



BUSINESS PAPER
ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 26 April 2017

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

WO/2017/00611

AGENDA

Submitted to Council: 26 April 2017

..... General Manager Mayor



Dear Mayor and Councillors

You are requested to attend the Ordinary Meeting of the Walcha Council to be held in the Council Chambers, Hamilton Street, Walcha on **Wednesday, 26 April 2017** commencing at **2:00pm**.

Yours sincerely

Jack O'Hara
GENERAL MANAGER

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- 1. Apologies
- 2. Confirmation of Previous Minutes
 - 2.1 Minutes of the Ordinary Meeting held on Wednesday, 29 March 2017 at Walcha Council Chambers WO/2017/00498
- 3. Business Arising
- 4. Declarations of Interest
- 5. Mayoral Minute
Nil.
- 6. Senior Officers Reports
 - 6.1 Development Application 10.2016.17 – Demolish three sheds and Construct New Supermarket and Liquor Outlet – 36-40W Fitzroy Street – Jeremy Allen Planning & Design WO/2017/00615
 - 6.2 Quarterly Review of 2016/2017 Budget as at 31 March 2017 WO/2017/00578
 - 6.3 Request for Permission to Keep more than Two Dogs WO/2017/00600
 - 6.4 Council Assistance with the Construction of the Walcha Memorial Cenotaph WO/2017/00596
 - 6.5 McHattan Park Playground Equipment Upgrade WO/2017/00597
 - 6.6 Innovation Fund Grant Application Round 2 – Local Government Solutions (LGS) Financial Control Centre WO/2017/00608
 - 6.7 Innovation Fund Grant Application Round 2 – Internal Audit Project with Uralla Shire Council WO/2017/00610
 - 6.8 Committee of the Whole Referral – Walcha Tourism Advisory Committee Membership WO/2017/00603

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LATE REPORT

1. Planning Proposal Amendment to Walcha LEP 2012 Review and Gateway Determination WO/2017/00602

7. Notice of Motion

Nil.

8. Matters of Urgency

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

9. Management Review Report

WO/2017/00563

10. Committee Reports

10.1 Minutes of the Walcha & District Beautification & Tidy Towns Committee Meeting held on Wednesday, 5 April 2017 WO/2017/00612

10.2 Minutes of the Walcha Council Community Care Advisory Committee Extra Ordinary Meeting held on Friday, 7 April 2017. WO/2017/00531

11. Delegate Reports

12. Committee of the Whole

12.1 Walcha Tourism Advisory Committee Membership Nominations

WO/2017/00605

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

Resolution to move into Open Council.

Resolution to adopt Committee of the Whole Report and Recommendations.

Submitted to Council: 26 April 2017

..... General Manager Mayor



Present:

Apologies:

**Confirmation of the Ordinary Meeting Minutes held on Wednesday,
29 March 2017:**

Matters arising from the Ordinary Meeting held on Wednesday, 29 March 2017:

Submitted to Council: 26 April 2017

..... General Manager Mayor



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 29 March 2017

at

3:40pm

at

Walcha Council Chambers

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

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

1. APOLOGIES:

139 **RESOLVED** on the Motion of Councillors Ferrier and Kealey that the apology received by Clr Lyon, being on holiday, be **ACCEPTED**.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 15 FEBRUARY 2017:

140 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that the Minutes of the Ordinary Meeting held on Wednesday, 15 February 2017, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

CONFIRMATION OF THE EXTRA ORDINARY MEETING MINUTES HELD WEDNESDAY, 8 MARCH 2017:

141 **RESOLVED** on the Motion of Councillors Kealey and Kermode that the Minutes of the Extra Ordinary Meeting held on Wednesday, 8 March 2017, copies of which have been distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING

Nil.

4. DECLARATIONS OF INTEREST

Nil.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Apsley Dam Economic Benefit Study

WO/2017/00424

143 **RESOLVED** on the Motion of Councillors Blomfield and Kermode that Council support the submission of the final Apsley Dam Economic Benefit Study to NSW DPI Water for their approval **FURTHER THAT** a copy of the study to be provided to the Local Federal Member's Office, the Hon Barnaby Joyce MP and to the Local Member Kevin Anderson MP.

Afternoon Tea:

Council adjourned for afternoon tea at 3:46pm and the Meeting resumed at 4:16pm.



6.2 Adopt Community Strategic Plan – Walcha 2027 WO/2017/00416

144 **RESOLVED** on the Motion of Councillors Heazlett and Kealey that Council **ADOPT** and **ENDORSE** the Community Strategic Plan – Walcha 2027 as amended as per the Local Government Act 1993 Part 2 Strategic Planning Section 402(6).

6.3 Draft Delivery Program 2017/2018 – 2020/2021 for Consideration WO/2017/00431

145 **RESOLVED** on the Motion of Councillors Kealey and Kermode that the Draft Delivery Program 2017/2018 – 2020/2021 be placed on public exhibition in accordance with the provisions of the Local Government Act 1993 Section 404(4).

6.4 Draft Budget 2017/2018 WO/2017/200318

146 **RESOLVED** on the Motion of Councillors Kermode and Kealey that the Draft Budget for the year 2017/2018 be **ADOPTED** by Council and placed on public exhibition in accordance with the provisions of the Local Government Act 1993 Section 405(3) **FURTHER THAT** the Budget be included in the annual Operational Plan.

6.5 Request for Funding from Yarowitch Public Hall Reserve Trust WO/2017/00414

147 **RESOLVED** on the Motion of Councillors Blomfield and Kealey that Council provide an additional allocation of \$15,000 to the Yarowitch Public Hall Reserve Trust to assist with the construction of an amenities building at the Yarowitch Showground.

6.6 Formation of a Walcha Youth Advisory Committee under Section 355 WO/2017/00358

148 **RESOLVED** on the Motion of Councillors Kealey and Kermode that Council establish a Walcha Youth Advisory Committee to engage with the youth of Walcha and allow for their input into the Youth Programs to be developed in the Walcha area.

6.7 Update on Naturally Occurring Asbestos at Nowendoc WO/2017/00418

The Report was **NOTED** by Council.

6.8 Adoption of Disability Inclusion Action Plan (DIAP) WO/2017/00428

149 **RESOLVED** on the Motion of Councillors Ferrier and Blomfield that Council, under the Disability Inclusion Act 2014, **ADOPT** the Disability Inclusion Action Plan as presented.



6.9 Walcha Council Community Care Advisory Committee Membership Nomination **WO/2017/00427**

150 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that Council appoint Davina Young to the Walcha Council Community Care Advisory Committee as the sixth citizen representative as per the structure of the Committee.

6.10 Walcha Preschool Advisory Committee Membership Nominations **WO/2017/00411**

151 **RESOLVED** on the Motion of Councillors Wellings and Kealey that Council adjust the membership of the Walcha Preschool Advisory Committee to include five community representatives and appoint Kimberley Lisle, Melika McKinnon and Bonnie Brown to the Committee **FURTHER THAT** Council write to Lisa Patterson-Kane and Anna Mulligan expressing Council’s appreciation for their dedication and commitment whilst serving on the Committee.

7. NOTICE OF MOTION

Nil.

8. MATTERS OF URGENCY

Clr Kealey raised a matter of an opportunity of Heritage near Me. It was ruled by the Chairperson to be a matter of urgency.

152 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that the matter be considered as a matter of urgency.

153 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council invite Christian Sampson from Heritage near Me to provide a presentation to Council.

9. MANAGEMENT REVIEW REPORTS **WO/2017/00407**

154 **RESOLVED** on the Motion of Councillors Kealey and Wellings that items included in the Management Review Report, numbered 1 to 16 inclusive, be **NOTED** by Council.

10. COMMITTEE REPORTS

10.1 Minutes of the Walcha Council Arts Advisory Committee Meeting held in the Council Chambers, Hamilton Street, Walcha on Thursday, 23 February 2017. **WO/2017/00329**



4.1 Liquor & Gaming Arts & Cultural Infrastructure Grants – New Project Applications Close: 10 March 2017

155 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council investigate lodging an application for the design of a bridge to connect both sides of the levee banks at the southern end of the Apsley River.

4.3 Relocating the sculpture on the eastern edge of town

156 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council request approval from the Roads & Maritime Services to move the sculpture on the eastern entry of town approximately 200 metres to the east from the current location.

4.4 Membership of the Committee

157 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council expand the membership of the Walcha Arts Advisory Committee by one and appoint John Heffernan to that position.

4.5 Possible Sculpture in the Mountain Festival

158 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council investigate the seeking of grant funding to conduct a ‘Sculpture in the Mountains’ Festival.

4.6 Skate Park

159 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council accept the offer from Gemma King to re-vamp the Skate Park Artwork and that Council provide the necessary paintwork.

10.2 Minutes of the Walcha Traffic Committee Meeting held in Council Chambers, Walcha on Thursday, 23 February 2017. WO/2017/00430

10.3 Minutes of the Walcha Council Tourism Advisory Committee Meeting held in the Council Chambers, Hamilton Street, Walcha on Thursday, 23 February 2017. WO/2017/00374

3.1 & 3.2 Carson’s Lookout

160 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that the matter be held over until Council investigate possible solutions for the condition of the public toilet at Carson’s Lookout.

3.3 Nivison Lookout

161 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council write a letter to the Nivison family seeking approval for the name change of Nivison Lookout and the Koala Walk to “Nivison Walk”.



4.2 Schedule of 2017 Tourism Advisory Committee Meeting Dates

162 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that Council reduce the Walcha Council Tourism Advisory Committee meetings from a minimum of four to three meeting per year.

4.3 Overview of the role of the Tourism Advisory Committee relating to Tourism

163 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council reword the “Function of the Committee” for the Walcha Council Tourism Advisory Committee to “*To advise Council on high level strategic tourism promotion*”.

4.4 Welcome to Walcha Signage

164 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council rebrand the “Welcome to Walcha” signs on each approach to town, with the Walcha Council logo and the New England High Country logo as well as updating the services on the signs.

Councillor Ferrier recorded his vote **AGAINST** this resolution.

10.4 Minutes of the Walcha Council Community Care Advisory Committee Meeting held at the Walcha Day Centre Room on Tuesday, 14 March 2017.

WO/2017/00403

11. DELEGATE REPORTS

11.1 Minutes of the New England Tablelands (Noxious Plants) County Council Ordinary Meeting held in Armidale on Wednesday, 25 October 2016.

WI/2017/01754

12. COMMITTEE OF THE WHOLE

Nil.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 6:05PM.



Item 6:
Senior Officers'
Reports

Submitted to Council: 26 April 2017

..... General Manager Mayor



Item: 6.1 **Ref:** WO/2017/00615
Title: Development Application 10.2016.17 Demolish three sheds and part of building, and construct new supermarket & liquor outlet- 36W-40W Fitzroy Street, Walcha - Jeremy Allen Planning and Design
Author: Environmental Services Manager
Previous Items: D17/80
Attachment: Development Assessment Report, Development Application Plans and Associated Documents (Statement of Environmental Effects)
 Copy of submissions received - Under separate cover

Introduction:

A Development Application has been submitted to Council as the consent authority for development of a 1,997m² supermarket and liquor outlet and ancillary development to be constructed at 36W-40W Fitzroy Street, Walcha.

Details:

Applicant: Jeremy Allen Planning & Design
Owner: Walcha Property Pty Ltd
Land: Lot: 2 in DP: 779495 and Lot: 1 in DP: 158212, being 36W-40W Fitzroy Street, Walcha; having an area of 5,176m²
Development Value: \$1,600,000

Description of Proposal:

The development proposal is for the construction of a single storey (with mezzanine) retail outlet having a gross floor area of 1,997 square metres, incorporating a supermarket and liquor outlet and car park.

The proposed carparking area is to be hard surfaced concrete finished and is to contain two points of ingress / egress. It is proposed to provide a total of 47 carparking spaces including two accessible carparking spaces. A third driveway is strictly for goods deliveries (loading dock).

The building is proposed to be constructed with a mixture of materials, mainly from precast concrete slab construction, fibre cement wall sheeting, colorbond wall sheeting, zincalume roof sheeting and a concrete floor. The windows and automatic sliding doors to the development will be manufactured from powdercoated aluminium frames.

The proposed development has building setbacks of 36.46m to the southern street boundary, a 4.987m setback to the western street boundary, a 0.2m setback to the northern boundary and a 0.1m setback to the eastern boundary. The maximum height of new building work is at 8.2m from the highest part of the proposed roof to the natural ground level.

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The applicant has included an increase to the landscaping areas, the area is located along South Street between the boundary and the building. This has been included to attempt to soften the vast hard surfaced carparking area and to enhance the streetscape. There are three existing sheds and part of a commercial building which will require demolition. The development is over two lots and these will require consolidation as part of the development consent.

The proposed hours of operation are from 8.00am to 8.00pm Monday to Sunday

The site is zoned B2 Local Centre under the Walcha Local Environmental Plan 2012 (WLEP). This type of development is permissible with consent under the WLEP. Notification has been carried out by way of written notice to adjoining landholders and published notices in the Apsley Advocate and Walcha News with an exhibition period of twenty eight (28) days.

A development assessment is attached along with the statement of environmental effects and plans submitted with the application. The development assessment contains a full discussion on all issues and considerations.

Key issues:

This proposed development:

- ◆ Is permitted with consent under the Walcha Local Environmental Plan 2012.
- ◆ Has appropriate conditions applied in regards to the infrastructure of water, sewer, drainage provisions, kerb and gutter, access provision, traffic management, amenity and operation.

Conclusion:

The purpose of this report is the public interest in a development application of this size and scale.

This proposed development is a fair development. This development will result in an increase in density for this area, but one that is not unreasonable.

It is subjective to assume the increased density is out of character for Walcha and that there is no demand for this type of development. Council is not able to determine this, as this is the responsibility of the developer, as they take the financial risk of this nature. The developer determines their market and takes responsibility for the uptake of any such opportunity. Council responsibility is to provide the policy (Walcha LEP & DCP) to enable this to occur.

There is no reason this development can be refused as all issues are able to be appropriately conditioned as part of the development approval.

RECOMMENDATION:

That Council approve Development Application 10.2016.17, being for demolition of three existing sheds and part of a commercial building, consolidation of lots, and

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construction of a supermarket & liquor outlet with 47 car parks On land known as 36W-40W Fitzroy Street, Walcha, being Lot: 2 in DP 779495 and Lot: 1 in DP 158212 under the ownership of Walcha Property Pty Ltd subject to the conditions in the Development Assessment Report.

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DEVELOPMENT ASSESSMENT REPORT

SECTION 79C EVALUATION

Under the Environmental Planning and Assessment Act 1979



DA NUMBER: 10.2016.17

LOCATION: 36W-40W Fitzroy Street, WALCHA NSW 2354

TITLE DETAILS: Lot: 2 in DP: 779495 and Lot: 1 in DP: 158212

DEVELOPMENT DESCRIPTION: Demolish three sheds and construct new supermarket & liquor outlet

COUNCIL: Walcha Council

Proposal Overview

The proposed development is for the construction of a supermarket & liquor outlet with 47 car parks.

There are three existing sheds and part of a commercial building which will require demolition.

The development is over two lots, and these will require consolidation as part of the development approval.

Property Details/History

	Checked	Comments
Title Plan	Yes	No issue.
Check Ownership	Yes	No issue.

Is there any other issue that requires notation? No

Application Type

Is this application an Integrated Development Application? No

Is this application a Designated Development Application? No

Is this application for State Significant Development? No

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

Is this application a staged Development? No

Is this application a section 96 amendment? No

Concurrence/Referral

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Section 79b – EP & A Act

- Does this application require concurrence referral? No
 Does this application require courtesy comment from other organisation? No
 Does this application require referral for decision by Council? Yes

Comment: Public interest and submissions received as a result of notification of the application

**Local Environmental Plan
 Section 79c(1)(a)(i) – EP & A Act**

This land is zoned: B2 Local Centre

<u>List the relevant clause/clauses applicable under the LEP</u>		
Clause	Compliance	Comment
Zone Table	Yes	Objectives of Zone are: <ul style="list-style-type: none"> ▪ To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. ▪ To encourage employment opportunities in accessible locations. ▪ To maximise public transport patronage and encourage walking and cycling. ▪ To encourage development in existing town centres that reflects or enhances their character.
4.3 Height of Buildings	Yes	No maximum height specified for the land as per the Walcha LEP 2012 Height of Buildings Map, development does not exceed 8.2m height. Development on adjoining lots consists of one storey buildings.
6.2 Flood Planning	Yes	The minimum floor level will need to be 500mm above the 1% flood height. This will need to be confirmed by survey prior to the release of a Construction Certificate.
6.3 Essential Services	Yes	Council is satisfied that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required: <ol style="list-style-type: none"> (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access
Dictionary – Commercial premises &	Yes	<i>Commercial premises</i> means any of the following: <ol style="list-style-type: none"> (a) business premises, (b) office premises,

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retail premises		<p>(c) retail premises.</p> <p><i>Retail premises</i> means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:</p> <ul style="list-style-type: none"> (a) bulky goods premises, (b) cellar door premises, (c) food and drink premises, (d) garden centres, (e) hardware and building supplies, (f) kiosks, (g) landscaping material supplies, (h) markets, (i) plant nurseries, (j) roadside stalls, (k) rural supplies, (l) shops, (m) timber yards, (n) vehicle sales or hire premises, <p>but does not include highway service centres, service stations, industrial retail outlets or restricted premises.</p>
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- Is there a draft LEP or draft LEP amendment which may affect this proposal?** No
- Is there any other issue/feature that requires notation?** No
- Do 'existing use' provisions apply to this development?** No

Development Control Plan
 Section 79c(1)(a)(iii) – EP & A Act

- Is there a DCP which applies to this land/proposal?** Yes
- Comment: DCP No. 2 Guidelines for the Erection of Advertisements & Advertising Structures; clause 2.0(a) applies,
- Is there a draft DCP which may affect this proposal?** No
- Is there any other issue that requires notation?** No

Regional Environmental Plan

There is no REP applicable to this area.

State Environmental Planning Policy

- Is this proposal affected by a SEPP?** Yes
- Comment: SEPP No. 55 - Remediation of Land; introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to

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comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines.

SEPP (Infrastructure) 2007 - Provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency. In accordance with Clause 104 of the Infrastructure SEPP 2007, the application is to be referred to RMS, and Council must take into consideration any response given by RMS.

Planning Agreement
Section 93F (10) – EP & A Act

Is there a Planning Agreement in force under section 93F of the EP&A Act? No
Has a Planning Agreement been offered under this development? No

Regulations
Section 79c(1)(a)(iv) – EP & A Act

Environmental Planning and Assessment Regulation 2000

CI.92 The provisions of AS 2601 – 1991: *The Demolition of Structures* Yes
CI.93 Fire safety and other considerations Yes
CI.94 Consent authority may require existing buildings to be upgraded to be brought into total or partial conformity with the BCA No

Comment: The development application does not involve a change of building use for the existing buildings, nor the rebuilding, enlargement or extension, it does proposed the partial demolition to the rear of the existing craft shop building. There is no specific requirement for upgrade, therefore it would be at Council’s discretion to require existing buildings to be brought into total or partial conformity with the BCA. Where the measures contained in the building are inadequate to protect persons using the building, and to facilitate their egress from the building, in the event of fire, or to restrict the spread of fire from the building to other buildings nearby, it would be considered appropriate to require the buildings to be upgraded.

CI.94A Fire safety and other considerations applying to erection of temporary structures No
CI.95 Deferred commencement consent No
CI.96 Imposition of conditions—ancillary aspects of development No
CI.97 Modification or surrender of development consent or existing use right No
CI.97A Fulfilment of BASIX commitments No

Planning Strategies/Local Policy
Section 79c(1)(b) – EP & A Act

Is there a Planning Strategy or Local Policy that requires notation? No
Has the applicant submitted any supporting planning assessments? No

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Is there any other issue / feature that requires notation? No

Subdivision

Is this application for subdivision? No

Comment: The application has not included subdivision by way of consolidating the two lots. This needs to be a condition of development approval.

Environmental Impacts
Section 79c(1)(b) – EP & A Act

Does this proposal have any potential impact on?

	Impact	Comment
Social	Yes	The proposed development has the potential to have a positive social impact in that it is proposing to create a number of new jobs that will generate additional income into the community through both the construction and operational phases of the development.
Economic	Yes	<p>Section 5 of the EP&A Act sets out the objectives of the legislation and these include the proper management of land for the purpose of promoting the social and economic welfare of the community, the orderly and economic use and development of land, and the protection of the environment.</p> <p>The proposal to construct a new supermarket has raised concerns within the community of its economic impact on existing traders within the area. Council as the consent authority for the application is required by s79(c) to consider the <i>"likely impacts of the development"</i>.</p> <p>Therefore the economic result or outcome of the proposed development is a matter which may be relevant in determining a development application.</p> <p>Economic impact in itself involves, as do many considerations relevant under s79C (1), an estimation of likelihood or possibility, because actual impact may not be discernible until the development is completed.</p> <p>Economic impact assessment focuses on the economic dimensions of a locality, not individual traders. It seeks to identify how a proposal will contribute to the economic growth of the locality through locating development in appropriate areas, supporting existing development in the area and through the creation of employment opportunity and other economic benefits and whether the facilities currently enjoyed by the community will be put at jeopardy.</p> <p>There has been many cases before the Land and Environment Court on the issue of economic impact and a review of decisions</p>

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	<p>will provide a clear understanding of the courts position A review of relevant cases has been conducted and detail below:</p> <p><i>Cartier Holdings Ply Ltd v Newcastle City Council (2001 NSWLEC 170</i></p> <p>This matter raised the issue of whether s79C (1) (b) of the EP&A Act should be construed differently to the former s90(1)(d).</p> <p>The court decided that s79C (1) (b) does not require a different approach. This had the consequence in that case that the economic impact of the proposed development upon private individual traders was confirmed by the court that not to be a planning consideration.</p> <p><i>Fabcot Ply Ltd v Hawkesbury Council (1997) 93 LGERA 373</i></p> <p>A case where a Council had refused development consent for a Woolworths supermarket be located outside the town centre of Windsor. One of the issues was whether the proposed supermarket would have had an economic impact upon existing and planned retail supermarkets in the Hawkesbury city local government area.</p> <p>Lloyd J that the issue did not raise a planning or environmental consideration because the economic impact of a proposed development upon private individual traders was not of itself a planning consideration, and what was instead required by the former s90(1)(d) was a wider and more general consideration of economic impact in the locality.</p> <p>His Honour decided that the only relevance of the economic impact of a development was its effect "<i>in the locality</i>".</p> <p>The courts conclusions have been reinforced by having regard to the objects of the EP&A Act as set out in s5 which indicates that the phrase "<i>economic impacts in the locality</i>" is to be understood in an environmental and planning sense. The economic impact of a proposed development upon private individual traders is not per se a proper environmental or planning consideration. The section does not require the consideration of economic impact upon individual competitors, except to the extent that any impact upon individuals competitors, or competition generally, demonstrates economic impact in the locality as an environmental planning matter.</p> <p>What Council must direct itself to consider in this instance is if the facilities enjoyed by the community would be put at jeopardy by the impacts of the development and the resultant detriment would not be made good by the development itself.</p> <p>Large supermarkets can and do impact upon individual traders through competition. However, fear of competition is not a valid planning consideration.</p> <p>Competition is about choice; that is the freedom of customers to choose between products and choose between suppliers. It is up</p>
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		<p>to individual traders to respond to competition and this can lead to increased performance, particularly when customers can choose between businesses offering similar products. The result is that prices tend to fall and this can lead to significant economic benefits to the wider community.</p> <p>The applicant has been requested to provide additional information on justification of the development and this will be provided prior to determination being made.</p>
<p>Siting & Configuration (character / scale / density)</p>	<p>Yes</p>	<p>The site is currently occupied by Brady’s Saddlery in one building, and by a craft shop in another (to be retained and refurbished in keeping with their traditional feel); to the rear of the property, several unused and vacant sheds are situated, to be demolished.</p> <p>The proposed supermarket is set to the rear of the block, the building is to be constructed of a mixture of materials, mainly from precast concrete slab construction, fibre cement wall sheeting, colorbond wall sheeting, zincalume roof sheeting and a concrete floor, The windows and automatic sliding doors to the development will be manufactured from powdercoated aluminium frames.</p> <p>Development within the vicinity of the site comprises mixed residential, commercial and retail character.</p> <p>To the north, comprises four single storey residences separated from the proposed development by a drainage easement approximately twelve (12) metres in width. The residences are approximately 220m² in floor area constituting on average approximately 40% of the site area. Setback six (6) metres from north and western road frontages. Commercial premises to the east site coverage is estimated at 66%</p> <p>The streetscape in this area onto Fitzroy Street is dominated by construction built to the street frontage, the existing street edge will remain with the retention of the Craft Shop and Brady’s Saddlery, maintaining the current pedestrian environment.</p> <p>The proposed supermarket because of its location on the block will not dominate the streetscape, and the provision of suitable landscaping to the South Street frontage and the car park area will further reduce its impact.</p> <p>The proposed and existing buildings are estimated to constitute 47% of the site area.</p> <p>The siting of the supermarket and configuration fits the block and the siting of the building and carpark takes into account the scale and density of existing buildings and the development potential of the site. Given that the development adjoins land to the north that have erected upon them residential units, Council must address the issue of off-site impacts.</p> <p>These have been identified as being potentially:</p>

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		<ol style="list-style-type: none"> 1. Noise from the plant and equipment, deliveries, and patrons, 2. Light emissions, 3. Boundary treatments, 4. Excavation of the site and impact to structural integrity of structures, and 5. Construction of the complex. <p>It is believed that all of the above issues can be addressed by the imposition of appropriate conditions of consent.</p>
Setbacks	Yes	<p>The proposed development has building setbacks of 36.46m to the southern street boundary (Fitzroy Street), a 4.987m setback to the western street boundary (South Street), a 0.2m setback to the northern boundary and a 0.1m setback to the eastern boundary.</p> <p>There are no listed setbacks to check back against other than the National Building Code. There are no constraints affecting or created by this development.</p>
Privacy	Yes	<p>This will increase the density in this area, hence neighbouring properties will be affected, but it is not considered to be detrimental in planning terms. There are no privacy constraints affecting or created by this development.</p>
Overshadowing	No	<p>Height limits assist in shaping the character of an area, the B2 Local Centre zone does not have a maximum building height restriction, as a variety of building densities is expected, and to encourage more liveable buildings in our town centre by allowing greater floor to ceiling heights and better noise insulation.</p> <p>The proposed building from the highest part of the roof to the natural ground level is 8.2m, an approximate guide is the equivalent of no more than 2 storeys.</p> <p>If any, overshadowing created will be minor on any adjoining premises. There are no overshadowing constraints affecting this development.</p>
Visual	Yes	<p>There will be a visual impact; the site will look different. But with landscaping and the design of the building, it will be of a suitable nature; the Walcha LEP 2012 has made provision for this type of development.</p> <p>Additional outdoor lighting will be part of this development; this can be addressed by the imposition of appropriate conditions of consent that:</p> <ol style="list-style-type: none"> 1. All new external lighting must: <ol style="list-style-type: none"> (a) Comply with AS 11583.1 Pedestrian Area Lighting.

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		<p>(b) Comply with AS 4282–1997 Control of the obtrusive effects of outdoor lighting, and</p> <p>(c) Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.</p> <p>2. Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set:2010 Lighting for roads and public spaces Set</p>
Significant Views	No	There are no constraints affecting or created by this development on significant views.
Amenity	Yes	<p>The proposed development is likely to provide enhanced visual amenity of the surrounding area by using modern building techniques and finishes. Whilst the building design is proposed to be of a modern style, it is proposed to refurbish the existing buildings on the site to maintain the traditional design of the buildings. The existing dilapidated shed structures will be removed.</p> <p>There are no constraints affecting or created due to amenity by this development.</p>
Safety, Security & Crime Prevention	Yes	<p>The construction work could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.</p> <p>Council should impose a condition of consent to erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and that it must be kept in place until after the completion of the works.</p> <p>Any demolition must be carried out in accordance with AS 2601—2001, The demolition of structures.</p> <p>The development of the car park is relatively open and its design means that it is highly visible from South and Fitzroy Streets, and subject to the provision of adequate lighting the risk of unacceptable night time behaviour will be reduced.</p>
Water	No	There are no constraints affecting or created by this development. All overland water flow will be drained in accordance with a site design to be approved by the Engineering Department prior to a Construction Certificate being issued.
Air	No	There are no constraints affecting or created by this development.
Noise	Yes	<p>Typically developments of this type have the need for refrigeration and air conditioning units which have the capacity to generate noise.</p> <p>The applicant has specified in the SEE that the refrigeration compressors are proposed to run 24 hours a day, 7 days a week, and are located on the north western corner of the building; a</p>

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		<p>solid wall with an acoustic rating is proposed to be constructed, predominately to protect the neighbouring residences.</p> <p>The loading dock is proposed at the north western corner of the block, delivery and waste removal trucks have the potential to generate noise and impact negatively on neighbouring residential properties to the north.</p> <p>These issues can be addressed by the imposition of appropriate conditions of consent.</p>
Land Degradation	No	There are no constraints affecting or created by this development.
Tree Loss	Yes	<p>A number of internal trees will be required to be removed in place of car parking spaces, an existing mature tree towards the south western corner of the site is proposed to remain.</p> <p>Some landscape details have been provided and is acceptable subject to some amendments, which can be addressed with conditions of consent.</p>
Flora	No	An assessment was not deemed necessary in this instance as there is little likelihood of flora constraints affecting or created by this development.
Fauna	No	An assessment was not deemed necessary in this instance as there is little likelihood of fauna constraints affecting or created by this development.
Soils	No	The proposed development will not adversely impact the soil in terms of conservation, quality, stability, movement or erosion. Sediment and erosion control measures during construction will be controlled and required to be in place through the imposition of appropriate conditions of consent.

Environmental Impacts – Threatened Species
Section 79c(1)(b) – EP & A Act

- Has a Threatened Species Impact Assessment been prepared? No
- Are there any species/communities listed under the TSC Act? No
- Does the proposed development require approval under the EPBC Act? No
- Is a Species Impact Statement required? No

Environmental Impacts – Heritage
Section 79c(1)(b) – EP & A Act


Does this proposal have any potential impact on?

Heritage	Impact	Comment
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<p>European</p>	<p>No</p>	<p>This land is classified as not containing an item of environmental heritage under the WLEP.</p> <p>The subject site is within the vicinity of the former St Andrew’s Anglican Church, which is listed as a State Heritage item and identified as I020 on the Heritage Map – Sheet HER_003B (WLEP). Clause 5.10 of the WLEP requires consideration and assessment of the extent to which the proposed development may affect the heritage significance of the subject heritage item. In this regard, the development is contained wholly within the site and will not have a material impact on the adjacent Heritage item. The proposal is consistent with the objectives of Clause 5.10 of the WLEP in that the heritage significance of the item is conserved as is the environmental heritage of Walcha.</p>  <p>Heritage conservation is identified within the WLEP, the aim of which is to encourage the orderly management, development and conservation of resources by protecting, enhancing and conserving places and buildings of heritage significance. This is relevant to the assessment of visual impact but is not considered to be well founded in respect of heritage significance.</p> <p>All development should aim to minimise any significant impact on views and vistas from and to heritage items; provide a high quality of built and landscape design, contribute to the diverse character of the landscape; and preserve natural features that form an integral part of the character and vitality of the landscape, commercial activities provide an important resource and public enjoyment of the area. The proposed development is considered to meet this satisfactorily.</p>
<p>Aboriginal</p>	<p>No</p>	<p>An Aboriginal Heritage Information Management System (AHIMS) search was carried out with no items being listed within the property.</p>

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- Is this land classified as containing an item of environmental heritage? No
- Is there an impact on and adjoining or in close vicinity to an item of environmental heritage? No
- Is this proposal in a heritage conservation Zone? No
- Is this proposal in an adjoining or in close vicinity to a conservation zone? No
- Has a Heritage Impact Statement been prepared for this proposal? No
- Has an Archaeological Survey been prepared for this proposal? No
- Is there any other issue/feature/impact that requires notation? No

Flooding
Section 79c(1)(b) – EP & A Act

- Is this property flood affected? Yes
- Is there a flood study which includes this land? Yes
- Name of Study: Walcha Floodplain Risk Management Study, September 2009
- Flood Height: Affected by the 1% flood. Survey will have to be undertaken to ensure supermarket is 500mm above the 1% flood extent.
- Has a Flood Impact Assessment been completed for this proposal? No

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Bush Fire Prone Land
 Section 79c(1)(b) – EP & A Act

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

Contaminated Land
 Section 79c(1)(b) – EP & A Act

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

Is it a possibility this land may be contaminated? Yes

Comment: Site has been identified as having a previous use as a service station, history is unknown, a number of underground petroleum storage systems (UPSS) are believed to be present on the site adjacent to the Brady’s Saddlery building, applicant has been requested to undertake preliminary site investigations to determine the extent, nature and degree of contamination present at the site and the most appropriate method of remediation, to ensure the site is suitable, or can and will be made suitable for the proposed development.

This can be addressed by the appropriate imposition of conditions of consent to require the tanks be decommissioned and removed in accordance with the requirements of the following legislation and policies as well as using industry best practice wherever possible:

- Clause 174ZF of the Occupational Health and Safety Regulation 2001: Cleaning or decommissioning plant, equipment and containers
- Code of Practice: Storage and handling of dangerous goods (NSW WorkCover Authority 2005)

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- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008
- AS1940-2004: Storage and handling of flammable and combustible liquids
- AS4976-2008. Removal and disposal of underground petroleum storage tanks

All decommissioning and removal works must be carried out by a 'duly qualified person' as defined in the UPSS Regulation.

A Validation Report must be submitted to Council within 60 days of completion of the necessary remediation works and prior to the release of a construction certificate for the development. The Validation Report must be completed in accordance with the Department of Environment, Climate Change & Water *UPPS Technical Note: Site Validation Reporting* to ensure it meets the requirements of clauses 13 and 15 of the UPSS Regulation.

If any damage occurs to Council property / infrastructure / assets as a result of necessary removal and remediation works, full repairs and remediation works are to be carried out by the developer, full cost to be beared by the developer prior to the release of an occupation certificate.

Has a Contaminated Land Site Investigation been completed? No
Is this land in the close vicinity or adjoining a known contaminated site? No

Infrastructure

Has an engineering assessment been completed? Yes

Does this proposal have any potential impact on:

	Impact	Comment
Sewer	Yes	A full sewer design will be required to be approved by Council prior to the release of a Construction Certificate to ensure adequacy. As part of the sewer design, Council must be notified of the projected sewer production to ensure that downstream infrastructure is not overloaded as a result of this development.
Water	Yes	A full water provision design will be required to be approved by Council prior to the release of a Construction Certificate to ensure adequacy. As part of the water provision design, Council must be notified of the projected water usage to ensure that Councils existing infrastructure in the immediate area is sufficient to supply the required water for the development.
Drainage	Yes	A stormwater retention system is required. This system will need to be approved by Council prior to the release of a Construction Certificate to ensure adequacy.
Access	Yes	Customer ingress is proposed from South Street and egress

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		to Fitzroy Street via existing driveways of 7 metres width. All internal driveways and visitor car parking must have an asphalt or reinforced concrete wearing surface. The pavement design will need to be approved by Council prior to the release of a Construction Certificate to ensure adequacy.
Kerb & Gutter	Yes	Where the existing Kerb or Gutter is impacted by the proposed design, the infrastructure will be reinstated to Council's standards.
Upgrade Existing Road	Yes	South Street, directly in front of the loading dock should be upgraded to a suitable wearing course to ensure truck movements do not damage councils existing bitumen seal. The upgraded wearing course should be asphalt, with the depth to be determined and submitted to Council prior to the release of a Construction Certificate.
Road Network	No	Not Required.
Existing Easements	No	N/A
Electricity	Yes	As per the requirements of the electricity provider, which will be conditioned.
Telecommunications	Yes	As per the requirements of the telecommunications provider, which will be conditioned.
Pedestrian Access	Yes	The design of pedestrian access within the development area must be designed to link into Councils existing footpath network. The footpath must be designed to ensure continuity with the existing Walcha CBD.
Loading & Unloading	Yes	A separate and additional driveway is proposed strictly for service vehicles, access is proposed from South Street, this utilises rear of shop deliveries, keeping access vehicles separate from customer parking areas. It is proposed that the loading dock will be serviced by reversing direction ingress, this is not in accordance with Safe Work Australia Traffic Management Guidelines for Shopping Centres, however it is proposed so as to maximise the number of car parking spaces available and eliminate direct connection of the access vehicles to the supermarket car parking area. The risks could be managed by appropriately conditioning the consent to address traffic management and implementing safety devices such as:

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		<ol style="list-style-type: none"> 1. clearly marked signage prohibiting public access to loading dock and warning the public of the loading area 2. speed limits 3. convex mirrors 4. road clearway either side of the driveway <p>Recommended that a Traffic Management Plan is to be developed by a suitably qualified practising Engineer in consultation with the Local Traffic Committee detailing the operation of the loading bay, to be approved by Council prior to the issue of an occupation certificate.</p>
Parking	Yes	<p>The proposed development provides for 47 car spaces onsite. No provision is shown on the plans for bicycle parking and this should be a requirement of any approval as it is a primary mode of transport for youth.</p> <p>Two spaces are provided for disabled parking.</p> <p>An assessment has been undertaken of the proposed provision of onsite car parking using the RMS's Guidelines for Traffic Generating Development, as Walcha Council does not have specific car parking requirements.</p> <p>For shops having a gross leasable floor area (GLFA) of 0-10,000m² – car parking should be provided at 6.1 spaces (This is a metropolitan / regional average) per 100m² of GLFA. As a guide, about 75% of gross floor area is deemed GLFA.</p> <p>Therefore for the development the gross floor area is = 1,997m²</p> <p>GLFA = 1,498m²</p> <p>Based on 6.1 spaces / 100m² GLFA, the demand = 91 spaces</p> <p>At least 85% of the calculated spaces should be provided on site which is 78 spaces.</p> <p>Therefore the development is 31 spaces short onsite. Giving consideration to the community interest in the retention of existing saddlery and craft buildings, plus the existence of on-street parking to the south and west, plus the RMS Guidelines being an average of metropolitan and regional areas with Walcha Council being a rural location, Council could consider the 47 car spaces sufficient.</p>
Emergency Services	Yes	<p>Part of the water design is to ensure that firefighting hydrants meet the necessary standard. In the event that the existing hydrant does not, an upright pillar hydrant assembly mid-block may be required. This will need to be assessed</p>

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		approved by Council at the time of water provision designs assessment and prior to the release of a Construction Certificate to ensure adequacy. Ambulance and Police would have full access.
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- Does the development require any new easements? No
- Has an Erosion and Soil Control Plan been submitted? No
- Was there any outstanding issues requiring attention? Yes

Comment: Fire fighting hydrant issue needs to be finalised and is subject to the water provision design.

Construction Assessment

- Is a construction assessment required? Yes
- Has a construction assessment been completed? No
- Is there any other issue / feature / impact that requires notation from the assessment? No
- Is a Construction Certificate Required? Yes
- Was a construction certificate submitted with this application? No
- Is the Construction Certificate required for a subdivision? No
- Is an annual Fire Safety Measures certification required? Yes
- Is a public defects liability agreement required? No
- Is there any other issue that requires notation? No

Section 68 Assessment
Section 68 – LGA Act

- Is a section 68 assessment required? Yes
- Was a section 68 application submitted with this application? No
- Has a section 68 assessment been completed? No
- Does this system require connection to a Council maintained system? Yes
- Is there any other issue/feature/impact that requires notation from the assessment No

Developer Contributions
Section 94 – EP & A Act

- Does this proposal require any Developer Contribution? No

Signage

- Has this application included signage? Yes

Comment: Business Identification signs, additional signage to be specified in further development application.

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Notification
Section 79c(1)(d) – EP & A Act

Is this application an advertised development application? Yes

Comment: The application was advertised by way of published notice for a period of twenty eight (28) days from 15 March 2017 to 12 April 2017, appearing in local publications the Apsley Advocate and the Walcha News

Was this application notified as per the provisions of Council’s Notification Policy? Yes

Comment: The application was notified by way of written notice to adjoining property landholders.

Were there any written submissions received? Yes

If yes, what was the number of submissions received? 12

Comment: Two as a result of written notification and 10 as a result of advertising.

Submission Maker A	Received 23 February 2017
<p>Issues:</p> <ul style="list-style-type: none"> • Notification – concern over not being notified • Hope for current craft shop to be suitably restored • Loading bay noise (back-up alarms) at strange hours of the night • Request for northern buffer wall to reduce disturbance 	
<p>Comment:</p> <p>The application was notified in accordance with Councils “Notification of Development Applications” Policy as amended by Council in September 2000, in conjunction with relevant legislation and planning principles as applicable by today standards. Persons to be notified are those who appear to be the owner of adjoining and neighbouring land, if Council considers the enjoyment of any adjoining or neighbouring land may be detrimentally affected by the proposed building. The application was not notified to the submission maker as their property is not adjoining as it is separated from the subject land by a public road, Council also takes into consideration any lot that is within 20m of the boundary of the subject land and the submission makers land is not within 20m of the lot boundary of the subject land.</p> <p>Part of the existing craft shop that is dilapidated is proposed to be demolished, the applicant has outlined in their Statement of Environmental Effects submitted with the application that the remaining building is proposed to be “beautified”. Council may wish to reinforce this issue by way of applying a relevant condition of consent requiring the building to be refurbished.</p> <p>The noise of delivery vehicles reversing into the loading bay is a relevant planning matter to be considered by Council. The development does have potential to increase background noise levels. Council should consider addressing this issue by way of applying relevant conditions of consent particularly in respect to the hours of delivery and the proposed northern boundary solid wall construction to be of a material and height suitable to absorb the noise and maintain amenity of the adjoining owners.</p>	
Submission Maker B	Received 23 February 2017 – Opposition
<p>Issues:</p>	

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- Proposed changed traffic conditions:
 - Increased traffic Hamilton Street
 - Reversing trucks in South Street
 - Increased traffic in South Street, already busy with school aged children
 - Question of the time restraints for the delivery trucks
- Position of loading bay – concerns in relation to noise, privacy and delivery times
- Concerned about the layout of the development being on the side where the residential buildings are.
- Concerned about appropriate buffer wall between the loading bay and the residential properties
- Concerned about the plant room directly opposite neighbouring resident’s bedrooms in relation to noise, light and heat from the industrial air conditioner running 24 hours a day.
- Concerned plans don’t clearly depict detail in relation to size and scale of the development.

Comment:

See comments above in submission A in relation to the loading bay and delivery trucks.

Council has determined at the time of adoption of its LEP that this type of development is suitable for this zoning, subject to development consent. This development fits with the aims and objectives. Council consulted with the community in the LEP preparation. The traffic generation ancillary to this development would also be considered to be suitable within this zone, however the issue of increased traffic and nearby land use of the school is valid and needs to be considered; Council under the provisions of the Infrastructure SEPP 2007, consulted with RMS for comment in relation to traffic generation, Council should consider imposing as conditions of consent the recommendations of RMS.

No Development Control Plan (DCP) exists for the subject site to provide guidance on layout, building setbacks, and design. The building has been designed so that any air conditioning units and ducting are screened from view from a public place or road; the applicant has designed the development to maintain the existing craft shop as a landmark feature of the street. The loading bay location has been designed to demonstrate no conflict between pedestrians and customer vehicles. The delivery trucks reversing into the site from South Street is a valid concern and needs to be considered, as done so within this report. The supermarket & liquor outlet has been sited to face the street to avoid expansive blank walls to view from a public place or road, the carpark location is designed taking into account crime prevention strategies and to facilitate appropriate vehicle and pedestrian access to the site and other shops within the CBD, further deliberation of the building layout on the site is for the consideration of Council.

In respect of the concern for the noise generated from the proposed refrigeration units, relevant EPA noise recommendations should be imposed as a condition of consent.

The plans submitted with the application are drawn to scale with relevant dimensions shown to the satisfaction of Council’s requirements for the submission of a development application and associated plans and documents, including floor plan, site plan and elevations.

Submission Maker 1	Received 9 March 2017 – Opposition
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Issues:

- Position of loading bay – concerns in relation to noise, privacy and delivery times
- Concerned about appropriate buffer wall between the loading bay and the residential properties
- Concerned about the plant room directly opposite neighbouring resident’s bedrooms in relation to noise, light and heat from the industrial air conditioner running 24 hours a day.
- Concerned about the layout of the development being on the side where the residential buildings are.

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Comment: See comments above to previous submissions.	
Submission Maker 2	Received 20 March 2017
Issues: <ul style="list-style-type: none"> • Part demolition of an early (possibly 1850's-1860's) heritage building • Heritage item within the vicinity of the development 	
Comment: <p>This land is classified as not containing an item of environmental heritage under the WLEP.</p> <p>The subject site is within the vicinity of the former St Andrew's Anglican Church, which is listed as a State Heritage item and identified as I020 on the Heritage Map – Sheet HER_003B (WLEP). Clause 5.10 of the WLEP requires consideration and assessment of the extent to which the proposed development may affect the heritage significance of the subject heritage item. In this regard, the development is contained wholly within the site and will not have a material impact on the adjacent Heritage item. The proposal is consistent with the objectives of Clause 5.10 of the WLEP in that the heritage significance of the item is conserved as is the environmental heritage of Walcha.</p> <p>Heritage conservation is identified within the WLEP, the aim of which is to encourage the orderly management, development and conservation of resources by protecting, enhancing and conserving places and buildings of heritage significance. This is relevant to the assessment of visual impact but is not considered to be well founded in respect of heritage significance.</p> <p>All development should aim to minimise any significant impact on views and vistas from and to heritage items; provide a high quality of built and landscape design, contribute to the diverse character of the landscape; and preserve natural features that form an integral part of the character and vitality of the landscape, commercial activities provide an important resource and public enjoyment of the area. The proposed development is considered to meet this satisfactorily.</p>	
Submission Maker 3	Received 23 March 2017 – Opposition
Issues: <ul style="list-style-type: none"> • Over-development of the site • Out of place with the character of Walcha - detracts from the streetscape, verandah continuity broken, size out of scale • Economic impact • Carpark – unattractive, poorly landscaped, brightly lit at night • Vehicle crossover along Fitzroy Street – interrupted streetscape, traffic hazard for pedestrians and discourages pedestrian movement • Modern design not in keeping with landscape • On-site carparking provision significantly short of RTA Guidelines • Unsuitable arrangement for loading and unloading not in accordance with RTA guidelines • Insufficient Traffic management details • Lack of pedestrian paths • Failure to appropriately address the residential interface to the north • Site contamination from previous service station use • Land subject to flooding. 	

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Comment:

The site is currently occupied by Brady's Saddlery in one building, and by a craft shop in another (to be retained and refurbished in keeping with their traditional feel); to the rear of the property, several unused and vacant sheds are situated, to be demolished.

The proposed supermarket is set to the rear of the block, the building is to be constructed of a mixture of materials, mainly from precast concrete slab construction, fibre cement wall sheeting, colorbond wall sheeting, zincalume roof sheeting and a concrete floor, The windows and automatic sliding doors to the development will be manufactured from powdercoated aluminium frames.

Development within the vicinity of the site comprises mixed residential, commercial and retail character.

To the north, comprises four single storey residences separated from the proposed development by a drainage easement approximately twelve (12) metres in width. The residences are approximately 220m² in floor area constituting on average approximately 40% of the site area. Setback six (6) metres from north and western road frontages. Commercial premises to the east site coverage is estimated at 66%

The streetscape in this area onto Fitzroy Street is dominated by construction built to the street frontage, the existing street edge will remain with the retention of the Craft Shop and Brady's Saddlery, maintaining the current pedestrian environment.

The proposed supermarket because of its location on the block will not dominate the streetscape, and the provision of suitable landscaping to the South Street frontage and the car park area will further reduce its impact.

The proposed and existing buildings are estimated to constitute 47% of the site area.

The siting of the supermarket and configuration fits the block and the siting of the building and carpark takes into account the scale and density of existing buildings and the development potential of the site. Given that the development adjoins land to the north that have erected upon them residential units, Council must address the issue of off-site impacts.

These have been identified as being potentially:

1. Noise from the plant and equipment, deliveries, and patrons,
2. Light emissions,
3. Boundary treatments,
4. Excavation of the site and impact to structural integrity of structures, and
5. Construction of the complex.

It is believed that all of the above issues can be addressed by the imposition of appropriate conditions of consent.

Section 5 of the EP&A Act sets out the objectives of the legislation and these include the proper management of land for the purpose of promoting the social and economic welfare of the community, the orderly and economic use and development of land, and the protection of the environment.

The proposal to construct a new supermarket has raised concerns within the community of its economic impact on existing traders within the area. Council as the consent authority for the application is required by s79(c) to consider the *"likely impacts of the development"*.

Therefore the economic result or outcome of the proposed development is a matter which may be

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relevant in determining a development application.

Economic impact in itself involves, as do many considerations relevant under s79C (1), an estimation of likelihood or possibility, because actual impact may not be discernible until the development is completed.

Economic impact assessment focuses on the economic dimensions of a locality, not individual traders. It seeks to identify how a proposal will contribute to the economic growth of the locality through locating development in appropriate areas, supporting existing development in the area and through the creation of employment opportunity and other economic benefits and whether the facilities currently enjoyed by the community will be put at jeopardy.

There has been many cases before the Land and Environment Court on the issue of economic impact and a review of decisions will provide a clear understanding of the courts position. A review of relevant cases has been conducted and detail below:

Cartier Holdings Pty Ltd v Newcastle City Council (2001 NSWLEC 170)

This matter raised the issue of whether s79C (1) (b) of the EP&A Act should be construed differently to the former s90(1)(d).

The court decided that s79C (1) (b) does not require a different approach. This had the consequence in that case that the economic impact of the proposed development upon private individual traders was confirmed by the court that not to be a planning consideration.

Fabcot Pty Ltd v Hawkesbury Council (1997) 93 LGERA 373

A case where a Council had refused development consent for a Woolworths supermarket to be located outside the town centre of Windsor. One of the issues was whether the proposed supermarket would have had an economic impact upon existing and planned retail supermarkets in the Hawkesbury city local government area.

Lloyd J that the issue did not raise a planning or environmental consideration because the economic impact of a proposed development upon private individual traders was not of itself a planning consideration, and what was instead required by the former s90(1)(d) was a wider and more general consideration of economic impact in the locality.

His Honour decided that the only relevance of the economic impact of a development was its effect "in the locality".

The courts conclusions have been reinforced by having regard to the objects of the EP&A Act as set out in s5 which indicates that the phrase "economic impacts in the locality" is to be understood in an environmental and planning sense. The economic impact of a proposed development upon private individual traders is not per se a proper environmental or planning consideration. The section does not require the consideration of economic impact upon individual competitors, except to the extent that any impact upon individuals competitors, or competition generally, demonstrates economic impact in the locality as an environmental planning matter.

What Council must direct itself to consider in this instance is if the facilities enjoyed by the community would be put at jeopardy by the impacts of the development and the resultant detriment would not be made good by the development itself.

Large supermarkets can and do impact upon individual traders through competition. However, fear of competition is not a valid planning consideration.

Competition is about choice; that is the freedom of customers to choose between products and choose between suppliers. It is up to individual traders to respond to competition and this can lead to increased performance, particularly when customers can choose between businesses offering similar

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products. The result is that prices tend to fall and this can lead to significant economic benefits to the wider community.

The applicant has been requested to provide additional information on justification of the development and this will be provided prior to determination being made.

The development of the car park is relatively open and its design means that it is highly visible from South and Fitzroy Streets, and subject to the provision of adequate lighting the risk of unacceptable night time behaviour will be reduced.

A number of internal trees will be required to be removed in place of car parking spaces, an existing mature tree towards the south western corner of the site is proposed to remain.

Some landscape details have been provided and is acceptable subject to some amendments, which can be addressed with conditions of consent.

The proposed development is likely to provide enhanced visual amenity of the surrounding area by using modern building techniques and finishes. Whilst the building design is proposed to be of a modern style, it is proposed to refurbish the existing buildings on the site to maintain the traditional design of the buildings. The existing dilapidated shed structures will be removed. There are no constraints affecting or created due to amenity by this development.

The proposed development provides for 47 car spaces onsite. No provision is shown on the plans for bicycle parking and this should be a requirement of any approval as it is a primary mode of transport for youth.

Two spaces are provided for disabled parking.

An assessment has been undertaken of the proposed provision of onsite car parking using the RMS's Guidelines for Traffic Generating Development, as Walcha Council does not have specific car parking requirements.

For shops having a gross leasable floor area (GLFA) of 0-10,000m² – car parking should be provided at 6.1 spaces (This is a metropolitan / regional average) per 100m² of GLFA. As a guide, about 75% of gross floor area is deemed GLFA.

Therefore for the development the gross floor area is = 1,997m²

GLFA = 1,498m²

Based on 6.1 spaces / 100m² GLFA, the demand = 91 spaces

At least 85% of the calculated spaces should be provided on site which is 78 spaces.

Therefore the development is 31 spaces short onsite. Giving consideration to the community interest in the retention of existing saddlery and craft buildings, plus the existence of on-street parking to the south and west, plus the RMS Guidelines being an average of metropolitan and regional areas with Walcha Council being a rural location, Council could consider the 47 car spaces sufficient.

A separate and additional driveway is proposed strictly for service vehicles, access is proposed from South Street, this utilises rear of shop deliveries, keeping access vehicles separate from customer parking areas.

It is proposed that the loading dock will be serviced by reversing direction ingress, this is not in

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accordance with Safe Work Australia Traffic Management Guidelines for Shopping Centres, however it is proposed so as to maximise the number of car parking spaces available and eliminate direct connection of the access vehicles to the supermarket car parking area.

The risks could be managed by appropriately conditioning the consent to address traffic management and implementing safety devices such as:

1. clearly marked signage prohibiting public access to loading dock and warning the public of the loading area
2. speed limits
3. convex mirrors
4. road clearway either side of the driveway

Recommended that a Traffic Management Plan is to be developed by a suitably qualified practising Engineer in consultation with the Local Traffic Committee detailing the operation of the loading bay, to be approved by Council prior to the issue of an occupation certificate.

The design of pedestrian access within the development area must be designed to link into Councils existing footpath network. The footpath must be designed to ensure continuity with the existing Walcha CBD.

Site contamination is a relevant concern and planning matter; applicant has been requested to undertake preliminary site investigations to determine the extent, nature and degree of contamination present at the site and the most appropriate method of remediation, to ensure the site is suitable, or can and will be made suitable for the proposed development.

This can be addressed by the appropriate imposition of conditions of consent to require the tanks be decommissioned and removed in accordance with the requirements of the following legislation and policies as well as using industry best practice wherever possible:

- Clause 174ZF of the Occupational Health and Safety Regulation 2001: Cleaning or decommissioning plant, equipment and containers
- Code of Practice: Storage and handling of dangerous goods (NSW WorkCover Authority 2005)
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008
- AS1940-2004: Storage and handling of flammable and combustible liquids
- AS4976-2008. Removal and disposal of underground petroleum storage tanks

All decommissioning and removal works must be carried out by a 'duly qualified person' as defined in the UPSS Regulation.

A Validation Report must be submitted to Council within 60 days of completion of the necessary remediation works and prior to the release of a construction certificate for the development. The Validation Report must be completed in accordance with the Department of Environment, Climate Change & Water *UPPS Technical Note: Site Validation Reporting* to ensure it meets the requirements of clauses 13 and 15 of the UPSS Regulation.

The minimum floor level will need to be 500mm above the 1% flood height. This will need to be confirmed by survey prior to the release of a Construction Certificate.

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Submission Maker 4	Received 24 March 2017
<p>Issues:</p> <ul style="list-style-type: none"> • Bernie Brady vacating Brady's Saddlery in the near future • Existing services to Brady's Saddlery • Site contamination • Stormwater drainage 	
<p>Comment:</p> <p>The current building being vacated is not specified within the application and there not relevant to the application.</p> <p>The development application does not involve a change of building use for the existing buildings, nor the rebuilding, enlargement or extension, it does proposed the partial demolition to the rear of the existing craft shop building. There is no specific requirement for upgrade, therefore it would be at Council's discretion to require existing buildings to be brought into total or partial conformity with the BCA. Where the measures contained in the building are inadequate to protect persons using the building, and to facilitate their egress from the building, in the event of fire, or to restrict the spread of fire from the building to other buildings nearby, it would be considered appropriate to require the buildings to be upgraded.</p> <p>Site contamination is a relevant concern and planning matter; applicant has been requested to undertake preliminary site investigations to determine the extent, nature and degree of contamination present at the site and the most appropriate method of remediation, to ensure the site is suitable, or can and will be made suitable for the proposed development.</p> <p>This can be addressed by the appropriate imposition of conditions of consent to require the tanks be decommissioned and removed in accordance with the requirements of the following legislation and policies as well as using industry best practice wherever possible:</p> <ul style="list-style-type: none"> – Clause 174ZF of the Occupational Health and Safety Regulation 2001: Cleaning or decommissioning plant, equipment and containers – Code of Practice: Storage and handling of dangerous goods (NSW WorkCover Authority 2005) – Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 – AS1940-2004: Storage and handling of flammable and combustible liquids – AS4976-2008. Removal and disposal of underground petroleum storage tanks <p>All decommissioning and removal works must be carried out by a 'duly qualified person' as defined in the UPSS Regulation.</p> <p>A Validation Report must be submitted to Council within 60 days of completion of the necessary remediation works and prior to the release of a construction certificate for the development. The Validation Report must be completed in accordance with the Department of Environment, Climate Change & Water <i>UPPS Technical Note: Site Validation Reporting</i> to ensure it meets the requirements of clauses 13 and 15 of the UPSS Regulation.</p> <p>Stormwater drainage is a relevant concern and can be addressed through the imposition of conditions, requiring a detailed design plan be submitted to Council prior to a construction certificate being issued and a condition that all drainage to be directed away from any buildings and</p>	

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neighbouring properties, likely to the Fitzroy and South Street stormwater drainage systems and the northern drainage easement.	
Submission Maker 5	Received 27 March 2017
<p>Issues:</p> <ul style="list-style-type: none"> • Site contamination <p>Feedback:</p> <ul style="list-style-type: none"> • Positive to see someone willing and confident to invest so much money in the future of Walcha 	
<p>Comment:</p> <p>See comments above to previous submissions.</p>	
Submission Maker 6	Received 29 March 2017
<p>Feedback:</p> <ul style="list-style-type: none"> • Support competitive pricing • Embracing a modern design replacing the existing antiquated inadequate IGA premises • Increased floor space to allow expansion of range and variety, wider aisles, reduced clutter, improved safety • Improved cleanliness and enhanced food hygiene and safety • Entice more people to shop locally • Increased local employment • Additional carparking spaces • Little value in derelict sheds and residence attached to Craft Shop • Progress requires change 	
<p>Comment:</p> <p>Feedback noted, considered also within the report.</p>	
Submission Maker 7	Received 29 March 2017
<p>Issues:</p> <ul style="list-style-type: none"> • Tree preservation, specifically the old Acer Negundo Box Elder located to rear of the Craft Shop • Shade provision for car park • Neighbouring residence noise pollution tree plantings to assist. • Heritage significance 	
<p>Comment:</p> <p>The tree specified is proposed to remain</p> <p>Recommend condition that shade trees be incorporated into landscaped area to north of Craft Shop to assist carparking area, full landscape plan to be provided prior to issue of a construction certificate.</p> <p>Information on trees for neighbouring properties, could be considered by adjoining owners.</p> <p>Please see previous submission comments in relation to heritage.</p>	
Submission Maker 8	Received 11 April 2017

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Feedback:	
<ul style="list-style-type: none"> • Complete support of development • Wonderful to have a new clean, modern shop with car parking close by a benefit for elderly and those with small children 	
Comment:	
Feedback noted, considered also within the report.	
Submission Maker 9	Received 12 April 2017
Feedback:	
<ul style="list-style-type: none"> • Support the proposed development • Viability of the town extremely important to the farmers in the district • Meeting the basic needs of the community • Firm business case for wanting to expand 	
Comment:	
Feedback noted, considered also within the report.	
Submission Maker 10	Received 6 March 2017
Issues:	
<ul style="list-style-type: none"> • Likely impacts of the proposed development on the safety and efficiency of the road network not identified by applicant • Request of additional information in relation to traffic impact assessment • Proposal to enter via South Street and leave via Fitzroy Street supported, consult Local Traffic Committee in relation to any proposed regulatory signage • Proposed loading bay will result in heavy vehicles reversing within the public road and across the public footpath; further consideration recommended to on-site servicing arrangements that enable all vehicles enter and leave in forward direction and provide suitable separation to pedestrians. If site constraints exists, request Traffic Management Plan • Signage • All works in road reserve to be in accordance with current Austroad Guidelines, Australian Standards and RMS Supplements 	
Comment:	
Impacts considered by Council's Engineering Department, and conditions recommended accordingly. Proposed conditions of consent in accordance with recommendations received.	

Is there any other issue/feature that requires notation? No

Section 88b Instrument

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

Public Interest
Section 79c(1)(e) – EP & A Act

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Comment: The proposed development satisfies the relevant requirements contained within the Walcha Local Environmental Plan 2012 as discussed in earlier sections of this report. The proposed development promotes the coordinated, orderly and economic use of the land and is not expected to have any unreasonable impacts on adjoining development. Approval of the application is therefore considered to be in the public interest.

Does this proposal have any construction or safety issues? Yes

Comment: Sediment and erosion control measures are to be installed as part of the construction of the development. Standard conditions will be included regarding the installation and maintenance of the sediment and erosion control measures as part of the pre and during construction phase of the development.

During the construction of the development, the health and amenity of workers, the public and adjoining properties alike need consideration under Section 79C of the EPAA. Accordingly, all works associated with the development will be restricted to daytime hours to ensure the works will not be a nuisance to adjoining occupiers and property owners (by way of standard condition).

Is there any public health issues? Yes

Comment: As the proposed development is for a food premises, the design and construction of the food premises must:

- be appropriate for the activities for which the premises are used
- provide adequate space for the activities to be conducted on the food premises and or the fixtures, fittings and equipment used for those activities
- permit the food premises to be effectively cleaned and, if necessary, sanitised
- to the extent that is practicable (i) exclude dirt, dust, fumes, smoke and other contaminants; (ii) not permit the entry of pests; and (iii) not permit any harbourage for pests

In accordance with the Australia and New Zealand Food Safety Authority Food Safety Standards and to ensure the public health and safety of patrons and staff. A copy of the Standards can be downloaded from the ANZFA website <http://www.foodstandards.gov.au>. Details to be submitted for the approval of the Council's Environmental Health Officer before the issue of a Construction Certificate

A Compliance Certificate stating that the necessary design and construction requirements for the food premises have been satisfied is to be obtained from Council's Environmental Health Officer prior to the issue of an Occupation Certificate.

The food business must be notified as required by The Food Act 2003, or licensed as required by the Food Regulation 2010, before an occupation certificate (whether interim or final) for the work is issued.

Site Suitability
Section 79c(1)(c) – EP & A Act

Is this a suitable site for this proposal Yes

Comment: The site is located in the B2 Local Centre Zone of Walcha LEP 2012 and is located within the Walcha Town Centre, thus the location contributes to the presentation of the whole area and achieves an appropriate character setting and amenity for the commercial use. The proposed development is permissible in the subject site's current zoning. The proposal has

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been assessed under Section 5A and 79C of the Environmental Planning and Assessment Act 1979 and, as demonstrated throughout the body of this report, the proposal complies with the provisions of all relevant state environmental planning policies, development control plans, codes and policies.

Assessing Officer General Comment

Comment:

This development does comply with the aims of the zone.

I believe Council is in a position to approve the development subject to conditions.

Recommendation

This development application be approved subject to the conditions as scheduled to this report in Attachment 1.

Conclusion

I confirm that I am familiar with the relevant heads of consideration under the *Environmental Planning & Assessment Act 1979* and the *Local Government Act 1993* (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.

Additional Notes Attached:

No

Signed:

Date: 21 April 2017

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ATTACHMENT 1

**CONDITIONS ATTACHED TO
DEVELOPMENT CONSENT 10.2016.17**

1. PRESCRIBED CONDITIONS

- cl. 98 Compliance with Building Code of Australia and insurance requirements under the [Home Building Act 1989](#) (cf clauses 78 and 78A of EP&A Regulation 1994)**
 - 1.1. For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - 1.1.1. that the work must be carried out in accordance with the requirements of the Building Code of Australia,
 - 1.2. This clause does not apply:
 - 1.2.1. to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
 - 1.2.2. to the erection of a temporary building, other than a temporary structure to which subclause (1A) applies.

In this clause, 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

There are no relevant provisions in the Building Code of Australia in respect of temporary structures that are not entertainment venues.

- cl. 98A Erection of signs**
 - 1.3. 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:
 - 1.3.1. showing the name, address and telephone number of the principal certifying authority for the work, and
 - 1.3.2. 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
 - 1.3.3. stating that unauthorised entry to the work site is prohibited.
 - 1.4. 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.

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)

cl. 98E Condition relating to shoring and adequacy of adjoining property

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- 1.5. For the purposes of section 80A (11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - 1.5.1. protect and support the building, structure or work from possible damage from the excavation, and
 - 1.5.2. where necessary, underpin the building, structure or work to prevent any such damage.
- 1.6. The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

2. GENERAL CONDITIONS

- 2.1. The development must take place in accordance with the approved plans (bearing the Walcha Council approval stamp) and documents submitted with the application, listed below:

Project No.	Drawing No.	Description	Prepared by	Dated
1119 – 16	1 of 4 (Rev. A)	Site plan	J.A. of Jeremy Allen Planning & Design	5/12/2016
1119 – 16	2 of 4 (Rev. A)	Floor plan	J.A. of Jeremy Allen Planning & Design	7/12/2016
1119 – 16	3 of 4 (Rev. A)	Elevations	J.A. of Jeremy Allen Planning & Design	7/12/2016
1119 – 16	4 of 4 (Rev. A)	Section plan	J.A. of Jeremy Allen Planning & Design	7/12/2016
1119 – 16	-	Statement of Environmental Effects	J.A. of Jeremy Allen Planning & Design	5/12/2016

Also in accordance with any changes shown in red ink on the approved plans, and as amended by the conditions of consent.

- 2.2. All sewer and drainage works associated with the approval are to comply with the requirements of AS 3500 and completed only by a licensed plumber and drainer.

Notification of intention to carryout plumbing and drainage work must be provided on the appropriate 'Notice of Work' form (available for download from the NSW Fair Trading Website) prior to plumbing and drainage work commencing. A 'Certificate of Compliance' (also available for download from the NSW Fair Trading Website) and Sewer Service Diagram (SSD) (template available for download from NSW Fair Trading Website) is to be submitted to Council at completion of the plumbing and drainage work, either prior to or at the time of the inspection. The SSD must comply with the required specifications, further information available from Council upon request.

- 2.3. All Engineering works to be designed by an appropriately qualified person and carried out in accordance with the requirements of

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Council's Engineering Department, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.

- 2.4. Tree removal should be carried out by an appropriately qualified person (e.g. tree surgeon) to avoid any risk to life or damage to property. This person should have adequate public liability insurance cover.
- 2.5. Incorporation of planting to screen and visually integrate the development with the local environment when viewed from South and Fitzroy Streets as specified in the Site Plan submitted with the Development Application. Further details to be indicated on plan to the satisfaction of the Certifying Authority before the issue of a Construction Certificate for the development.

New tree planting to be a minimum of 3m horizontal distance from the line of buildings or underground services to reduce risk of future damage by limbs or roots.

- 2.6. Should Walcha Council be appointed the Principal Certifying Authority, the applicant must give at least 2 days' notice to enable the following inspections to be undertaken where appropriate for the class of building:
 - after the commencement of the excavation for, and before the placement of, the first footing **
 - prior to covering any stormwater drainage connections **
 - after the building work has been completed and prior to any occupation certificate being issued in relation to the building **

** denotes a critical stage inspection (a mandatory inspection pursuant to Section 109E of the EP&A Act 1979). Please note that an Occupation Certificate cannot be issued for a development where a critical stage or other nominated inspection has not been carried out. (Please call 02 6774 2515 to book an inspection).

- 2.7. The Applicant is to decide on the final finishes and colours of the buildings in consultation with Council's Arts Advisory Committee.

3. PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE CONDITIONS

- 3.1. The applicant shall consolidate the two lots prior to issue of a Construction Certificate.
- 3.2. All Engineering works to be designed by an appropriately qualified person and carried out in accordance with the requirements of Council's Engineering Department, unless otherwise indicated in this consent, to ensure that these works are of a sustainable and safe standard.
 - 3.2.1. A full sewer design will be required to be approved by Council prior to the issue of a Construction Certificate to ensure adequacy. As part of the sewer design, Council must be notified of the projected sewer production to ensure that downstream infrastructure is not overloaded as a result of this development.
 - 3.2.1.1. Consideration to be given to liquid trade waste discharge into Council's sewerage system, with approval to be approved by Council prior to

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issue of a Construction Certificate.

- 3.2.2. A full water provision design will be required to be approved by Council prior to the issue of a Construction Certificate to ensure adequacy. As part of the water provision design, Council must be notified of the projected water usage to ensure that Councils existing infrastructure in the immediate area is sufficient to supply the required water for the development.
- 3.2.3. A full hydraulic design from an appropriately qualified practising hydraulic engineer for the premises, including all fire fighting equipment, will be required to be submitted to the Principle Certifying Authority prior to the issue of a Construction Certificate.
- 3.2.4. A full drainage plan will be required to be approved by Council prior to the issue of a Construction Certificate to ensure infrastructure design is adequate for flood protection and drainage control of the proposed development and / or other property. Stormwater systems must cater, as a minimum, for a stormwater flooding event of 20% Annual Exceedance Probability (AEP) for pipes, and 1% AEP for aboveground flow paths.
- 3.2.5. All internal driveways and visitor car parking must have an asphalt or reinforced concrete wearing surface. The pavement design is required to be approved by Council prior to the issue of a Construction Certificate to ensure adequacy.
- 3.3. The detailed plans and specifications submitted with the application for a construction certificate must be certified by an appropriately qualified practicing structural engineer and are to demonstrate compliance with the requirements of the deemed-to-satisfy provisions of the Building Code of Australia for the appropriate class of building. Amended plans are to be submitted to the Principal Certifying Authority for authentication of BCA compliance and issue of a Construction Certificate. Should the external configuration of the building be modified as a result of achieving BCA compliance, this development consent must also be modified.
- 3.4. The retaining wall to the north boundary of the development adjacent to the loading dock is to be of a material and height to suitably absorb noise generated from the development.
- 3.5. Access to the building for the disabled shall be provided in accordance with AS 1428.1 and the Building Code of Australia. Details of the disabled facilities need to be adequately detailed on the Construction Certificate application plans to permit assessment and compliance evaluation with the Building Code of Australia.
- 3.6. A list of fire safety measures must be submitted with the Construction Certificate application, pursuant to Clause 139 of the Environmental Planning and Assessment Regulation 2000.
- 3.7. For all construction work required on Council land (e.g. storm water, footpaths, kerb and gutter etc.) the applicant is to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority. The Application must be approved prior to the issue of a Construction

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Certificate, to ensure pedestrian and vehicular safety during construction.

- 3.8. The design and construction of food premises must:
 - 3.8.1. be appropriate for the activities for which the premises are used
 - 3.8.2. provide adequate space for the activities to be conducted on the food premises and or the fixtures, fittings and equipment used for those activities
 - 3.8.3. permit the food premises to be effectively cleaned and, if necessary, sanitised
 - 3.8.4. to the extent that is practicable (i) exclude dirt, dust, fumes, smoke and other contaminants; (ii) not permit the entry of pests; and (iii) not permit any harbourage for pests

In accordance with the Australia and New Zealand Food Safety Authority Food Safety Standards and to ensure the public health and safety of patrons and staff. A copy of the Standards can be downloaded from the ANZFA website <http://www.foodstandards.gov.au>. Details to be submitted for the approval of the Council's Environmental Health Officer before the issue of a Construction Certificate

- 3.9. Floor levels of the proposed development are to be a minimum of 500mm above the calculated 1% flood level, to ensure an acceptable level of flood protection for the development, and is to be shown on the plans submitted with the application for a Construction Certificate.

4. PRIOR TO CONSTRUCTION COMMENCING CONDITIONS

- 4.1. A Construction Certificate must be obtained from a Certifying Authority before work commences, in accordance with Cl.146 of the EP&A Regulation 2000.
- 4.2. The following detailed design drawings and specifications must be submitted and approved by Council prior to the issue of a construction certificate:
 - A full sewer design
 - A full water provision design
 - A stormwater drainage plan
 - Pavement design; all internal driveways and visitor car parking must have an asphalt or reinforced concrete wearing surface. Where the existing Kerb or Gutter is impacted by the proposed design, the infrastructure is to be reinstated to Council's standards at full cost by the developer.
 - South Street, directly in front of the loading dock is to be upgraded to a suitable wearing course to ensure truck movements do not damage councils existing bitumen seal. The upgraded wearing course should be asphalt, with the depth to be determined and submitted to Council prior to the release of a Construction Certificate.
 - The design of pedestrian access within the development area must be designed to link into Councils existing footpath network. The footpath must be designed to ensure continuity

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with the existing Walcha CBD.

- Part of the water design is to ensure that firefighting hydrants meet the necessary standard. In the event that the existing hydrant does not, an upright pillar hydrant assembly mid-block may be required. This will need to be assessed and approved by Council at the time of water provision designs assessment and prior to the release of a Construction Certificate to ensure adequacy.

- 4.3. 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.

For development involving both building and subdivision work authorised by the same development consent, a separate appointment of a Principal Certifying Authority for each type of work is required, in accordance with Section 109E of the Environmental Planning & Assessment Act 1979.

- 4.4. 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,
 - prevent tracking of sediment by vehicles onto roads by limiting access to the site and, where necessary, installing a temporary driveway and
 - stockpile all topsoil, excavated material and construction debris on the site, erecting silt fencing around the pile where appropriate.

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

- 4.5. 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.

5. DURING CONSTRUCTION CONDITIONS

- 5.1. 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

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- outside these hours, to maintain the amenity of the locality.
- 5.2. Work may be carried out outside the standard hours for construction if the work only generates noise that is:
 - 5.2.1. no louder than 5 dB(A) above the rating background level at any adjoining residence in accordance with the Interim Construction Noise Guideline (ISBN 978 1 74232 217 9) published by the Department of Environment and Climate Change NSW in July 2009, and
 - 5.2.2. no louder than the noise management levels specified in Table 3 of that guideline at other sensitive receivers.
- 5.3. Work may be carried out outside the standard hours for construction:
 - 5.3.1. for the delivery of materials—if prior approval has been obtained from the NSW Police Force or any other relevant public authority, or
 - 5.3.2. in an emergency, to avoid the loss of lives or property or to prevent environmental harm.
- 5.4. A certificate of survey is to be provided from a registered surveyor to the principle certifying authority indicating the floor level is 500 mm above the 1% flood level.
- 5.5. No part of the structure (including the eaves gutter) to encroach upon adjoining property.
- 5.6. Buildings / structures must not be constructed over sewer mains unless specific approval has been granted by the Council. Approval to construct buildings over the sewer main will only be granted where other methods, such as realignment, are not possible.
- 5.7. An appropriate Management Strategy is to be developed to deal with any potential contamination that may be found.
- 5.8. Roof and surface stormwater from paved and impervious areas is to be collected and directed to drainage easements in accordance with the approved stormwater drainage plan, to protect the site and adjoining property from effects of flooding. Relevant work to be carried out immediately the roof and guttering is installed
- 5.9. Toilet facilities are to be provided at, or in the vicinity of the work site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the council or some other sewage management facility approved by the council.
- 5.10. 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.
- 5.11. 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.
- 5.12. Effective dust control measures are to be maintained during

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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.

- 5.13. 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.
- 5.14. 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.
- 5.15. All vehicles entering or leaving the site must have their loads covered, and all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.
- 5.16. Retaining walls associated with the erection of the building or other approved methods for preventing the movement of the soil must be provided where soil conditions are inadequate, ensuring adequate provision is made for drainage.
- 5.17. Any earthworks (including any structural support or other related structure for the purposes of the development):
 - 5.17.1. 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
 - 5.17.2. must not redirect the flow of any surface or ground water or cause sediment to be transported onto an adjoining property, and
 - 5.17.3. 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
 - 5.17.4. 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.

- 5.18. Any demolition must be carried out in accordance with AS 2601—2001, The demolition of structures
- 5.19. Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 318 of the [Occupational Health and Safety Regulation 2001](#):
 - 5.19.1. the person having the benefit of the development consent must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the development consent commences,

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- 5.19.2. any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
- 5.19.3. if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the development consent must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

In this clause, bonded asbestos material, bonded asbestos removal work, friable asbestos material and friable asbestos removal work have the same meanings as in clause 317 of the Occupational Health and Safety Regulation 2001.

Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Office of Environment and Heritage.

6. PRIOR TO OCCUPATION CONDITIONS

- 6.1. 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.

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).

- 6.2. A Compliance Certificate stating that the necessary design and construction requirements for the food premises have been satisfied is to be obtained from Council's Environmental Health Officer prior to the issue of an Occupation Certificate.
- 6.3. The food business must be notified as required by The Food Act 2003, or licensed as required by the Food Regulation 2010, before an occupation certificate (whether interim or final) for the work is issued.
- 6.4. Approval must be obtained from the Council as the Local Water Supply and Sewer Authority for any potable water supply, sewerage or on-site waste water system serving the site, pursuant to Chapter 7 of the Local Government Act 1993 with all relevant work completed in accordance with such approval.

The Principle Certifying Authority is to contact Council to ensure all the Section 68 conditions of approval have been completed prior to the issue of an Occupation Certificate.

- 6.5. At the completion of the works, the work site must be left clear of waste and debris.
- 6.6. Where the existing kerb and / or gutter is impacted by the development, the infrastructure is to be reinstated to Council's standards, at full cost recovery to Council.
- 6.7. South Street, directly in front of the loading dock to be upgraded to a

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suitable wearing course to ensure truck movements do not damage councils existing bitumen seal. The upgraded wearing course to be asphalt, with the depth to be determined by Council, at full cost recovery to Council.

- 6.8. The property number shall be clearly and permanently placed at the address site entrance on the side of the road to which it relates, to identify the address to the public and to essential / emergency services. Numbers:
 - shall be 50mm wide x 90mm high (minimum),
 - shall be at least 1m above the ground, and
 must be easily readable, high contrast and reflective, and easily distinguishable both day and night from a moving vehicle.
- 6.9. Provision of 47 off-street parking spaces to serve the development (as shown on the approved plans) is to be completed before the issue of an Occupation Certificate. Approved parking bays, including spaces allocated for people with disabilities, are to be clearly identified by appropriate pavement markings.
 - 6.9.1. All customer vehicles to enter and exit the site in a forward direction.
 - 6.9.2. Site entry and exit to be clearly signposted.
 - 6.9.3. Provision of adequate waste disposal bins within the carpark.
 - 6.9.4. The car park is to comply with AS 2890.1:2004 Parking facilities – off-street car parking.
- 6.10. Provision of parking for Bicycles to be located near the supermarket entry.
- 6.11. Access / facilities for people with disabilities to be provided in accordance with the Building Code of Australia before the issue of an Occupation Certificate for the development, and maintained thereafter.

The Commonwealth Disability Discrimination Act 1992 provides opportunity for public complaint potentially leading to legal action if access to premises by people with disabilities or their carers is precluded. The Human Rights and Equal Opportunity Commission has released an advisory document entitled Access to Premises. As a substantial proportion of the community suffer from mobility handicaps, provision of good access to premises is also good business practice.

- 6.12. A Fire Safety Certificate with respect to each essential fire safety measure installed in association with the building as listed on the Fire Safety Schedule attached to the Construction Certificate is to be submitted to Council. Such certificate must be received by Council prior to the occupation or use of the development.
 - 6.12.1. Copies of the subject Fire Safety Certificate must be forwarded by the owner of the building to the Commissioner of the NSW Fire Brigades and a copy displayed in a prominent position within the subject building.
- 6.13. Landscaping is to be completed in accordance with an approved landscape plan prior to the issue of an Occupation Certificate for the development, Landscaping is to incorporate shade trees north of the

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- Craft Shop adjacent to carparking area.
- 6.14. A Traffic Management Plan is to be developed by a suitably qualified practising Engineer in consultation with the Local Traffic Committee detailing the operation of the loading bay, to be approved by Council prior to the issue of an occupation certificate, examples of traffic management may include:
- clearly marked signage prohibiting public access to loading dock and warning the public of the loading area
 - reduced speed limits within the vicinity
 - convex mirrors
 - a parking clearway either side of the loading dock driveway in accordance with Council's Engineering Department specifications.
- 6.15. The remaining existing saddlery and craft shop buildings are to be refurbished in keeping with the traditional design of the buildings.

7. OPERATIONAL REQUIREMENTS

- 7.1. 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).
- 7.2. An annual fire safety statement shall be provided to Council at least once every 12 months.
- 7.3. The development must not be operated outside the following hours:
- 8.00 am to 7.00 pm Monday to Saturday
 - 9.00 am to 6.00 pm on a Sunday or a public holiday.
- 7.4. Deliveries are to be limited to times between:
- 8.00 am to 7.00 pm Monday to Saturday
 - 9.00 am to 6.00 pm on a Sunday or a public holiday
- 7.4.1. No deliveries are permitted between the hours of 8.30 am and 9.30 am and 3.00 pm and 4.00 pm on school days.
- 7.4.2. No delivery vehicle shall be left idling whilst making a delivery.
- 7.4.3. All delivery vehicles must enter the site from South Street via Fitzroy Street only. Delivery vehicles shall exit the site onto South Street and proceed in a southerly direction along South Street to Fitzroy Street.
- 7.5. The development must comply with the requirements for industrial premises contained in the Noise Policy.
- 7.6. Noise emitted by the development:
- 7.6.1. must not exceed an L A (15 min) of 5dB(A) above background noise when measured at any lot boundary of the property where the development is being carried out, and

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- 7.6.2. must not cause the relevant amenity criteria in Table 2.1 in the Noise Policy to be exceeded.

In this clause, the Noise Policy means the document entitled NSW Industrial Noise Policy (ISBN 0 7313 2715 2) published in January 2000 by the Environment Protection Authority.

- 7.7. All new external lighting must:
 - 7.7.1. Comply with AS 11583.1 Pedestrian Area Lighting.
 - 7.7.2. Comply with AS 4282–1997 Control of the obtrusive effects of outdoor lighting, and
 - 7.7.3. Be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.
- 7.8. Lighting at vehicle access points to the development must be provided in accordance with AS/NZS 1158 Set:2010 Lighting for roads and public spaces Set
- 7.9. All driveways and parking areas must be unobstructed at all times.
- 7.10. Driveways and car spaces must not be used for the manufacture, storage or display of goods, materials or any other equipment, and must be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.
- 7.11. A waste minimisation and management program is to be developed and implemented so as to limit waste going to the landfill for disposal.
 - 7.11.1. All waste to be stored in a contained area, not accessible by the general public (within the loading dock area). Disposal to be to a licenced landfill facility.
- 7.12. Any tree or shrub that fails to establish within 2 years of the initial planting date must be replaced with the same species of tree or shrub.
- 7.13. All landscaped areas on the site must be maintained on an on-going basis.
- 7.14. No signs (including sandwich boards) are to be displayed on the public footway or any external pedestrian areas, to maintain the visual amenity of the locality and to ensure public safety.

8. COUNCIL ADVICE ONLY

- 8.1. Covenant/s: The applicant / owner has the responsibility of being aware of any covenant which may affect the proposal.
- 8.2. Any structures are to erected / installed / constructed in accordance with the manufacturer’s instructions.
- 8.3. 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 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

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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.

- 8.4. Telecommunications Act 1997 (Commonwealth); Telstra (and its authorised 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.

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Item: 6.2 **Ref:** WO/2017/578
Title: Quarterly Review of 2016/2017 Budget as at 31 March 2017
Author: General Manager
Previous Items: Not Applicable
Attachment: Yes

March 2017 Quarter Budget Review

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

General Fund

The December quarter budget review forecast an Operating Surplus of \$4,364,058. Due to additional funding being secured for Capital Works at John Oxley Oval the Operating Result is now expected to be a surplus of \$4,379,059

The Working Funds was forecast to be a deficit of \$70,582. This has now increased to a deficit of \$170,582 due to the Internal Loan to the Water Fund of \$100,000 approved by Council in June 2016. Drawdown of the loan has now occurred.

General Fund Major Budget Variation Items - Quarter Ending March 2017

Income Item	Amount	Favourable/ Unfavourable	Reason
Administration sundry income	15,114	Favourable	StateCover rebate – will be used for depot safety upgrade
Profit on sale of investments	23,400	Favourable	Lehmans dividend received
Preschool grant funding	24,414	Favourable	600 hour incentive program
Preschool PDSP funding	11,250	Favourable	Program funding received
WCCC funding	8,903	Unfavourable	Reduction in expected funding
Parks & Reserves grant funding	10,000	Favourable	RFS fire hazard reduction funding
Sport & Recreation facilities contributions	5,000	Favourable	Local and Regional cricket bodies to upgrade cricket wickets
Sport & Recreation facilities capital grant	10,000	Favourable	Cricket NSW funds to upgrade cricket wickets

Expenditure Item	Amount	Favourable/ Unfavourable	Reason
Election expenses	25,224	Unfavourable	Election expenses not included in original budget
Preschool playground maintenance	24,414	Unfavourable	600 hour incentive program
Preschool PDSP expenses	10,000	Unfavourable	PDSP program
WCCC operating expenses	8,903	Favourable	Reduce expenses in line

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			with funding
Parks & reserves operations	10,000	Unfavourable	RFS Fire Hazard Reduction
Works Depot Maintenance	15,114	Unfavourable	StateCover rebate – safety upgrade
Economic Affairs expenses	10,000	Unfavourable	Apsley River Plan – Council contribution
John Oxley Oval – upgrade cricket wickets	25,000	Unfavourable	\$15,000 funding & contributions; \$10,000 from Council (cancel goal posts)
John Oxley Oval – new goal posts	10,000	Favourable	Cancel project to fund cricket wickets upgrade

Reserve Transfers

There are no reserve transfers for this quarter. Reserve balances are as follows:

Plant Replacement Reserve	\$409,768
Employee Leave Entitlement	\$607,000
Infrastructure Replacement	\$854,425

Water Fund

The budgeted Operating Result for the Water Fund remains a surplus of \$423,989.

The Working Fund result is also unchanged and is expected to be a surplus of \$3,652. This is because the \$100,000 increase to the WTP upgrade budget is offset by the internal loan from the General Fund.

Sewer Fund

There are no budget adjustments to the Sewer Fund arising from the quarterly review. The Operating Result is forecast to be a surplus of \$601,704.

The Working Funds result is still expected to be a deficit of \$691,022.

RECOMMENDATION:

That Council ADOPT the March 2017 Quarterly Budget Review Statements FURTHER THAT Council APPROVE the variations in Income and Expenditure votes as detailed.

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Item:	6.3	Ref: WO/2017/0600
Title:	Request for permission to keep more than two dogs	
Author:	Environmental Services Manager	
Previous Items:	Nil	
Attachment:	Nil	

Introduction:

Application has been made to Council requesting permission to keep fourteen (14) dogs at 18 Mackay Avenue, Walcha Road, being Lot: 2 in DP: 127909, consisting of 1.875ha. The property is Zoned RU5 Village Zone under the Walcha Local Environmental Plan 2012. The Dogs are of Border Collie and Japanese Spitz breeds; the applicant advises she is not a dog breeder.

The application has been referred to Council as it seeks a variation to Councils *Dog Control Policy* (The Policy) under the Public Order and Safety Policies, approved by Council at its meeting of 30 September 1982 and reaffirmed on 1 July 1993. Council has in place the Policy to control the number of dogs in urban areas and to minimise nuisance caused by them.

Report:

The Policy states that:

“A maximum of two (2) dogs per household shall be allowed, as a control measure, and special dispensation shall be given upon application for more dogs only in special circumstances where adequate facilities are available, the keeping of extra dogs can be justified, and Council is satisfied that no nuisance or health hazard will be caused to the surrounding neighbourhood”.

The request has been made as the applicant has rescued the dogs, and is looking to purchase and move to the area but is not willing to do so without her dogs.

Matters to be addressed for consideration of the request include:

- ◆ Suitable shelter
- ◆ Suitable facilities for the collection, storage and disposal of waste
- ◆ Maintenance of fencing on the property to an appropriate standard (to prevent escape and straying of the dogs, and the potential nuisance to neighbouring graziers and their stock)
- ◆ Training and discipline of the dogs to reduce the risk of nuisance caused by barking
- ◆ Confirmation that the dogs have all been microchipped, desexed and registered on the NSW Companion Animals Register.

The above requested information had not been addressed to Council by the applicant at the time of the report.

Should Council approve the request it is recommended it be subject to the following conditions:

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1. As a dog owner, you have a responsibility to look after your dog’s basic welfare needs, including:
 - a. Provide your dogs with an appropriate balanced diet and clean, cool water at all times
 - b. Ensure your dogs have adequate shelter suitable for all weather conditions
 - c. Ensure your dogs are well socialised, trained and exercised
 - d. Ensure your dogs good health with regular veterinary check ups, working, tick and flea treatments
2. Vehicles, caravans, portable crates and the crawl space under any dwelling must not be used as permanent housing for the dogs.
3. Dog housing must be designed, constructed, serviced and maintained in a way that provides for the good health and well being of the animals, which prevents the transmission of infectious disease agents, the escape of animals and does not cause injury to either animals or humans.
4. The dogs must be provided with protection from rain and wind, direct sunlight or other adverse weather conditions and must be provided with a clean and dry dedicated sleeping area.
5. The dogs must not be able to escape except in circumstances that cannot reasonably be foreseen and guarded against.
6. All waste products such as faeces, bedding, and food wastes should be disposed of promptly and hygienically.
7. Council must inspect the property, prior to the keeping of more than two (2) dogs on the property.
8. Should any disturbance be caused by roaming, excessive noise, the waste produced by the dogs or any other issues contained in relevant legislation administered by Council, Council reserves the right to revoke the permission to keep the animals in such a number and manner.

RECOMMENDATION: For Councils consideration

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Item: 6.4 **Ref:** WO/2017/00596
Title: Council Assistance with the Construction of the Walcha Cenotaph
Author: Director - Engineering Services
Previous Items:
Attachment: Yes

Introduction:

During the February 2017 Arts Advisory Committee Meeting, Mr Roy Westfield and Mrs Liz Gill discussed their fundraising efforts for the Memorial Cenotaph. The Cenotaph will be constructed in Council’s Memorial Park, with the aim of being a reflection area that capitalises on the views over Walcha. Mr Westfold and Mrs Gill advised the Committee that they have been successful in raising \$31,000 for the project and expressed their interest in progressing this project to the construction phase. This report discusses the estimated costs associated with the project and

Report:

The proposed Memorial Cenotaph is a sandstone structure that will be placed on a concrete slab. Sandstone pillars will support lintels made from sandstone, creating an open structure that can be stood within, taking in the views over Walcha from Memorial Park on the Hill Street and Derby Street Intersection. The attached sketch shows the approximate dimensions of the Cenotaph as the artist’s impression by James Rogers and additionally an image of the original concept is attached.

A best estimate has been created for the project, however it should be noted that this process was difficult. This is because there are quite a few items that have been donated, and that will be donated throughout the project. Additionally, the time taken for the artists to carve the stone and prepare them for transport may vary from the initial estimate. As a result of investigating the project, an overall cost of \$44,423 has been adopted.

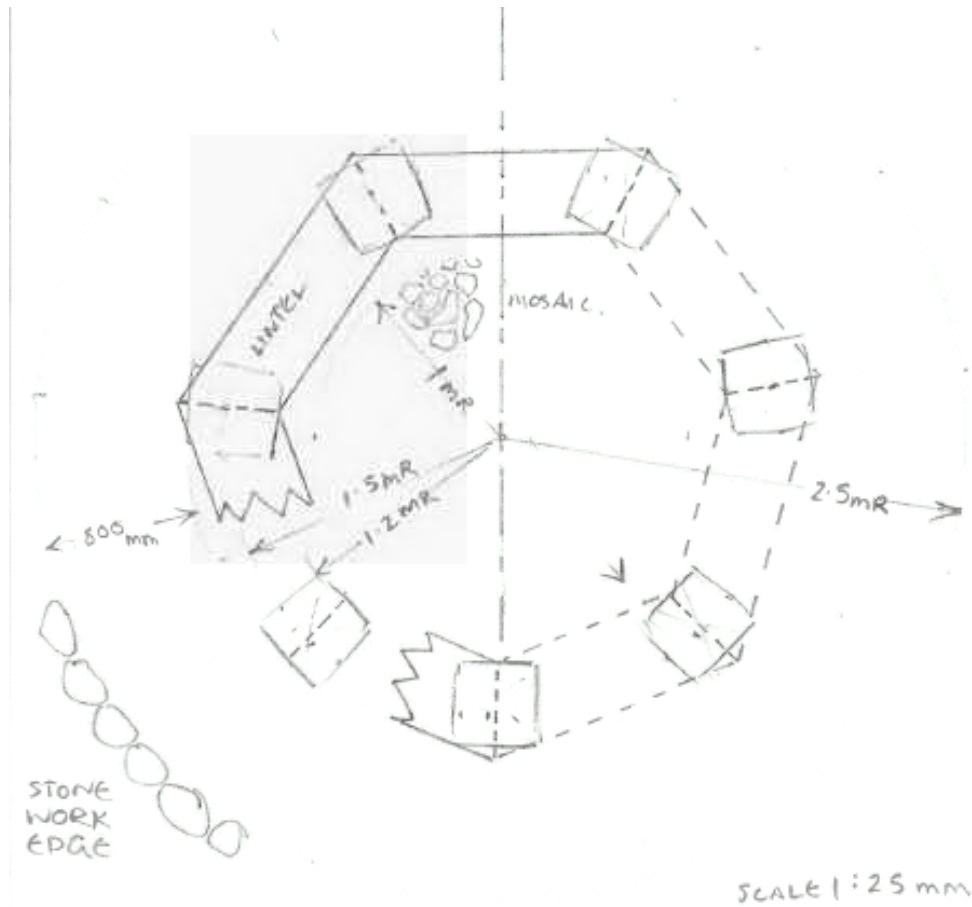
Council currently has \$8,620 in this financial year’s capital works budget for Art in Walcha, with an additional \$5,000 allocated for next year. This brings the total project allocation to \$44,620.

RECOMMENDATION:

That Council allocate the 2016/2017 AND the 2017/2018 arts capital works funding to the Walcha Memorial Cenotaph project.

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Item: 6.5 **Ref:** WO/2017/00596
Title: McHattan Park Upgrade Project
Author: Director - Engineering Services
Previous Items:
Attachment: No

Introduction:

The McHattan Park upgrade is aimed at improving the aesthetics, safety and variety of equipment available at the McHattan Park Playground. This report summarises the proposed equipment and the funding required to install the full range of equipment discussed below.

Report:

The McHattan Park Playground is currently limited in equipment and has some existing equipment that is no longer functional. The upgrade will not only expand the equipment available at the park, it will also refurbish the existing equipment to ensure that all pieces are functional.

Clr Rachael Wellings has donated a large amount of time into assisting with the selection of equipment, and in involving the community with the upgrade. A voting form was distributed to schools around Walcha, which allowed the students the opportunity to have their input into the colour of the G-Pod and the animal used on the Rocker.




The final scope of works is listed below:

<p>Combination Swing – Imagination Play</p>	
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Awesome Kidna Rocker – a_space	 A photograph of a colorful rocker playground structure. It has a green base with four springs, two purple seats with orange butterfly-like patterns, and two orange balls at the ends. The structure is on a wood chip surface.
G-Pod Spinner – a_space	 A photograph of a large, orange, flower-shaped spinner playground structure. Several children are sitting inside it, and it is on a blue mat over a wood chip surface.
Concord – Forpark	 A photograph of a tall, yellow and blue climbing structure. It has a central yellow pole, a blue net-like structure, and a yellow circular platform at the base. It is on a light-colored surface.

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<p>Climbing Rings – a_space</p>	 A photograph of a playground structure featuring a series of blue and yellow rings hanging from a dark metal frame. A child is visible in the background on a different part of the structure.
<p>Shop panel with posts – a_space</p>	 A red plastic playground panel with two arched openings. The word "SHOP" is printed in yellow at the top. Below the openings are yellow icons: a coffee cup, a shopping basket, and a trash can. The panel is supported by two blue vertical posts.
<p>Pommel Stepping Stones</p>	 A photograph of two children in pink clothing walking across a series of colorful (orange and purple) pommel stepping stones on a green rubber safety mat. The area is surrounded by trees and a fence.

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Replacement Dome	
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In order to accommodate the new features of the park, an expansion is required. The below aerial view shows the required expansion of the park:

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The final budget has been prepared for the items listed above, and it has arrived at \$95,000. The current funding amount is \$85,000 which includes a generous donation from of \$5,000 from the Town & Country Club Inc to assist with the park upgrade. In order to provide all of the abovementioned items, it is requested that Council provide a further \$10,000. If Council doesn't wish to fund this shortfall, it is recommended that the Pommel Stepping Stones and Climbing Rings are removed from the scope of works, to allow the project to be completed within the current budget.

RECOMMENDATION: For Councils Consideration.

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Item: 6.6 **Ref:** WO/2017/608
Title: Innovation Fund (Round 2) Application – Local Government Solutions Financial Control Centre
Author: General Manager
Previous Items: Not Applicable
Attachment: WO/2017/612 - Innovation Fund Guidelines (Round 2)
 WO/2017/613 - Project Budget & Action Plan

Purpose of Report:

To seek Council approval to the submission of an application to the OLG for a grant under the Innovation Fund Program Round 2. Applications close 9 June 2017.

Background:

In May 2015 the Minister for Local Government announced the State Government’s record investment in rural and regional NSW. A \$4 million Innovation Fund to promote new solutions for small rural communities, with populations under 10,000, was part of the package of funding.

The Innovation Fund “will provide one-off grants to help them develop new ways of working and improve their performance to benefit their communities.”

Report:

Guidelines for the Fund were released with the announcement in April and included details such as who can apply, how much is available, what will be funded, ineligible projects etc. Round 2 Guidelines are attached to this Report, Attachment 1.

The Innovation Fund has been split into Round 1 and Round 2, with \$2 million available for each Round. Round 1 Grants were provided for 13 Projects across 19 Councils.

Round 2 grants of up to \$150,000 are available to individual councils and up to \$400,000 for projects involving more than 1 council. One council in a group project must have a population of less than 10,000.

Council meets the main eligibility criteria with a population less than 10,000. It is recommended Council apply for an Innovation Fund Grant in Round 2 to “.... develop new ideas and innovative ways of working”.

Council is proposing through Innovation Grant funding to implement an **integrated** Financial Management & Reporting suite of “cloud” applications that will enable improved financial information to support better planning and decision making. The suite includes the following products:

- a. **LTFP** (a Long Term Financial Plan where Council determines the number of future years)
- b. **QBRs** – Quarterly Budget Review System (a current year budgeting tool that feeds into the LTFP)

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- c. **Fees & Charges** – (a systematic process that moves Council on from spreadsheets)
- d. **LG Analyser** (compare, contrast & report Council’s financials over time & against other NSW Councils)
- e. **LG “expert financial panel”** (the Financial Control Centre links Council to LG Financial Experts for external review & advice)
- f. **PuMA** (a Performance Management & Analysis tool for all of Council’s internal & statutory KPI’s)
- g. **Council Services** (a tool that integrates all the Financial Control Centre products & all of Council’s Services...providing a fully integrated view of Council’s Services from a financial perspective)

Which, when bundled together with Year End Templates (which Council already has) form the NEW “**Financial Control Centre**” of Council.

Recommended Stage 1 funding: LTFP, QBRS, F&C, Analyser, Expert Panel

The Guidelines give examples of projects that may be suitable for funding:

- ◆ Improved financial & governance systems
 - *The LGS Financial Control Centre is aimed at providing significant improvements to Council’s financial management, planning and reporting systems.*
 - *The modules assist in establishing a process and structure for preparation of financial information and sound management decisions.*
- ◆ Alternative service delivery models
 - *The Financial Control Centre modules are “cloud based”*
 - *‘Cloud’ products provide Staff and Community (i) Ease of accessibility, (ii) around the clock availability, (iii) multi user accessibility, (iv) slice & dice the data with ease.*
- ◆ Service review projects
 - *The Financial Control Centre modules assist in establishing the true cost of services and enable comparison over time or to other councils and groups of councils.*
- ◆ Projects using new technologies to overcome the challenges of remote/rural communities
 - *The Financial Control Centre cloud applications are ideally suited to rural/remote applications*
- ◆ Projects aimed at capacity building within the organisation
 - *Staff work together with LGS Consultants in the implementation of the modules – reviewing current practices, identifying information and process gaps, sourcing information and developing processes.*
 - *In conjunction with LGS consultants, Staff plan access and use across Council*

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- ◆ Projects that aim to share learning, skills or innovation across multiple councils
 - *with the assistance and ongoing support from LGS consultants, Council will be able to share learnings with other councils*
- ◆ Projects that build on existing innovations that are working well or can be extended to other councils will be considered on a case by case basis.
 - *The Financial Control Centre modules are developed and built for local government and LG Solutions products are used in over 200 councils Australia wide.*
- ◆ The Financial Control Centre will assist council to meet the targets set down in the Operational Plan, Delivery Program and Community Strategic Plan:
 - i. *The modules will assist in providing accurate budget and financial planning information*
 - ii. *The implementation will review & ensure completeness of the inputs to financial plans*
 - iii. *Budget and planning assumptions will be reviewed to ensure appropriateness, reasonableness, relevance, completeness*
 - iv. *Improved governance and risk mitigation through compliance with GST legislation & rulings*

The Budget for the Financial Control Centre is included with this report. It is recommended that Council apply for grant funding to purchase:

Recommended Stage 1 - \$24,250: LTFP, QBRs, Fees & Charges, Analyser, Expert Panel

The ongoing costs for the suite comprise an annual fee for each of the products, approximately \$15,000. There is no long term commitment to the product.

The Innovation Fund Grants are an opportunity for Council to significantly update and improve our financial management, planning, reporting and service delivery.

RECOMMENDATION:

That Council apply for an Innovation Fund Grant of \$24,250 to acquire the LG Solutions Integrated Financial Management & Reporting suite of “cloud” applications.

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Attachment 1: Action Plan

1.1 Please outline how the project will be implemented by outlining the key actions, milestones, timeframes and responsibilities in the table below.

Actions	Milestones	Timeframe	Responsibility
Implement Analyser product permitting Council to compare, contrast & rank ourself to any other Council in NSW	Determine Users	Immediate	LGS/Council
	Provide Training	Within 5 days of Grant	LGS
Implement Fees & Charges application so that Councils Fees & Charges are available both internally & online for the community.	Implement Module	October	LGS/Council
	Transfer Data	October	LGS
	Train Administrator	October	LGS
	Roll out to Staff	October	Council
	Provide public online F&C Search Facility for the Community	November	Council
Implement LTFP across each Fund of Council	Implement Module	December	LGS/Council
	Transfer Data	December	LGS
	Train Administrator	December	LGS
	Roll out to Staff	December	Council
	Provide public online view of LTFP for the Community	February	Council
Implement QBRs budgeting application that is fully integrated to the LTFP.	Implement Module	March	LGS/Council
	Ensure Data Transfer link between QBRs & GL	March	LGS
	Train Administrator	March	LGS
	Roll out to Staff	March	Council
	Provide public online view of QBRs for the Community	May	Council
Commence Financial Control Centre Advice	Initiate review of F&C, LTFP & QBRs with Expert Panel	February	LGS

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Attachment 2: Project Budget

Provide a breakdown of all project income and expenditure (including in kind contributions) in the below table.

Note: At least 80% of grant monies must be applied to implementation costs - up to 20% can be allowed for project planning and administration

Income	Amount
(a) Grant Amount Sought	\$ 24,250.00
(b) Council's financial co-contribution	\$ 17,500.00
(c) Other Income (if applicable)	
Total Income	\$ 41,750.00

Expenditure	Amount
List Key Project Costs	
Application Costs	
- LTFP	\$ 5,000.00
- QBRs Budgeting	\$ 2,500.00
- Fees & Charges	\$ 3,500.00
- Analyser	\$ 1,500.00
- Financial Control Centre Advice	\$ 3,000.00
Implementation Costs	
- LTFP days 3	\$ 3,750.00
- QBRs Budgeting days 2	\$ 2,500.00
- Fees & Charges days 2	\$ 2,500.00
- YE Financials days 1	\$ -
Total Expenditure	\$ 24,250.00

In-kind contribution	Amount
List/describe in-kind contributions:	
Implementation Costs (in house Staff time)	
- LTFP days 6	\$ 7,500.00
- QBRs Budgeting days 4	\$ 5,000.00
- Fees & Charges days 4	\$ 5,000.00
- YE Financials days 2	
Total in-kind contribution	\$ 17,500.00

42%

Submitted to Council: 26 April 2017

..... General Manager Mayor

Innovation Fund Guidelines (Round Two)





Message from the Minister

The NSW Government is pleased to make available a further \$2 million in funding under Round Two of the Innovation Fund. This is in addition to the \$2 million already allocated through the first round, with 13 projects funded to promote innovation across 19 communities.

The Innovation Fund is a targeted program that supports small councils to improve their performance to benefit local communities.

Small regional and rural communities in NSW face unique issues and challenges. The Innovation Fund recognises that one size does not fit all NSW councils.

To help these councils to better serve their communities, one-off grants are available for councils to develop new ideas and innovative ways of working. For example, delivering services in a different, more cost effective way or getting together with other councils to share resources or technology to lessen the tyranny of distance.

The Innovation Fund provides an opportunity for councils to trial new ideas or practices, which might not otherwise be considered viable for varying reasons such as lack of resources, competing priorities and/or the level of perceived risk.

I encourage councils to think creatively when developing ideas, and consider opportunities to partner with other councils to facilitate joint learning, resource sharing and collaboration.

In addition to this \$4 million Innovation Fund, the Government is providing record investment in rural and regional areas through the Fit for the Future package.

Together we can provide the services and infrastructure that our local communities need.

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The Innovation Fund is a \$4 million grants program, established under the NSW Government's Fit for the Future reforms. The program aims to help small councils in regional NSW overcome some of the challenges they face in supporting their communities and maintaining quality local services.

One-off grants will be provided to help councils develop new ideas or innovative ways of working and improve their performance to benefit their local communities. This might include introducing new innovative business processes, developing and implementing more innovative service delivery models, sharing of resources across councils, or using new or emerging technology to help overcome the challenge of distance.

The Innovation Fund is to be offered over two rounds. Round One has been finalised with 13 projects receiving funding to a total of \$2 million. A further \$2 million is available through Round Two.

Who can apply for funding?

Local councils in regional NSW that have a population of less than 10,000 are eligible to apply for a grant. This includes new councils and councils in the Far West region of NSW with a population less than 10,000.

Councils can apply individually, or as a group. When applying as a group, the grouping may include a larger council as a mentor, sponsor or partner. It is important that the primary beneficiary of the project is the eligible small council/s and their community. Group applications are strongly encouraged as it provides an opportunity for councils to learn from each other and build stronger relationships across regions.

Eligible councils that were unsuccessful in Round One may reapply in Round Two. Councils receiving funding in Round One are not precluded from applying in Round Two.

How much is available?

Up to \$2 million is available in Round Two and eligible councils can apply for one-off grants:

- Up to \$150,000 for individual projects
- Up to \$400,000 for projects involving more than one council (at least one of which must have a population of less than 10,000).

For each grant, a co-contribution of at least 30% is required from the council or council group.

This co-contribution can be either cash or in-kind such as labour, equipment, facilities, land/property or other resources.

Up to 20% can be allowed for project planning and administration.

Multiple council projects may be funded providing these do not exceed the funding limits.



Funding will be targeted towards projects that propose a new idea or innovative way of working, and demonstrate improved council performance and benefits for the local community. Projects that can be easily replicated by other councils or provide learnings will be prioritised.

It is important that applications are outside the realm of business as usual activities and/or normal operations.

Applications are invited for projects focused on:

- Improved governance
- Systems improvement
- Service delivery
- Innovative infrastructure
- Creative or innovative use of technology
- Performance improvement
- Capacity building and sharing innovation.

Examples of projects that may be suitable for funding:

- Resource sharing between councils
- Shared administration across councils
- Improved financial or governance practices
- Alternative service delivery models
- Service review projects
- Specialty service models
- Projects using new technologies to overcome the challenges of remote/rural communities
- Projects using innovative infrastructure building or maintenance techniques that are suited to rural/remote applications
- Projects aimed at capacity building within the organisation/s or within the community, to share learning, skills or innovation across multiple councils
- Projects identified in Council Fit for the Future Action Plan that explore a new way of working
- Projects building on existing innovations which are considered to be working well and/or can be extended to other councils. These will be considered on a case-by-case basis.

Examples of projects funded through Round One:

- Aboriginal Community-based Environmental and Waste Management Project – a collaborative project between Bourke, Brewarrina and Walgett Shire Councils to establish a waste aim model across five Aboriginal communities in Western NSW.
- Capacity Building Project – review of operations by Tenterfield Shire Council with a focus on organisational and capacity development including staff development and training, continuous improvement, business efficiencies and practices.
- Enhanced Shared Services / Joint Service Delivery Project – a collaborative project between Narrandera and Leeton Shire Councils to enhance shared services and joint service delivery across the two regions.



- Mid Lachlan Alliance Fitness Campaign Project – a collaborative project between Weddin, Parkes, Forbes and Lachlan Shire Councils to undertake a gap analysis of existing systems and processes and an efficiency and service review of two programs delivered by the councils.
- Total Strategic Asset Management System for Rural Councils Project – a collaborative project between Bogan, Coonamble, Gilgandra and Warren Shire Councils to implement a total strategic asset management across the four adjoining councils.

Ineligible applications

Projects that will generally not be funded include:

- Activities considered to be normal operations or business as usual
- Promotional events
- Applications that seek retrospective funding for work undertaken prior to the grant application
- Staffing and project costs of a recurrent or ongoing nature
- Applications that are solely based on concept development, feasibility studies or planning (at least 80% of the total grant must be for implementation)
- Projects located wholly outside of NSW (cross-border projects will be assessed on a case-by-case basis according to the assessment criteria and other relevant factors)

How to apply

To make an application:

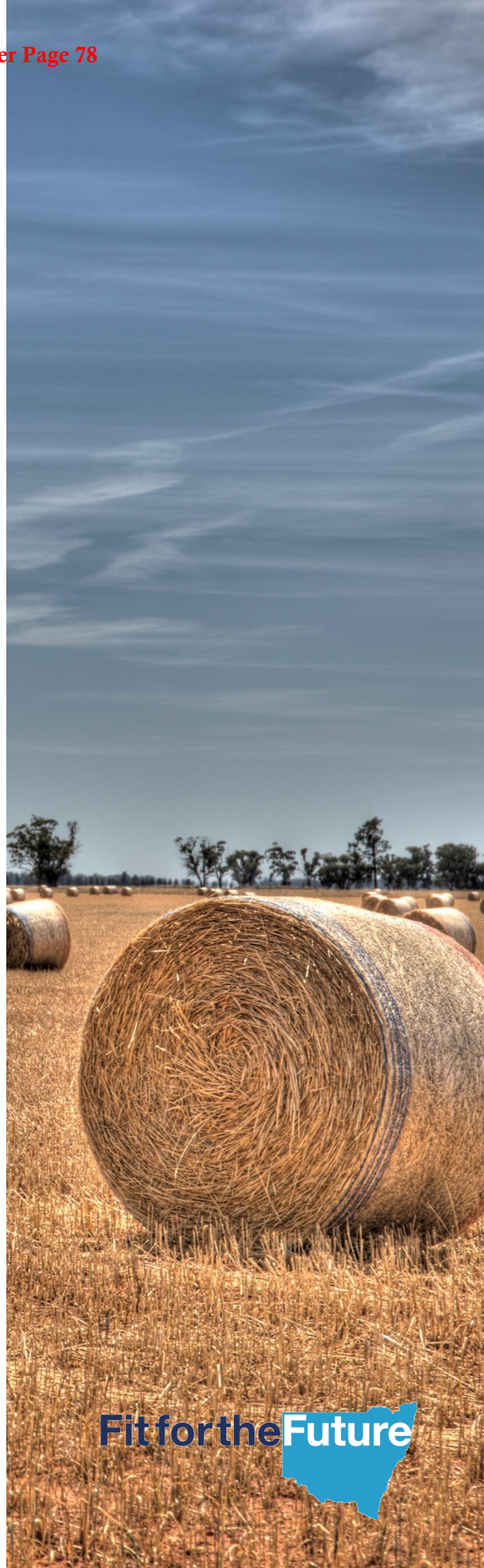
- Check that council meets the eligibility criteria
- Check that the project meets the guidelines
- Ensure the proposal is well developed and researched and has the necessary support within council to be successful
- Have the project endorsed by council/s (Resolution/s must be attached to the application)
- Complete the on-line application form on the Fit for the Future website: www.fitforthefuture.nsw.gov.au (a log-in for secure council portal is required)
- Attach the supporting information in PDF format (see the application form for details)

The council or council group may submit more than one application as long as the grants sought do not exceed the funding limits.

NB: Where a group submission is planned, only one application is required. One of the group should be nominated as the lead council to apply on members' behalf, but all participating councils must have formally resolved to support the application.

When do applications close?

Applications for Round Two **close 9 June 2017.**



Key assessment criteria

All applications received by the due date will be assessed against the criteria listed below. It is important that applications clearly articulate how each criteria has been addressed and provide sufficient detail about the development and implementation of the project.

Community benefit

- How does the project proposal contribute to achieving community priorities - as identified in the council's Fit for the Future improvement plan, community strategic plan or by other consultative means?
- Has consultation occurred on the project and what was the outcome?
- How does the project benefit the community?
- Are there regional benefits from the project? If so, what are these?
- In the case of a group proposal, is an eligible small council and its community the primary beneficiary of the project.

Innovation and learning

- Does the project propose a new idea or way of working, and how is this innovative for Council?
- How does the project proposal demonstrate achievement of the objectives and outcomes of the Fund, in particular fostering innovation to overcome challenges and/or improving service delivery?
- Does the proposal demonstrate a repeatable new approach that could be applied more widely?
- How will learning from the project outcome be shared?

Value for money

- Does the proposal represent value-for-money?
- How will Council demonstrate its commitment to co-contribute at least 30% of the total costs of the project (financially or in-kind)?
- Have project costs and resources been accurately/adequately identified and have quotations been sought? Attach evidence to the application.

Sustainable improvements

- Does the proposal demonstrate how Council will maintain or improve service quality and promote the long-term sustainability of the services/infrastructure delivered?
- Will the proposal have a positive impact on Council's future performance against the Fit for the Future criteria, or for new councils the Stronger Communities Framework?

Capability and capacity

- Has Council demonstrated it has the experience, capability and capacity to successfully manage the proposal?
- Has the Council been assessed as Fit for the Future?
- Has Council demonstrated sound project planning and methodology including identification of tasks, timeframe and budget?
- Is the council able to manage all aspects of the project? What reliance is there on third parties and how will this be managed?

Risk management

- Have the potential risks associated with implementing the project been identified and appropriate risk minimisation/management strategies been articulated?

Agreed collaboration

- Does the application include a copy of the resolution(s) of all participating councils and, if relevant, the written agreement of other partners, sponsors?
- Has a lead council been nominated to sponsor and manage the project?



Applications will be assessed by a panel with local government and innovation expertise.

The panel will use the Key Assessment Criteria (page 6) when considering each application. While the assessment criteria are not weighted, emphasis will be placed on criteria such as innovation and learning, community benefit and agreed collaboration to ensure funding is directed to projects which align with the stated aims of the program. This will be consistently applied across all applications.

The panel may also seek additional information from within the Office of Local Government, or from the nominating council/s, to ensure applicants have the capacity to deliver the project.

Councils will be advised in writing of the outcome of its application.

Receiving a grant

Successful councils will be required to sign a performance-based funding agreement for the Innovation Fund grant.

The funding agreement may include details of:

- How funds will be dispersed depending on the size of the grant (eg. staged payment details linked to project performance and reporting)
- Timeframes for expenditure of grant money
- Project performance and reporting requirements related to project activities
- Procedures for considering requests to vary the approved project
- Appropriate public acknowledgement of the NSW Government's support for the project
- Agreements in relation to Office of Local Government use, duplication or replication of relevant aspects of the project to assist other councils in NSW
- Other responsibilities of the grant recipients

Contacts

The Office of Local Government's Relationship Manager is available to answer any questions about the Innovation Fund. Relationship Managers are also available to discuss proposals and provide clarification about the application and assessment process.

Contact details for the Relationship Manager, along with further information and the Innovation Fund online application form, are available on the Fit for the Future website at www.fitforthefuture.nsw.gov.au.

Alternatively, email the One Stop Shop at OneStopShop@fitforthefuture.nsw.gov.au or call the Office of Local Government on (02) 4428 4100 and ask to speak with the relevant Relationship Manager.





Item: 6.7 **Ref:** WO/2017/610
Title: Innovation Fund (Round 2) Application – Internal Audit project with Uralla Shire Council
Author: General Manager
Previous Items: Not Applicable
Attachment: WO/2017/612 - Innovation Fund Guidelines (Round 2)
WO/2017/616 - Project Budget

Purpose of Report:

To seek Council approval to the submission of an application to the OLG for a grant under the Innovation Fund Program Round 2. Applications close 9 June 2017.

Background:

In May 2015 the Minister for Local Government announced the State Government’s record investment in rural and regional NSW. A \$4 million Innovation Fund to promote new solutions for small rural communities, with populations under 10,000, was part of the package of funding.

The Innovation Fund “will provide one-off grants to help them develop new ways of working and improve their performance to benefit their communities.”

Report:

Guidelines for the Fund were released with the announcement in April and included details such as who can apply, how much is available, what will be funded, ineligible projects etc. Round 2 Guidelines are attached to this Report, Attachment 1.

The Innovation Fund has been split into Round 1 and Round 2, with \$2 million available for each Round. Round 1 Grants were provided for 13 Projects across 19 Councils.

Round 2 grants of up to \$150,000 are available to individual councils and up to \$400,000 for projects involving more than 1 council. One council in a group project must have a population of less than 10,000.

Both Walcha and Uralla Councils meet the main eligibility criteria with populations less than 10,000. It is recommended that Walcha Council apply for an Innovation Fund Grant in Round 2 to “... develop new ideas and innovative ways of working”.

Council is proposing through Innovation Grant funding to implement a reciprocal Internal Audit function between Walcha and Uralla Shire Council. Staff from both Councils will be trained and will perform the Internal Audits.

The Guidelines give examples of projects that may be suitable for funding:

Submitted to Council: 26 April 2017

..... General Manager Mayor



◆ Improved financial & governance systems:

- *All Councils will be required to have an Internal Audit and Risk Committee and an Internal Audit program in place when legislation is introduced and passed through the State Parliament;*
- *Internal Audit reduces Council’s exposure to risk and also identifies improvement and efficiency opportunities.*

◆ Resource sharing between Councils:

- *Walcha and Uralla Councils have common members of Internal Audit Committee, after a joint advertisement and recruitment in 2015;*
- *Walcha and Uralla Councils also share similar risks;*
- *A reciprocal internal audit function will complement existing shared services already in place;*

◆ Service review projects:

- *The Internal Audit process will identify improvements and efficiencies which will improve councils’ services.*

◆ Projects aimed at capacity building within the organisation:

- *A number of staff from both Councils will be provided with comprehensive training and mentoring; building capacity, increasing skills and knowledge;*

◆ Projects that aim to share learning, skills or innovation across multiple councils:

- *An innovative way for Councils to share knowledge and resources and strengthen existing ties;*

The Innovation Fund Grants are an opportunity for Walcha and Uralla Councils to provide significant skills to staff and implement a reciprocal Internal Audit function to the benefit of both Councils.

RECOMMENDATION:

That Council apply for an Innovation Fund Grant of \$30,000 to run a training course for Walcha and Uralla Council staff and to conduct workshops for Councillors and staff of both Councils in order to implement a reciprocal Internal Audit function.

Submitted to Council: 26 April 2017

..... General Manager Mayor



Attachment 2: Project Budget

Provide a breakdown of all project income and expenditure (including in kind contributions) in the below table.

Note: At least 80% of grant monies must be applied to implementation costs - up to 20% can be allowed for project planning and administration

Income	Amount
(a) Grant Amount Sought	\$ 30,000.00
(b) Council's financial co-contribution	\$ 20,500.00
(c) Other Income (if applicable)	
Total Income	\$ 50,500.00

Expenditure	Amount
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List Key Project Costs

Application Costs

- IIA Fundamentals of Internal Audit training costs	3 days	\$	17,500.00
- IIA travel & accommodation costs		\$	3,000.00
- Materials, catering & incidental costs		\$	2,000.00
- Martin Bass - Councillors & Senior Staff workshops	2 days	\$	4,000.00
- Martin Bass travel & accommodation		\$	2,000.00
- Materials, catering & incidental costs		\$	1,500.00

Total Expenditure	\$ 30,000.00
--------------------------	---------------------

In-kind contribution	Amount
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List/describe in-kind contributions:

- Walcha staff costs	days	3	\$	9,000.00
- Uralla staff costs	days	3	\$	9,000.00
- Walcha councillor & senior staff costs	hours	2	\$	1,000.00
- Uralla councillor & senior staff costs	hours	2	\$	1,000.00
- Venue costs	days	5	\$	500.00

Total in-kind contribution	\$ 20,500.00
-----------------------------------	---------------------

41%

Submitted to Council: 26 April 2017

..... General Manager Mayor



Item: 6.8 **Ref:** WO/2017/00603
Title: Committee of the Whole Referral – Walcha Tourism Advisory
 Committee Membership Nominations
Author: General Manager
Previous Items:
Attachment: No

Introduction:

Council approval is sought for matters to be discussed in Committee of the Whole.

Report:

Council approval is requested to refer matters for discussion in Committee of the Whole in accordance with the provisions of Section 10 of the Local Government Act, 1993.

Approval to refer the matters to Committee of the Whole is sought because the reports relate to personnel matters concerning particular individuals (other than Councillors).

RECOMMENDATION:

That, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of “Tourism Advisory Committee Membership” be referred to be discussed in Committee of the Whole for the reason that it relates to personnel matters concerning particular individuals (other than Councillors).



Ref: WO/2017/00563

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

Item 9:
Management
Review Reports

Submitted to Council: 26 April 2017

..... General Manager Mayor



FINANCE AND ADMINISTRATION

1. Listing of Bank Balances for the Month of March 2017

The Cash Book for each Fund has been reconciled with the appropriate Bank Pass sheets for the month of March 2017 (16 March 2017), and the Reconciliations have been entered in the Cash Book.

	<u>2017</u>	<u>2016</u>
General	\$1,404,636.44	\$831,631.46

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

	<u>2017</u>	<u>2016</u>
Interest Earned (YTD)	\$ 27,794.39	\$ 37,759.70

2. Investments (Local Government (Financial Management) Regulation 1993, Clause 19 (3) (A) for March 2017

Please see the following Report for the investments placed in March 2017.

Overdraft Limit

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

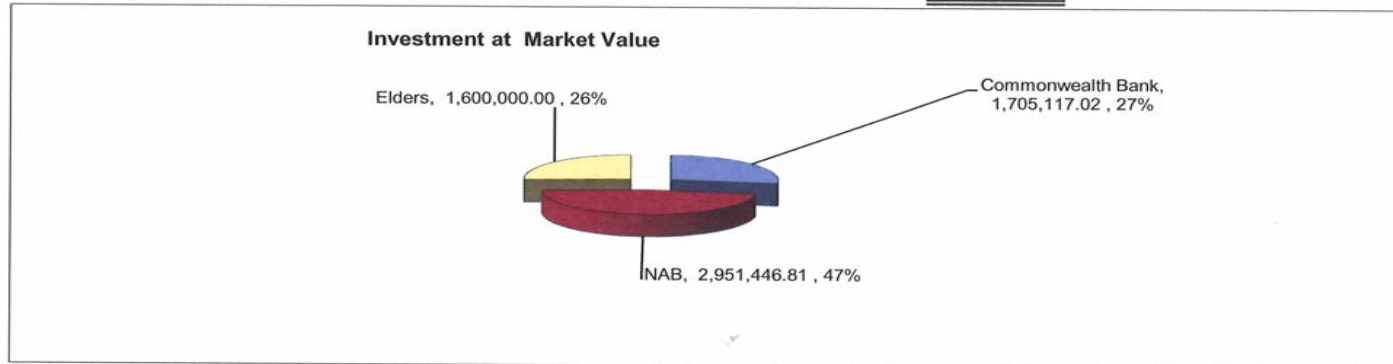
Jack O'Hara
GENERAL MANAGER



REGISTER OF INVESTMENTS TO 31/03/2017

Institution	Type	Placement Date	Term (Days)	Maturity Date	Rate	Est. Interest	YTD Interest	Amount Invested	YTD Redemption	Est. Market Value At 31/03/17	MV % of Portfolio
National Australia Bank	Term Deposit	1/11/2016	90	30-Jan-17			9560.62	-	509,927.26	-	0.00%
National Australia Bank	Term Deposit	15/11/2016	134	30-Mar-17			4828.09	-	504,828.09	-	0.00%
National Australia Bank	Term Deposit	1/12/2016	148	28-Apr-17	2.65%	5423.36	8997.96	504,723.98	-	504,723.98	8.07%
Elders Rural Bank	Term Deposit	15/12/2016	135	29-Apr-17	2.65%	6370.89	6832.99	650,000.00	-	650,000.00	10.39%
National Australia Bank	Term Deposit	30/09/2016	241	30-May-17	2.90%	9573.95	5320.00	499,999.00	-	499,999.00	7.99%
National Australia Bank	Term Deposit	16/10/2016	243	16-Jun-17	2.90%	9380.16	7584.24	485,846.09	-	485,846.09	7.77%
National Australia Bank	Term Deposit	16/10/2016	243	17-Jun-17	2.90%	9653.41	17517.45	499,999.00	-	499,999.00	7.99%
National Australia Bank	Term Deposit	1/03/2017	134	13-Jul-17	2.45%	8642.64	16748.95	960,878.74	-	960,878.74	15.36%
Commonwealth Bank	Term Deposit	17/09/2016	365	17-Sep-17	3.00%	10118.45	6197.18	337,281.82	-	337,281.82	5.39%
Commonwealth Bank	Term Deposit	30/11/2016	296	26-Sep-17	2.65%	10887.16	5639.88	506,605.63	-	506,605.63	8.10%
Elders Rural Bank	Term Deposit	28/03/2017	180	28-Sep-17	2.65%	12415.07	22516.41	950,000.00	-	950,000.00	15.18%
Commonwealth Bank	Term Deposit	30/11/2016	326	26-Oct-17	2.66%	20460.93	9587.79	861,229.57	-	861,229.57	13.77%
						102,926	121,332	6,256,563.83	1,014,755.35	6,256,563.83	100.00%

Capital Value of Portfolio	6,256,563.83
Redeemed Value of Portfolio	1,014,755.35
Market Value of Portfolio 31/03/17	6,256,563.83
Estimated Profit/(Loss) 31/03/17	6,256,563.83



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: 26 April 2017

..... General Manager Mayor



3. Work, Health & Safety

Due to Staff Annual Leave there will be no report for this section this month.

4. Tourism Report

March 2017

Number of visitors to VIC

March	2017	2016	2015	2014
Walk in's	450	473	454	453
Phone enquiries	57	36	25	41
Email enquiries	0	0	3	2
Website				
Visits	4,781			
No of Hits	147,496			

Loan-a-Bike

The interest in the Loan-A-Bikes is building. We have created “Free Loan A Bike” posters and erected them through accommodation houses, cafes and pubs. As well as an editorial being placed in the Apsley Advocate in the lead up to the Easter Holidays. Loan-A-Bike has been used three times since my last report. Users of the bikes have heavily praised the initiative and expressed it as being a fabulous service, welcoming gesture and unexpected surprise offered to them.

KTM Motorcycle Event Wednesday 8 March 2017

We have been in communication with the KTM organisers after their event and their stay in Walcha. They commented that Walcha was the most organised stop for them. Cafes had been notified in advance of this influx of visitors and asked to open earlier and be prepared with staff to cater for the larger crowds.

There was one disgruntled farmer who didn't approve of the motorcyclists being on the public road going through his property. We had organised a mailbox letter drop to all of the effected residents on the mapped routes we had been given by the organisers. A few of the motorcyclists got lost and therefore rode an alternate route, which was where the issue arose. We haven't had any follow up calls from the farmer, and his identity is unknown to us.

Partnerships & Opportunities

I have been speaking with Port Macquarie Tourism about an opportunity as a joint venture in promoting the Oxley Highway to motorcyclists. Wauchope is hosting the Ulysses Motorcycle Club AGM from 22 -28 May, estimated to attract 3,500 riders over the week. Riding the Oxley Highway has been mentioned in their program so we are looking at ways to leverage off this opportunity.

Susie Crawford
 Tourism Manager

Submitted to Council: 26 April 2017

..... General Manager Mayor



5. Grant Information

Grants Currently Applied for:

Name of Grant:	Purpose of Grant:	Amount Requested:	Council Contribution:	Date Outcome Announced:
Community Preschool Capital Works Grants Program	Enlarge and replace current Preschool building	\$990,000	\$330,000	End of January 2017 (running late)
Unsuccessful – another capital grants program will be announced later in the year.				
Fixing Country Wash Bay Grants	Truck Wash Bay	\$578,000	\$22,000	Unknown
National Youth Week Shuttle Bus	Transport to access Youth Week activities.	\$750	Nil	End of March 2017
Successful – Grant of \$660				
National Volunteer Grants	Equipment to facilitate and support people who volunteer	\$5,000	Nil	
ClubGrant, Local Arts and Cultural Infrastructure.	Increase Participation and Drive Cultural Tourism.	\$300,000	TBD – multiple submissions	Unknown.
Transitional Assistance Program for Local Govt	Assistance to implement the NDIS	\$10,000	Nil	Unknown

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
Transitional Assistance Program for Local Government	Assistance to implement the NDIS	21 April 2017
Federal Bridge Replacement Program Round 3	To improve local access and to permit the use of higher productivity vehicles.	15 May 2017
Innovation Fund Grant		9 June 2017
Council Roadside Grant	Environmental To help Council meet the Council Roadside Environmental Management Framework CREMF	27 April 2017

Submitted to Council: 26 April 2017

..... General Manager Mayor



Website Links:

<http://www.dec.nsw.gov.au/what-we-offer/regulation-and-accreditation/early-childhood-education-care/funding/grants-program>

<https://www.liquorandgaming.justice.nsw.gov.au/Pages/about-us/our-initiatives/infrastructure-grants/arts-and-cultural-funding-round.aspx>

<http://regionalartsnsw.com.au/grants>

<https://nswcommunities.smartygrants.com.au/ShuttleBusGr2017>

<https://www.dss.gov.au/grants/grants/closed-funding-rounds/volunteer-grants-2016>

<https://www.liquorandgaming.justice.nsw.gov.au/Pages/about-us/our-initiatives/infrastructure-grants/arts-and-cultural-funding-round.aspx>

<http://www.fitforthefuture.nsw.gov.au/content/innovation-fund>

<http://www.lgnsww.org.au/files/imce-uploads/127/cremf-introduction-1.pdf>



ENGINEERING SERVICES

6. Wages & Overtime Summary

December 2016 / January 2017

Pay Period	Week Ending	Overtime Hours	Amount (\$)
38	19/03/2017	78.25	4,232.32
39	26/03/2017	71.50	3,300.38
40	02/04/2017	69.25	3,160.45
41	09/04/2014	81.75	3,796.32
TOTAL		300.75	\$14,489.47

7. Shire Roads Maintenance

Local Roads & Bridges - Projects:
Design and Construct – Five Bridges Tender.
 Waeger Constructions are continuing their works on site, and have made good progress on the Aberbaldie Bridge. The bridge has been removed and all bored piles have now been installed. The next phase is to install the abutments and columns that will be directly underneath the bridge decks.



The Flags Niangala Bypass Track has been installed, which was a challenging yet successful part of the project. A large amount of gravel was required, due to the existing road level in comparison to the Halls Creek. Piling is currently underway and will be finalised prior to May.

The Kangaroo Flat Bridge will commence shortly, however the bypass track will be installed prior

to commencement. The Hartford road bridges will finalise the program, and are not expected to commence until late in the financial year.

Submitted to Council: 26 April 2017

..... General Manager Mayor



Local Roads Heavy Patching:

The local roads heavy patching program is now complete, with patching works occurring on the Brackendale, Aberbaldie, Niangala and Moona Plains Roads. The patching works were targeted at segments that are due to be resealed and areas that were considered safety concerns. Throughout the course of the works, soft unsuitable pavement was found in three locations (one photographed below right). This material has been removed and suitable gravels have been installed.

The works took approximately three weeks to complete.



Regional Roads – Projects:

Bergen Bridge Widening:

The Bergen Bridge Widening has been delayed due to severe weather along the coastline. The successful contractor has been caught in this weather on another fill in job and his return has been delayed. The Contractor will return to site on Tuesday, 18 April and will remain until the project is complete. The bridge will tentatively close on 26 April for a period of 4-6 weeks.



The Contractor will return to site on Tuesday, 18 April and will remain until the project is complete. The bridge will tentatively close on 26 April for a period of 4-6 weeks.

Local Government Engineering Services have been engaged to complete the approach

designs to the bridge, which will be constructed by Council. This works will commence

Submitted to Council: 26 April 2017

..... General Manager Mayor



when the bridge is closed and will involve widening the road leading to the new bridge to allow for a smooth transision onto the widened bridge.

Urban – Projects:

Jamieson Street Stage 2:

Jamison Street Stage 2 is now complete; the final stage was the completion of the final seal across the entire road surface and installation of drainage structures at the showground stock entrance.



Completed Maintenance Snapshot:

Local Roads	
Maintenance Grading:	Roads:
	Bark Hut
	Campfire
	Old Brookmount
	Hurricane Gully
	Ohio
	Ohio North
	Brookvale
	Nivison
	St Leonards Creek
	Moonganna
	Mirani
	Blue Mountain
Bypass Tracks	Roads:
	Old Brookmount
	Flags Niangala #4919
Vegetation Control	Roads:
	Niangala
	Aberbaldie

Submitted to Council: 26 April 2017

..... General Manager Mayor



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
- ◆ 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 by staff in achieving the strategic objectives and delivery actions as outlined in Council’s Community Strategic Plan 2025, Delivery Program 2013-2017 and Operational Plan 2016-2017.

A report will be presented to Council each month for comparison purposes, showing the previous year’s totals, and the year to date figures for the current year.

11. Development

Development Application (DA) Data		
	2015/2016	2016/2017 YTD
Total Number of DAs Determined	35	15
Number of DAs Outstanding	-	2
Average Determination Time (days)	28.17	24.4
Value of DAs	\$3,866,140	\$1,876,200
Number of Single New Dwellings	6	6
Residential	1	1
Village / Large Lot Residential	2	1
Rural	3	4
Number of Multi Unit Dwellings	1 (9 units)	0
Number of Commercial Developments	3	2
Number of Industrial Developments	2	0
Withdrawn	0	0
Refused	0	0

Complying Development Application (CDC) Data		
	2015/2016	2016/2017 YTD
Total Number of CDCs	6	7
Value of CDCs	\$659,900	\$308,800
Number of Single New Dwellings	1	0
Residential	1	0
Village / Large Lot Residential	0	0
Rural	0	0

Submitted to Council: 26 April 2017

..... General Manager Mayor



**Development Applications and Complying Development Certificates
 Determinations issued – March 2017**

Section 101 of 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. Consents are available for public inspection, free of charge, during ordinary office hours at Council’s Hamilton Street office. In accordance with Section 101 of the Act and Clause 124 of the *Environmental Planning and Assessment Regulation 2000*, the following determinations are publicly notified:

DA Number	Description	
10.2017.1	Single Dwelling alterations & additions	101W Croudace St, Walcha
10.2017.3	Erect new carport	105E Hill St, Walcha
10.2017.5	Subdivision of rural land	Bendee, 10735 Thunderbolts Way, Walcha
CDC Number	Description	
Nil		

Declaration of Interest by Applicant of a Development Application / Construction Certificate / Complying Development

Nature of Interest	Number Received 2015/2016	Number Received YTD	Number Received this period
Political Gifts and Donation	0	0	0
Applicant or owner is an employee of Walcha Council or a Councillor	1	0	0
Applicant with any relationship to staff or Councillor	2	1	0

s149 Planning Certificates

Section 149 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 s149 Planning Certificate.

S149 Planning Certificates	2015/2016	2016/2017 YTD	This Period
Number Issued	125	102	10

12. Environment & Regulatory

Environmental & Public Health Regulatory Services

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:

- *Companion Animals Act 1998* e.g. dogs not under effective control & nuisance dogs (barking),

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- *Local Government Act 1993* e.g. overgrown land and accumulation of waste, and
- *Protection of the Environment Operations Act 1997* e.g. dumping of rubbish.
- *Food Act 2003* e.g. hygiene and handling

Penalty Notices

No fines were issued for this period

Notices and Orders Issued

Description		2015/2016	2016/2017 YTD	Issued this Period
Overgrown allotment (Order Number 21, Section 124 Local Government Act 1993)	Warning	5	5	0
	Intention	0	0	0
	Order	0	0	0
Accumulation of waste (Order Number 22, Section 124 Local Government Act 1993)	Warning	3	3	1
	Intention	0	0	0
	Order	0	0	0
Keeping of animals (Schedule 2 Local Government Regulation 2005 & Council Policy)	Warning	8	6	1
	Intention	2	1	0
	Order	0	0	0
Nuisance dog (Section 32A Companion Animals Act 1998)	Warning	0	0	0
	Intention	0	2	1
	Order	0	0	0
Dangerous dog (Section 34 Companion Animals Act 1998)	Warning	0	0	0
	Intention	1	0	0
	Order	0	0	0
Roaming dog (Section 12A Companion Animals Act 1998)	Warning	5	2	1
	Intention	0	0	0
	Order	0	0	0
Companion animal microchipping & registration (Sections 8 & 9 Companion Animals Act 1998)	Warning	0	4	1
	Intention	0	0	0
	Order	0	1	0
Vehicles and traffic on nature strip (NSW Road Transport Act 2013)	Warning	0	13	12
	Intention	0	0	0
	Order	0	0	0
Abandoned vehicle (Road Transport (Vehicle and Driver Management) Act 2005 and Impounding Act 1993)	Warning	4	0	0
	Intention	0	0	0
	Order	0	0	0
Noise Abatement (Protection of the Environment Operations Act 1997)	Warning	0	0	0
	Intention	0	0	0
	Order	0	0	0
Environmental Pollution (Protection of the Environment Operations Act 1997)	Warning	0	1	0
	Intention	0	0	0
	Order	0	0	0

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..... General Manager Mayor



For information purposes a summary of the number of customer requests received is provided.

Environmental Services Customer Requests March 2017	
Barking dogs	0
Dog attacks	0
Roaming dogs	3
Roaming stock	0
Environmental pollution	1 (trade waste)

Tree Management Applications (TMAs)

A Tree Preservation Order exists over the town of Walcha to promote the retention of trees and tree cover and to conserve as far as is practical the existing pattern of vegetation, for information purposes a summary of the tree management applications lodged with Council is provided.

TMAs	2015/2016	2016/2017 YTD	This Period
Lodged	20	21	4
Approved (under delegation)	17	19	2
Approved (Council)	0	0	0
Refused	2	0	0

Immunisation Clinic

Free Immunisation Clinics are held weekly at the Walcha MPS; for information purposes a summary of the number of attendances at the clinic is provided.

Immunisation Clinic	2015/2016	2016/2017 YTD	This Period
Attendance Record	52	49	-

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.

For information purposes a summary of the food surveillance activities undertaken for the 2016/2017 year as at 31 March 2017 is provided.

Food Premises Surveillance 2016/2017						
	High Risk Fixed	Medium Risk Fixed	Low Risk Fixed	Mobile	Temporary	TOTAL
Total No.	27	6	7	2	2	44
No. Primary Inspections	15	4	0	2	2	23
No. Re-inspections	2	0	-	-	0	2
No. additional Re-inspections	0	-	-	-	-	0
No. FSS Required	21					21
No. FSS Current	20					20

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..... General Manager Mayor



13. 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 Animals Registrations 2016/2017							
	Desexed	Non desexed	Pensioner (desexed)	Pound Purchase (desexed)	Recognised breeder	Working	Value \$
Jul	5	0	2	0	0	0	\$304.00
Aug	4	0	0	0	0	0	\$212.00
Sep	3	0	0	0	0	0	\$159.00
Oct	0	0	3	0	0	0	\$66.00
Nov	0	0	0	0	0	0	\$0.00
Dec	0	2	0	0	0	0	\$390.00
Jan	1	1	0	1	0	0	\$274.50
Feb	0	0	0	0	0	0	\$0.00
Mar	2	2	1	0	0	0	\$518.00

Companion Animals Seizures 2016/2017						
	Seized	Surrendered	Released	Rehomed	Euthanased	Stolen
Jul	1	0	0	0	1	0
Aug	2	2	0	0	2	0
Sep	1	0	1	0	0	0
Oct	4	0	3	1	0	0
Nov	1	0	0	0	1	0
Dec	0	0	0	0	0	0
Jan	4	0	2	0	2	0
Feb	1	0	0	0	1	0
Mar	1	0	0	0	1	0

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..... General Manager Mayor



COMMUNITY SERVICES

14. Walcha Council Community Care

February 2017

Groups

Women’s Group and Wanderer’s Group

1 March 2017 – 29 clients from the Women’s Group and the Wanderer’s Group attended morning tea at the Community Day Centre Rooms.

15 March 2017 – 18 ladies attended the trip to visit Booloominbah at the UNE in Armidale. The first stop was morning tea at the Arboretum Park going into Armidale. The next place to sight see was a picturesque drive out to Dumaresq Dam before going to lunch at the restaurant at Booloominbah.

The historic house at The University of New England, is built around one of the nation's most magnificent country houses, Booloominbah. The house is one of the many buildings designed by John Horbury Hunt which is now listed by the National Trust. UNE graduates have memories of graduation ceremonies on the lawns of Booloominbah overlooked by this beautiful nineteenth-century homestead.



Dorreen Murray,
Hope Strudwick,
Elaine Murray and
Margaret Carter



Submitted to Council: 26 April 2017

..... General Manager Mayor



Coral Goodwin and
Val Wall



Irene Simpson and
Elaine Murray

Wanderer’s Group

8 March 2017 – the group was cancelled today as the members chose to attend the Seniors Week Festival Luncheon event at the Walcha Bowling Club.

22 March 2017 – The Wanderer’s Group travelled to Glen Innes for the day. The group met with members of the Glen Innes Aboriginal Elders. Lunch was held at the Glen Innes Bowling Club.

Men’s Group

14 March 2017 – 18 gentlemen attended morning tea in the Community Day Centre Rooms. Roy Westfold was the Guest Speaker for the morning and spoke about the plans and fund raising efforts for the RSL Sub Branch Monument to be erected in Walcha Memorial Park. The new monument will recognise those in the Walcha district who served in conflicts since World War II, including Malaya, Korea, Borneo, Vietnam, Gulf War, Afghanistan, Iraq, East Timor and ISIL.

Submitted to Council: 26 April 2017

..... General Manager Mayor



28 March 2017 –14 gentlemen attended the bowling day at the Walcha Bowling Club. The weather was glorious and the social game of bowls was enjoyed in the sunshine. Lunch was held in the dining room at the Bowling Club with a few refreshments to quench everyone’s thirst after the bowling game.

Seniors Festival 2017

The theme for Seniors Week Festival 2017 was “Let’s Do More Together”. Walcha Seniors Week Festival certainly lived up to the theme and was full of intergenerational activities and lots of fun for all age groups. There were activities throughout the week that catered for various interests. Everyone that attended found something new to take part in and enjoyed the diverse activities that were held throughout the week.

Monday 6 March 2017 – “Cultural Food Safari”

The week began on Monday with a “Cultural Food Safari”, having Alex Blomfield and Sakulsri providing a cooking demonstration for the Seniors and the Walcha Preschool Monday group of children. The group of seniors and the children had a fantastic hands-on experience helping Sakulsri cook a very tasty Thai meal and Alex cooking Russian.



Sakulsri and the group cooking Thai food



Alex and the Preschool children and seniors watching on.



Alex giving the cooking demonstration to the children and seniors



Alex with Vidis Kulinskis cooking Russian

Sakulsri helping Leanna Zielke cook Russian pies



Submitted to Council: 26 April 2017

..... General Manager Mayor



Tuesday 7 March – “Pastels with Paula”

Tuesday held the creative activity where seniors could come along to the pastel art class with Paula Jenkins. Paula bought out the artist in everyone with some drawing tips and lots of fun and surprises were had during the morning. Those that attended had a fabulous morning and were keen to continue on with their new found talents.



Vaun Gegier very happy with herself as she finishes off her lovely drawing

Submitted to Council: 26 April 2017

..... General Manager Mayor



“Pastels with Paula” art class with Paula Jenkins. Margie Carter and Janice Simpson above, all smiles with their art work. The group busy doing their artwork under Paula’s helpful advice to the left.



Wednesday 8 March – Seniors Week Festival Luncheon

The biggest event held in Walcha for the 2017 Seniors Week Festival was on the Wednesday with around 85 people attending the Seniors Festival Morning tea and Luncheon held at the Walcha Bowling Club. An assortment of entertainment was provided on the day, including students from St Patrick’s School with a singing performance and many other talented artists combining to make the day lots of fun.



Photos taken at the Seniors Week Festival Luncheon at the Walcha Bowling Club

Submitted to Council: 26 April 2017

..... General Manager Mayor



Photos taken at the Seniors Week Festival Luncheon at the Walcha Bowling Club



Submitted to Council: 26 April 2017

..... General Manager Mayor



Thursday 9 March – “Tech Savvy Seniors”

The activity for Thursday during Seniors Week Festival was around technology and how to use it. The Walcha Library hosted the Tech Savvy Seniors event and the morning was very popular with seniors bringing along mobile phones, tablets and other technological gadgets.

Friday 10 March – Healthy Living Forum

The final Senior’s Week Festival activity in Walcha was the Healthy Living Forum event held at the Council Chambers. HealthWise Dietitian, Kimmy Peacey spoke to the small group of seniors about healthy nutritious meals and Maree Brazel led the group through a gentle strength and balance exercise class. The forum was extremely informative and those that attended found the session very valuable.



HealthWise dietitian, Kimmy Peacey and the group of seniors at the Healthy Living Forum

UFO (Un-Finished Objects) Group (Craft and Hobby Group)

13 March 2017 – The UFO Group had a day in the Community Day Centre Rooms where projects were completed for entry into the Walcha Show. Syreene Kitchener and Hope Strudwick were delighted to be given a first place for their lovely wall hanging that they both created.

Transport – March

Medical drives –10 clients utilized the service with 24 trips.

Access bus– 28 clients used the service making 71 trips.

There is a significant rise in outputs in both clients using the service and number of trips made during March. This rise is due to Walcha Community Transport providing transport to the Preschool children and Supervisors for access to the Walcha Library and back to the Preschool.

Bus to Tamworth – 6 clients used the service on 31 March 2017.

Bus to Armidale numbers for March were as follows:

- ◆ 7 March 2017 – 8 clients – Walcha Service

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..... General Manager Mayor

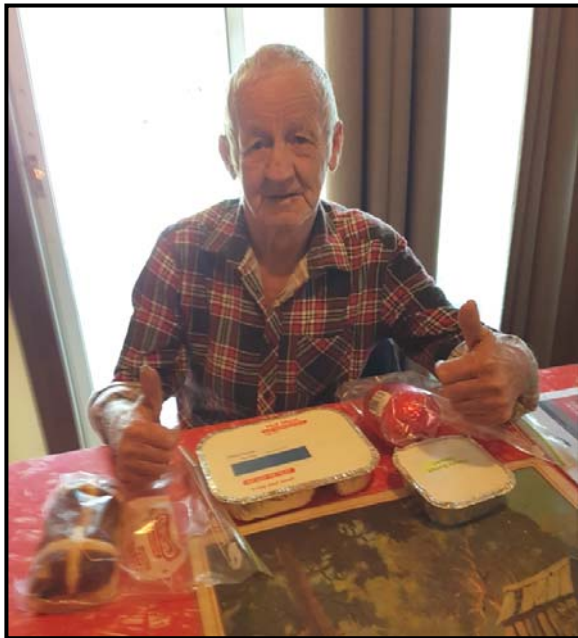


- ◆ 14 March 2017 – 3 clients – Uralla Service using TCT Bus and Driver
- ◆ 21 March 2017 – 8 clients – Walcha Service
- ◆ 28 March 2017 – 6 clients - Uralla Service using TCT Bus and Driver

Taxi Vouchers – 22 clients have been provided with Taxi Vouchers with 32 vouchers being utilized during the month.

Meals on Wheels –March 2017

For the period of 1/3/2017 to 31/3/2017 there were 12 clients who received hot main meals with a total of 184 meals delivered and 5 clients received frozen meals with a total of 122 meals delivered. The total number of desserts delivered was 138. The combined number of hot and frozen meals during March was 306. The Easter delivery of meals included two freshly cooked Hot Cross buns which were lovingly cooked by the Walcha Road Hotel and an Easter egg. Meals on Wheels volunteers Noelene and John Dickson were thrilled to play the Easter Bunny on the Thursday and the clients were all thrilled with their Easter package.



Clancy Byrne with his Meals on Wheels lunch



Margaret Lear with her lunch and hot cross buns



Lola McConnell happy to receive her Easter package



Suesann proudly displaying the Hot Cross Buns at Walcha Road Hotel



Meals on Wheels volunteers John and Noelene Dickson were thrilled to be the Easter Bunnies for the meal delivery on Thursday

Submitted to Council: 26 April 2017

..... General Manager Mayor



Rural and Remote Exercise Groups

9 clients attended at Nowendoc during March 2017.

Feedback and Complaints

- ◆ Feedback provided from the Seniors Week Festival activities were all positive with many people who attended commenting that the variety of activities were excellent and how much fun the intergenerational activities were.
- ◆ Meals on Wheels clients and volunteers are continually providing verbal feedback in regards to the quality of the meals from Apsley Riverview and are pleased that the meal portion size has increased.

Meetings and Training

The Community Services Manager, Karen Kermode, has recently been appointed to the Board of the New England Sector Support Team (NESST). NESST was formally known as the HACC Development Unit. NESST is a small non-government organisation which supports Aged Care Services and Disability Services. NESST promotes Aged Care Services and Disability Services by establishing and maintaining support networks, providing information about policy and guidelines, promoting good practices, and providing training to the community care sector.

The board meets monthly with each second meeting being held remotely. Further information about NESST can be found at <http://www.nesst.org.au/>

- 9 March – Dementia Support Group meeting held at the Community Day Centre Rooms.
- 13 March – WCCC Staff Meeting held in the Community Day Centre Rooms.
- 14 March – WCCC Advisory Committee meeting held in the Community Day Centre Rooms.
- 28 March – A representative from the Quality Review Agency provided an onsite visit to WCCC to discuss the Quality Review for WCCC on 2 May 2017.

Cathy Noon
Community Care Coordinator



15. Library

February / March 2017

Late last month I had the opportunity to attend the 2017 Annual Children’s and Youth Services Meeting. The meeting was held in Grafton over two days. There was a guest speaker Giane who works for the Clarence Valley Council, who spoke about the Clarence Youth Action Group. The main focus of this Youth Action Group was to determine:

1. Biggest issues in the community
2. What type of community do you want to live in?
3. Why is that important to you?
4. How is it different from now?
5. What are we going to do to achieve this type of community?

This Youth Action Group promotes youth led projects and events, advocacy and active participation. They have held events that are fun, but at the same time educate youth about important topics such as mental and sexual health. The youth who were apart of this group said they felt accepted regardless of their social status (something I think is important in a small community like Walcha) as well as feeling connected and supported. This particular speaker stood out to me as it gave me A LOT to aspire to, hopefully when we get our Youth Advisory Committee up and running it will be as successful as this one. One of the most concerning discussions that came out of this talk was that youth don’t know where to go to seek help in regards to mental and sexual health.

Youth Week has now finished for another year. During this week, Cassandra and I took a group of around 20 kids on an excursion to the Armidale Aboriginal Cultural Centre and Keeping Place. The students were able to participate in four activities over the afternoon, which included a Bush Tucker Walk, Boomerang Throwing, Dot Painting and Aboriginal games. I think by far the activity they enjoyed the most was the boomerang throwing, they had Cassie and I ducking for cover many a times. During Youth Week the Council also sponsored a dance workshop through Bec Hoy at Destiny Dance Studio. This workshop was also a hit, with around 14 primary aged children attending. Bec commented on how much fun they had and how everyone was more than willing to give everything a go. We



also had a martial arts workshop with Hamish Brown lined up, however due to lack of numbers had to be cancelled. I’m not sure whether the timing of Youth Week this year (week before school holidays) was a deterrent for some families, I know it limited us as to what we could organise as the only time activities could be held was after school, when families have other commitments. Hopefully next year the dates will be in our favour!

Submitted to Council: 26 April 2017

..... General Manager Mayor



Youth Week Excursion to Armidale Aboriginal Cultural Centre and Keeping Place - learning how to throw the boomerang



The April school holiday program has been finalised, with some very exciting activities organised! I will report next month on how successful the program is, however so far we have seen an overwhelming amount of interest! Preschool story time has now been running for a couple of weeks, this is proving to be quite a success. The library is certainly buzzing during this time!

Madison Garrad
Librarian



Submitted to Council: 26 April 2017

..... General Manager Mayor



16. Preschool

This month at preschool the children were offered some frog spawn, it was put into a fish tank and the following week the eggs had hatched into tiny tadpoles, the children are now watching and caring for the tadpoles each day. They have been eating the cooked lettuce offered to them and they are getting bigger each day.



The kindergarten children from both schools were invited to come and watch the puppet show Rainbow Eagle. Rainbow Eagle talked to the children about how to be a caretaker of the land he had a strong message about the beauty that can be found in nature and how the children can do their bit to take care of the land too. The schools were appreciative of the opportunity for the children to come back to preschool for the first time since leaving for big school.



To extend the preschool’s involvement in the community, the three year old room have begun to attend a regular story time at the Library. Once a fortnight the community bus comes to the preschool and picks up the children to take them down to the Library. Hopefully this will also encourage other community members to come along to attend story time at the Library.

Submitted to Council: 26 April 2017

..... General Manager Mayor



With Easter this year falling in the holidays, over the last two weeks of term the children have been busy making Easter baskets, bunny ears and doing other Easter craft. During the last week the children are paid a visit from the Easter Bunny and they are able to enjoy an egg hunt. It is all very exciting.



To follow up from last month Walcha Preschool is happy to say that our Humpty Dumpty Scarecrow came Second in the Show and a big Thank You to all of the family helpers especially Rachael Wellings.

Zoe Herbert
Preschool Nominated Supervisor

RECOMMENDATION: That items included in the Management Review Report, numbered 1 to 16 inclusive, be NOTED by Council.

Submitted to Council: 26 April 2017

..... General Manager Mayor



Item 10:

Committee
Reports

Submitted to Council: 26 April 2017

..... General Manager Mayor



Walcha Town & District Beautification & Tidy Towns Committee Meeting Minutes

held on

Wednesday, 5 April 2017

at

2:00 pm

at Walcha Council Chambers

PRESENT:

Clr Clint Lyon (Chair), Dylan Reeves (Director – Engineering Services), Alex Smith, Jim Hallenan, Phyllis Hoy, Stephen Sweeney (Works Supervisor – Urban), Joanne Ireland, Clr Peter Blomfeild, Beverly Betts, Robyn Vincent.

1. APOLOGIES:

Caroline Street, Phyllis Hoy.

2. CONFIRMATION OF MEETING MINUTES HELD ON WEDNESDAY, 16 MARCH 2016:

RESOLVED on the motion of Lyon and Reeves that the Minutes of the Walcha Town & District Beautification & Tidy Towns Committee Meeting held on 21 December 2016, copies of which have been distributed to all members, be taken as read and confirmed a true record.

3. BUSINESS ARISING:

3.1 South Street – northern end – Tree replacement Japanese Maples to be replaced by Irish Strawberry Trees.

The Northern end of South Street has already been completed and Strawberry Trees were planted in this area. Stephen Sweeney commented that the next phase is to complete the tree planting to the corner of Croudace Street (Southern End). Jim Hallenan will be involved with the installation of trees in this area.

Committee Minutes



4. GENERAL BUSINESS:

4.1 Results after the tour of Walcha

The Committee was taken on a tour around Walcha during the December Meeting. As a result, the recommendations put forward by the Committee were included in the 10 year plan. The following describes the result of each recommendation.

1. RFS Building – Oxley Highway

Ms Joanne Ireland mentioned that there was funding available through the RFS for the building to be painted. Ms Ireland and Clr Blomfield were both aware of the appropriate representative from the RFS and said that they would make contact with the representative and would pass the contact details onto Director – Engineering Services for further investigation.

2. Walcha Hospital – Concrete Retaining Wall

The group visited the Walcha Hospital to review the proposed beautification of the concrete retaining wall. The group agreed that the project should take place in a staged approach and should commence with the portion that has an existing footpath. The second stage should include the extension of the footpath to the end of the retaining wall.

This works are scheduled to commence during the 2018-19 financial year. Below are some photos that were taken while on site:



3. Angle Street Park – Unnamed

The Committee discussed planting various endangered native species for conservation purposes. The Director – Engineering Services pointed out that Arboretums are designed to harbour native species, particularly those that are representative of the area. He also noted that there is



potentially funding through the RFS for hazard reduction slashing, due to its proximity to homes.

4. Apex Park

The Committee was interested in exploring further options with this park. Director – Engineering Services will further investigate possibilities such as Council investment or landscaping for the parkland, these investigations are still ongoing.

5. Semphill Crescent

The work will be completed as recommended in the 2018-19 financial year.

6. Vehicles Parked on Jamieson Street and Derby Street

Director – Engineering Services made the Committee aware that this issue is being dealt with by another branch of Council and action has already taken place. This type of issue is typically not this Committee's function.

7. Ohio North Park Area

The works will be completed as recommended in the 2019-20 financial year.

8. Derby Street, near the intersection with Hill Street

The Committee RECOMMENDED on the motion of Ireland and Smith that Council place this project into the 2017/18 Budget at a cost of \$7,500.

9. Aspley Street

No further comment.

10. McHattan Park

The Committee would like to thank Cynthia Ward for her work at McHattan park for tidying up the garden in front of the toilets, the Committee feels as though it was a fantastic job.

11. Nivison Fountain

The Committee RECOMMENDED on the motion of Ireland and Smith that Council place this project in the 2017/18 Budget at a cost of \$35,000.

4.2 Garden Competition Awards

Clr Blomfield and Mrs Phillis Hoy will judge the Autumn competition after ANZAC Day. The winner will be invited to the meeting to be held on 21 June and the Committee will have an afternoon tea with the winners.

The Committee RECOMMENDED on the motion of Blomfield and Lyon that Council donate three prizes - 1st, 2nd and an encouragement award FURTHER THAT the future winners be rewarded by the Committee placing an article in the Apsley Advocate in relation to their success.



4.3 Long Term Tree Plan for Walcha

The Committee discussed the area between Walcha and the Bergen Bridge on the Thunderbolts Way. The Committee suggested that Council support the local landholders by providing trees free of charge to those wishing to beautify their roadside paddock.

The Committee RECOMMENDED on the motion of Betts and Ireland that Council provide trees free of charge from the Walcha Depot for local landholders to utilise to beautify their roadside environment FURTHER THAT the trees to be selected by the Beautification Committee.

4.4 Streetscape Plan

The streetscape plan was discussed with the Committee, Cllr Blomfield commented on the slow progress recently. Director – Engineering Services explained that the streetscape was not completed last year due to staff unavailability from a number of other projects. He continued to explain that the funds have not been removed and the work will be completed. The Committee commented on the rough surfaced around shopping areas and requested that Council consider the surrounding users prior to making the surface rough.

The Committee noted that there should be a focus in future years on the eastern side of Town, where the Royal Café and Thunderbolts Takeaway are located as this is also a busy part of the Town.

4.5 Footpath Connection Plan & Grant Opportunities

The Committee mentioned the following possible project on the day:

- ◆ Installation of a crossing behind Commercial Lane.
- ◆ That a footbridge be installed to connect the levee banks (near the Central School).

Director – Engineering Services will continue to create the Footpath Connection Plan and will advise the Committee when it is complete for input.

4.6 Pots on Fitzroy Street

Director – Engineering Services informed the Committee that business owners have been approached by Council in relation to the Pots around the CBD. Cllr Lyon stated that he would be interested in looking after one if there was one made available.

4.7 Nivison Fountain

As discussed above.



4.8 Additional Item – Community Garden

Director – Engineering Services and Clr Lyon informed the Committee that this should be a community organised and spearheaded initiative. Council should play a support role in such an initiative, not a leadership role.

4.9 Meeting Dates Schedule

Director – Engineering Services made the Committee aware that the next meeting will be held on 21 June 2017.

The following meeting schedule will be followed:

- 21 June 2017
- 20 September 2017
- 20 December 2017
- 21 March 2018

All meetings will be held at 2pm.

**THERE BEING NO FURTHER BUSINESS THE CHAIRMAN
DECLARED THE MEETING CLOSED AT 4:00PM.**

CONFIRMED _____ (Signed)

Date: ____/____/____

Walcha Council Community Care Advisory Committee Extra Ordinary Meeting Minutes

held on

Friday, 7 April 2017

at

2:04 pm

at

Walcha Day Centre Room

PRESENT:

Clr Kevin Ferrier (Chair), Kate Hoy, Syreene Kitchener, Davina Young, Pat Laurie, Cathy Noon (Community Care Coordinator), Elaine Bartholomew (ATSI Community Care Coordinator), and Karen Kermode (Manager Community Services)

IN ATTENDANCE:

Nil.

1. APOLOGIES:

Ron Denham, Sue Reardon, Olivia Wood and Debra Sweeney

2. Review of Walcha Council Community Care and Walcha Council Early Intervention Policy Manual

Councillor Ferrier opened the meeting and asked the WCCC Coordinator to give an overview of the changes to the policy document.

The coordinator explained:

- ◆ The review was to ensure compliance with the Aged Care Standards
- ◆ Home and Community Care program has been superseded by the Commonwealth Home Support Program
- ◆ This change has led to terminology changes ie “centre based day care” is now known “group social support”.
- ◆ Client contributions are now expected to be paid, and is set at 15% of funding

- ◆ Council has a Risk Coordinator who assisted with the review of the risk management section
- ◆ Community Care feels like it is more of a part of Council
- ◆ Client re-assessment includes a section to ascertain if clients wish to be placed on the “vulnerable persons list”. This list will be confidential and accessed only by the Coordinator, Manager Community Services and Director - Engineering Services (or their representatives) in the event of an emergency via Councils Emergency Management Plan.

The Manager explained the review process:

- ◆ The Community Care will be quality reviewed on 2nd May 2017
- ◆ An initial result will be sent to Council, giving 2 weeks to respond to any issues raised (if any)
- ◆ A further result will be given to the Council following the receipt of any response.
- ◆ Community Care is given 3 months to implement any improvements identified in order to achieve compliance (if any needed)
- ◆ A final result is issued.

The review process is designed to ensure that services can reach compliance, and have the opportunity to improve processes that are identified as not meeting the standard.

The Committee RECOMMENDS that the policy below be ADPOTED by Council. MOVED by Kate Hoy SECONDED by Davina Young

There being no further business the Chairman declared the meeting closed at 2.24pm.

CONFIRMED _____ (Signed)

Date: ____/____/____