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



# Walcha Council Audit, Risk & Improvement Committee Meeting

held on

Tuesday, 1 October 2019

at

9.00am

at

Walcha Council Chambers

## **PRESENT:**

Clr Scott Kermode;  
Mr Michael O'Connor - Independent External Member (Chair);  
Mrs Deborah Creed - Independent External Member

## **IN ATTENDANCE**

Mr Jack O'Hara - General Manager;  
Mrs Rose Strobel - Chief Financial Officer  
Mr Paul Cornall – Principal, Forsyths

## **1. APOLOGIES:**

Clr Clint Lyon  
Mr Andrew Locke - Independent External Member;  
Mr Eric Noakes – Mayor;  
Mr Chris Harper – Audit Office NSW

**RESOLVED** on the Motion of Mr O'Connor and Mrs Creed that apologies from Councillors Lyon and Noakes and Messrs Locke and Harper are accepted.

MINUTES



**2. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED** on the Motion of Mr O'Connor and Mrs Creed that minutes of the meeting held on 9 April 2019 be accepted.

**3. BUSINESS ARISING**

Business arising was deferred to General Business to enable Mr Paul Cornall to leave early.

**4. GENERAL BUSINESS**

The Chair welcomed everyone to the meeting and acknowledged Mr Cornall and Clr Kermode were attending their first meeting of the Walcha ARIC. The Chair also expressed best wishes to Mr Jack O'Hara on his upcoming retirement.

**4.1 Presentation by Forsyths**

Mr P Cornall, representing the NSW Audit Office introduced himself and presented the Interim Audit Management Letter year ending June 2019 and answered questions from the Committee.

The committee made the following suggestions in relation to the Code of Conduct:

- Require internal staff to review Code of Conduct annually at log-in to network;
- External staff can review annually with other mandatory policy reviews;
- Formalise process for consultants/contractors;
- Some councils have developed online tutorials.

Mr Cornall also discussed the Draft Financial Statements and the current status with the Audit Office. He discussed the Audit Office Engagement Letter and highlighted identified Key Issues – IT controls, new Accounting Standards, Rehabilitation Provision, Crown Land, Asset Revaluations and Credit Cards. Mr Cornall then discussed the impact of the 'found' culverts and recent roads and bridges revaluation.

Mrs Strobel then answered questions relating to the Financial Statements (notes attached).

Mr Cornall left the meeting.

**3. BUSINESS ARISING**

It was noted that the Internal Audit Charter revision is still outstanding. Mrs Strobel to complete and include in the December 2019 meeting agenda.

Mr O'Connor noted there may be relevant information included in the OLG's *A New Risk Management and Internal Audit Framework for Local Councils in NSW*





discussion paper, released September 2019. ARIC members are to review the paper and will meet before the next meeting to workshop the guide.

#### 4.2 Policy Reviews

FRAUD CONTROL policy was reviewed. It was noted the policy was last revised in 2009. Some suggestions were made for the revision of the policy.

**RESOLVED** on the Motion of Mr O'Connor and Mrs Creed that the Fraud Control Policy is referred for review.

PUBLIC INTEREST DISCLOSURES policy was reviewed. The policy was last updated August 2019.

**RESOLVED** on the Motion of Mr O'Connor and Mrs Creed that the Public Interest Disclosures Policy is endorsed by the Committee.

The Chair has requested the following policies to review before the next meeting:

-  Procurement Policy
-  Recruitment Processes

#### 4.3 2020 meetings and planning

Meeting dates:

Date	Agenda Items
Tuesday 3 March, 9am	Risk Strategy & Risk Register Insurances review
Tuesday 2 June, 9am	To be determined
Tuesday 1 September, 9am	Review draft financial statements <i>Final meeting before Council Elections</i>
Tuesday 1 December, 9am	Review ARIC charter Declarations of Interest

#### Internal Audit Function

- Internal Audit Charter (December 2019)
- Expressions of interest
- Appoint internal auditor
- Establish internal audit plan

#### ARIC training for new members

- Mrs Strobel to arrange in-house training for new Councillors and other members wishing to have a refresher. Neighbouring councils will be invited to attend. Preferred date is mid-late November.



**5. NEXT MEETING**

The next meeting will be held Tuesday 26 November at 2pm.

**THERE BEING NO FURTHER BUSINESS THE CHAIR DECLARED THE MEETING CLOSED AT 10:16AM.**



Item 12:  
  
Delegate  
Reports

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Submitted to Council: 27 November 2019

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

**MINUTES OF THE ORDINARY MEETING OF THE NEW ENGLAND TABLELANDS (NOXIOUS PLANTS) COUNTY COUNCIL HELD IN THE ARMIDALE OFFICE, 129 RUSDEN STREET, ARMIDALE ON TUESDAY, 20 AUGUST 2019 COMMENCING AT 8:40AM.**

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

**IN ATTENDANCE:** General Manager, Mr John Duggan, Senior Biosecurity Officer, Mr James Browning

**APOLOGIES:**

Nil

**DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CONFIRMATION OF MINUTES OF THE ORDINARY MEETING HELD ON TUESDAY 18 JUNE 2019.**

**32/19 RESOLVED** on the motion of Councillors Murat and Martin that the Minutes of the Ordinary Meeting of the New England Tablelands (Noxious Plants) County Council held on 18 June 2019, copies of which have been distributed to all members, are taken as read and confirmed a true record.

**BUSINESS ARISING FROM THE MINUTES OF THE ORDINARY MEETING HELD ON TUESDAY 18 JUNE 2019.**

There were no matters arising.

**CHAIRMAN'S REPORT**

The Chair advised of the following:

- The drought conditions continue to have an impact on NEWA's operational activities.
- I attended the meeting of Northern Tablelands Regional Weeds Committee at Glen Innes on 13 August 2019. The Chairman along with Council staff attended the meeting. We agreed that a sub committee would attempt to integrate reporting of the MERI, the WAP and the Regional Weeds Plan.
- Following this meeting we met staff from Glen Innes. There was general acceptance of the new MOU and we discussed the process suggested in this Business Paper to move forward on the integration of Glenn Innes Severn Council into NEWA.
- Private property inspections are way down for all, which is understandable due to the continuing drought conditions.

- The upcoming 20<sup>th</sup> NSW Weeds Conference will be held at Newcastle on the 26-29 August.

**1. INVESTED FUNDS REPORT as at 31st July 2019 (ITEM 7.1.1)**

**33/19 RESOLVED** on the motion of Councillors Murat and Galletly that:

1. The report indicating Council's Fund Management position be received and noted.
2. The Certificate of the Responsible Accounting Officer be noted and the report adopted.

**2. PUBLIC INTEREST DISCLOSURES REPORT (ITEM 7.1.2)**

**34/19 RESOLVED** on the motion of Councillors Martin and Murat that:

1. That the six- monthly report on Council's compliance with their obligations under the Public Interest Disclosures Act 1994 be received and noted.
2. That a copy of the report be forwarded to the NSW Ombudsman.

**5. NEW ENGLAND WEEDS AUTHORITY- COMPLIANCE AND ENFORCEMENT POLICY AND PROCEDURES 03/17 (ITEM 7.1.3)**

**35/19 RESOLVED** on the motion of Councillors Kermode and Murat THAT Council reaffirm the New England Weeds Authority, Compliance and Enforcement Policy and Procedures 04/17, as attached to the report..

**6. REVIEW OF GLEN INNES SEVERN COUNCIL REQUEST FOR FORMAL MEMBERSHIP OF THE NEW ENGLAND TABLELANDS COUNTY COUNCIL (ITEM 7.1.4)**

**36/19 RESOLVED** on the motion of Councillors Kermode and Murat that:

1. That NEWA in consultation with Glen Innes Severn Council (GISC) agrees to prepare a draft proposal to OLG to enable GISC to become a full member of the New England Tablelands County Council.
2. That Council endorses the draft MOU and authorises the Chair and General Manager to sign the MOU once supported by GISC.
3. That the draft proposal be prepared for Councils meeting of 22 October 2019.

**7. ANNUAL FINANCIAL STATEMENTS (ITEM 7.1.5)**

**37/19 RESOLVED** on the motion of Councillors Kermode and Murat that:

1. That the report on the Annual Financial Statements as at 30 June 2019 be received and adopted.

2. That the signing of the Certificate under Section 413(2) (c) of the Local Government Act 1993, as detailed in the Attachments to the report, by the Chairperson, Deputy Chairperson and the General Manager/Responsible Accounting Officer be endorsed.

**10. 2018/2019 WEEDS ACTION PROGRAM (ITEM 7.1.6)**

**38/19 RESOLVED** on the motion of Councillors Kermode and Murat that the report on the 2019/2020 Weeds Action Program be received and noted.

**11. MATTERS OF URGENCY**

There were no matters of urgency.

**NEXT MEETING**

The next meeting will be held on Tuesday, 29 October 2019 at 8.30 am at Walcha.

**THERE BEING NO FURTHER BUSINESS THE CHAIR DECLARED THE MEETING CLOSED AT 9.17 AM.**