



BUSINESS PAPER
ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 28 June 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

AGENDA

Submitted to Council: 28 June 2017

..... General Manager Mayor



Dear Mayor & 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, 28 June 2017** commencing at **2.00pm**.

Yours sincerely

Jack O'Hara
GENERAL MANAGER

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Submitted to Council: 28 June 2017

..... General Manager Mayor



- 9. Management Review Report WO/2017/00955
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 - 12.4 Tender for the Supply and Delivery of Traffic and Safety Signage REGPRO041718 WINT/2017/01405
 - 12.5 Tender for the Supply and Delivery of Stationery REGPRO021718 WINT/2017/01415
 - 12.6 Tender for the Supply of Chlorine (Sodium Hypochlorite) T0392017 WINT/2017/01416

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: 28 June 2017

..... General Manager Mayor



Present:

Apologies:

Confirmation of the Ordinary Meeting Minutes held on Wednesday, 31 May 2017:

Matters arising from the Minutes of the Ordinary Meeting held on Wednesday, 31 May 2017:

Submitted to Council: 28 June 2017

..... General Manager Mayor



ORDINARY MEETING OF COUNCIL

held on

Wednesday, 31 May 2017

at

2:00pm

at

Walcha Council Chambers

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

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

1. APOLOGIES:

Nil.

MINUTES



2. CONFIRMATION OF THE ORDINARY MEETING MINUTES HELD ON WEDNESDAY, 26 APRIL 2017:

183 **RESOLVED** on the Motion of Councillors Ferrier and Lyon that the Minutes of the Ordinary Meeting held on Wednesday, 26 April 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

Item: 6.1 Part Day Public Holiday Survey Results WO/2017/00818

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

Item: 12.2 Proposed Contribution towards McHattan Park boundary fence with Walcha Telecottage WINT/2017/01171

Clr Kermode declared a pecuniary interest in this matter as he is a Director on the Walcha Telecottage Board.

Clr Wellings declared a pecuniary interest in this matter as her husband is one of the potential suppliers.

5. MAYORAL MINUTE

Nil.

6. SENIOR OFFICERS REPORT

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

6.1 Part Day Public Holiday Survey Results WO/2017/00818

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

185 **RESOLVED** on the Motion of Councillors Lyon and Kermode that Council **ENDORSE** the application for a Part Day Public Holiday for the Walcha Council Local Government Area from 12 noon until 6pm on Friday, 9 February 2018 and Friday, 8 February 2019 for the Walcha Races **FURTHER THAT** Council survey the community and key stakeholders directly after the 2018 & 2019 Part Day Public Holiday to ensure that Council receive a true and fresh account of the positives and/or negatives of holding the Part Day Public Holiday.

Clr Ferrier returned to the Council Chambers and the Chairperson informed him of the resolution.



6.2 Request to for an Aboriginal Advisory Committee under Section 355 of the Local Government Act 1993 WO/2017/00817

It was **MOVED** Clr Lyon **SECONDED** Clr Wellings that Council agree to the request from Amaroo Local Area Land Council to establish an Aboriginal Advisory Committee with the following matters as specified:

1. Function of the Committee – to advise Council on aboriginal matters.
2. Membership of the Committee – Two Councillors, the General Manager and six Amaroo Members.
3. Meetings – Meetings are to be held quarterly and the quorum is to be 5.

An **Amendment** was **MOVED** Clr Blomfield **SECONDED** Clr Ferrier that Council agree to the request from Amaroo Local Area Land Council to establish an Aboriginal Advisory Committee with the following matters as specified:

1. Function of the Committee – to advise Council on aboriginal matters.
2. Membership of the Committee – Two Councillors, the General Manager and six Amaroo Members.
3. Meetings – Meetings are to be held six monthly and the quorum is to be 5.

On being put to the **VOTE** the **Amendment** was **CARRIED**.

186 It then became the **Substantive Motion** and was put to the **VOTE** and **CARRIED**.

6.3 Local Government Remuneration Tribunal Annual Review WO/2017/00767

It was **MOVED** Clr Heazlett **SECONDED** Clr Lyon that the Councillor Fee be \$11,000 and the Mayoral Fee be \$21,000.

An **Amendment** was **MOVED** Clr Kealey **SECONDED** Lyon that the Councillor Fee be \$11,000 and the Mayoral Fee be \$25,250.

Then the **Original Mover** of the Motion and **Seconder** **WITHDREW** the **Original Motion**.

187 The Amendment became the **Substantive Motion** and on being put to the **VOTE** the Motion was **CARRIED**.

6.4 Review of the Walcha Local Environmental Plan WO/2017/00824

188 **RESOLVED** on the Motion of Councillors Healey and Ferrier that Council:

1. Give the General Manager delegated authority to:
 - a. prepare a Planning Proposal containing:
 - i. Boundary Adjustment clause,
 - ii. Include Detached Dual Occupancy Dwellings as permissible development for the RU1 and RU4 zones,



- iii. Include signage as a permissible use in the RE1 zone, and
- iv. Amend Minimum Lot Size of 4 ha for Lots 560, 561, 562, 563 DP 722828, Lot 7023 DP 1059151, Lot 4 Section 20 DP 759035, Lots 202, 216 DP 756502, Lot 7 DP 1217346 and Lot 4 DP 1155108 being contained on Map LSZ_003B.
- b. forward the planning proposal to NSW Planning & Environmental for a Gateway Determination.
- c. to make any minor alterations as requested by NSW Planning and Environment; and
- 2. the Planning Proposal is advertised as per the provisions of Section 57 of the *Environmental Planning & Assessment Act, 1979* once a Gateway Determination has been issued.

6.5 Update on Change of Name of Nivison Lookout & Koala Walk to “Nivison Walk” **WO/2017/00820**

189 **RESOLVED** on the Motion of Councillors Ferrier and Heazlett that Council approve to change the name of “Nivison Lookout” and “Koala Walk” to “Nivison Walk” **FURTHER THAT** all appropriate documentation relating to this change, including signage is completed.

6.6 Waste Strategy Update **WO/2017/00813**

190 **RESOLVED** on the Motion of Councillors Ferrier and Lyon that Council adopt the Draft Waste Strategy and the General Manager prepare costings implications and possible finance sources.

6.7 National Youth Week 2017 **WO/2017/00774**

The Report was **NOTED** by Council.

6.8 Referral to Committee of the Whole – Doctor Recruitment and Housing AND Request for Contribution towards Boundary Fence **WO/2017/0772**

191 **RESOLVED** on the Motion of Councillors Lyon and Kealey that, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matter of “Doctor Recruitment and Council Housing” AND “Contribution towards Boundary Fence” be referred to be discussed in Committee of the Whole for the reason that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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



Whilst in Committee of the Whole Council took afternoon tea at 3:40pm. During afternoon tea Heritage Near Me made a presentation. The Council Meeting resumed at 5:25pm.

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

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

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

2.1 Doctor Recruitment and Council Housing WINT/2017/01082

The Committee **RECOMMENDED** on the Motion of Lyon and Kermode that Council write to the current tenant of the Council House situated at 225E Croudace Street, requesting that they vacate by 1 July 2017.

The Committee **RECOMMENDED** on the Motion of Lyon and Kermode that Council place any future rental of 225E Croudace Street, Walcha in the hands of a professional real estate agent.

The Committee **RECOMMENDED** on the Motion of Kermode and Wellings that the house at 225E Croudace Street, Walcha be reserved for rental to a doctor with VMO rights at the Walcha Multi Purpose Service (Hospital) and the rent be set at the current market rate less 25%.

The Committee **RECOMMENDED** on the Motion of Lyon and Kealey that Council not attend the GP17 Royal Australian College of General Practitioners Conference but proceed to investigate the promotional video.

2.2 Request to Contribute to McHattan Park and Walcha Telecottage Boundary Fence WINT/2017/01171

Clr Kermode and Wellings left the Council Chambers and took no part in the debate.

The Committee **RECOMMENDED** on the Motion of Lyon and Kealey that in accordance with current legislation Council decline the request.

Clr Kermode and Wellings returned to the Council Chambers and were informed of the decision by the Chairperson.



ADOPTION OF COMMITTEE OF THE WHOLE

2.1 Doctor Recruitment and Council Housing WINT/2017/01082

194 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council write to the current tenant of the Council House situated at 225E Croudace Street, requesting that they vacate by 1 July 2017.

195 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council place any future rental of 225E Croudace Street, Walcha in the hands of a professional real estate agent.

196 **RESOLVED** on the Motion of Councillors Kealey and Wellings that the house at 225E Croudace Street, Walcha be reserved for rental to a doctor with VMO rights at the Walcha Multi Purpose Service (Hospital) and the rent be set at the current market rate less 25%.

197 **RESOLVED** on the Motion of Councillors Kealey and Wellings that Council not attend the GP17 Royal Australian College of General Practitioners Conference but proceed to investigate the promotional video.

2.2 Request to Contribute to McHattan Park and Walcha Telecottage Boundary Fence WINT/2017/01171

Clr Kermode and Wellings left the Council Chambers and took no part in the debate.

198 **RESOLVED** on the Motion of Councillors Lyon and Kealey that in accordance with current legislation Council decline the request.

Clr Kermode and Wellings returned to the Council Chambers and were informed of the resolution by the Chairperson.

7. NOTICE OF MOTION

Nil.

8. MATTERS OF URGENCY

Nil.

9. MANAGEMENT REVIEW REPORTS WO/2017/00768

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



10. COMMITTEE REPORTS

10.1 Minutes of the Walcha Arts Advisory Committee held on Tuesday, 9 May 2017. WO/2017/00808

It was **MOVED** Clr Kealey **Seconded** Clr Blomfield that Council not allocate the 2016/17 Arts Capital Works Funds to the Walcha Memorial Cenotaph **FURTHER THAT** Council reinstate the \$8,620 to the Walcha Arts Advisory Committee to be spend on projects that contribute to Walcha’s “Open Air Gallery”.

An **Amendment** was **MOVED** Clr Lyon that Council allocate half the 2016/17 Arts Capital Works Funds, \$4,310, to the Walcha Memorial Cenotaph **FURTHER THAT** Council reinstate the other half \$4,310 to the Walcha Arts Advisory Committee to be spend on projects that contribute to Walcha’s “Open Air Gallery”.

The Amendment **FAILED** to get a **SECONDER** and therefore **LAPSED**.

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

201 **RESOLVED** on the Motion of Councillors Lyon and Wellings that the concept of the Arts Symposium be followed up on, with the intention of engaging a grant writer to submit applications on the Arts Advisory Committee’s behalf for funding of a symposium.

202 **RESOLVED** on the Motion of Councillors Lyon and Wellings that the “Sculptures in the Mountains” Festival not be investigated for grant funding at this point in time.

10.2 Minutes of the Walcha Council Health & Safety Committee Meeting held on Monday, 22 May 2017. WO/2017/00811

11. DELEGATE REPORTS

11.1 Minutes of the New England Weeds Authority Meeting held on Tuesday, 7 February 2017. WI/2017/04727

11.2 Minutes of the Namoi Councils Joint Organisation Board Meeting held on Friday, 28 April 2017. WI/2017/05141

11.3 Minutes of the Walcha & District Historical Society Inc held on Saturday, 29 April 2017. WI/2017/05603



11.4 Minutes of the Community Consultative Committee Meeting held on Tuesday, 2 May 2017. WO/2017/00821

203 **RESOLVED** on the Motion of Councillors Heazlett and Ferrier that Council not introduce any further Alcohol Free Zones.

204 **RESOLVED** on the Motion of Councillors Kealey and Heazlett that the General Manager prepare a report on the possibilities of installing CCTV for surveillance at the Skate Park.

11.5 Minutes of the Namoi Councils Joint Organisations Leadership Team Meeting held on Monday, 15 May 2017. WI/2017/05615

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 6:20PM.



Item 6:
Senior Officers'
Reports

Submitted to Council: 28 June 2017

..... General Manager Mayor



Item: 6.1 **Ref:** WO/2016/00788
Title: Adoption of Delivery Program 2017/2018 – 2020/2021 and Operational Plan 2017/2018 including Budget 2017/2018, Fees & Charges 2017/2018 AND Rates & Charges for 2017/2018
Author: General Manager
Previous Items: May 2017 – Draft Budget 2016-2017 – WO/2017/00318
Attachment: Delivery Program 2017/2018 – 2021/2022 and Operational Plan 2017/2018 under separate cover.

Introduction:

This report is submitted to allow Council to formally adopt the Delivery Program 2017/2018 – 2020/2021 and the Operational Plan 2017/2018, which includes the Budget 2017/2018 and the Fees & Charges 2017/2018, and to make the Rates and Charges for 2017/2018.

Report:

a) ADOPTION OF DRAFT DELIVERY PLAN 2017/2018 – 2020/2021 and DRAFT OPERATIONAL PLAN FOR 2017/2018

In accordance with the provisions of the Local Government Act 1993, the Draft Delivery Plan for the period 2017/2018 – 2020/2021 and the Draft Operational Plan for 2017/2018 was placed on public exhibition and public comment invited.

At the time of writing this report Council has not received any written submissions from the public. However in regards to the Operational Plan Council have resolved to make the following changes to the Budget for 2017/2018:

Add Nivison Fountain Upgrade	\$35,000
Increase Councillors and Mayoral Allowances	\$11,750

These changes were offset by the following:

Reduction to Depot upgrade	\$30,500
Fire & Emergency Services Levy Implementation	\$5,000
Correction to Expenditure on Loans (cashflow)	\$9,538

b) MAKING OF THE RATES AND CHARGES FOR 2017/2018

General Fund Rates

That whereas Council has adopted Estimates of Income and Expenditure of the General Fund for the period 1 July 2017 to 30 June 2018, it has determined pursuant to Sections 534 and 535 of the Local Government Act 1993 that the following Ordinary Rates be made for the 2017/2018 year:

- i. Farmland Rate of 0.270799 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.

Submitted to Council: 28 June 2017

..... General Manager Mayor



- ii. Residential Rate of 0.298237 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.
- iii. Residential - Walcha Rate of 0.790417 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.
- iv. Mining Rate of 1.026893 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.
- v. Business Rate of 0.599366 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.
- vi. Business - Walcha Centre Rate of 1.126633 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.
- vii. Business - Walcha Industrial Rate of 0.900807 cents in the dollar (\$) on the land value of all rateable land included in this category subject to a minimum of \$432.

Walcha Water Supply Charges

That whereas Council has adopted Estimates of Income and Expenditure for the Walcha Water Supply Local Fund for the period 1 July 2017 to 30 June 2018, it has determined pursuant to Section 540 of the Local Government Act 1993 that the following Walcha Water Supply Annual Access Charges be set:

Connection Type & Size	Access Charge
Treated Residential – 20 mm	\$231.50
Treated Residential – 25 mm	\$353.00
Treated Residential – 32 mm	\$573.00
Treated Residential – 38 mm	\$816.00
Treated Residential – 50 mm	\$1411.00
Treated Residential – 100 mm	\$5644.80
Residential Vacant Treated	\$231.50
Treated Non Residential – 20 mm	\$231.50
Treated Non Residential – 25 mm	\$353.00
Treated Non Residential – 32 mm	\$573.00
Treated Non Residential – 38 mm	\$816.00
Treated Non Residential – 50 mm	\$1411.00
Treated Non Residential – 75mm	\$3175.00
Treated Non Residential – 100 mm	\$5645.00
Non Residential Vacant Treated	\$231.50
Untreated – 20 mm	\$231.50
Untreated – 25 mm	\$353.00
Untreated – 38 mm	\$816.00
Untreated – 50 mm	\$1411.00

Submitted to Council: 28 June 2017

..... General Manager Mayor



That whereas Council has adopted Estimates of Income and Expenditure for the Walcha Water Supply Local Fund for the period 1 July 2017 to 30 June 2018, it has determined pursuant to Section 540 of the Local Government Act 1993 that the following Walcha Water Supply Usage Charges be set:

- Treated Residential \$3.00 per kilolitre for 300 kilolitres or less
- Treated Residential \$4.37 per kilolitre for greater than 300 kilolitres
- Treated Non Residential \$3.00 per kilolitre
- Untreated \$1.50 per kilolitre

Walcha Sewerage Charges

That whereas Council has adopted Estimates of Income and Expenditure of the Walcha Sewerage Local Fund for the period 1 July 2017 to 30 June 2018, it has determined pursuant to Section 540 of the Local Government Act 1993 that the following annual Walcha Sewerage charges be set:

For residential customers, the best practice guidelines have been adopted with a uniform sewerage bill for all properties based on the estimated volume of sewerage discharged from all residential customers. The annual residential sewerage bill is calculated as the Sewer Discharge Factor (SDF) times the annual non-residential sewerage access charge plus SDF times the product of the sewer usage charge (UC) and the average residential consumption. That is

$$B_R = (SDF \times AC_{20}) + (SDF \times C_R \times UC)$$

where

- BR = Annual residential sewerage bill (\$)
- SDF = Sewer Discharge Factor – the proportion of total residential water consumption that is discharged to the sewerage system. A typical value for NSW is SDF = 0.70
- SAC₂₀ = Sewer Annual Access Charge for non residential customers. Calculated to be \$450.00 for Walcha.
- C_R = Average annual residential water consumption (kL). For Walcha last year this figure was 146 kL.
- UC = Sewer usage charge (\$/kL). This has been set at \$0.99 /kL which is within the recommended range.

Based on the above formula the sewerage charge for residential customers be set at \$460.00 per year. The unoccupied sewerage charge for residential customers be set at \$230.00 per year.



For non-residential customers, the sewerage bill is similar and is as follows

$$B = (SDF \times AC) + (SDF \times C \times UC)$$

where

- B = Annual non-residential sewerage bill (\$)
- SDF = Sewer Discharge Factor – the proportion of total water consumption that is discharged to the sewerage system
- AC = Customers Annual Access Charge $AC = AC_{20} \times \frac{D^2}{400}$
- C = Customer’s annual water consumption (kL).
- UC = Sewer usage charge (\$/kL). This has been set at \$0.99/kL which is within the recommended range.

The non-residential sewer access charge is set at \$450.00 per user, per annum.
 The Vacant Non residential sewer access charge is set at \$220.00 per user per annum.

Trade Waste

Council has adopted the best practice guidelines which recommend that Council’s responsible for sewerage must levy appropriate trade waste fees and charges as all its liquid trade waste dischargers in addition to the non-residential sewerage bills.

Council’s liquid trade waste recommended fees and charges in 2017/2018 are:

- Application fee – fee based on category with a minimum charge of \$169.00
- Annual Trade Waste Fee:
 - Classification A \$82.50
 - Classification B \$165.00
 - The annual fee for Classification C dischargers will be set on a case by case basis depending on the complexity of monitoring required (for charging purposes and other administrative requirements).
- Re-inspection fee - \$79.00
- Trade Waste usage charge - \$1.50/kL with appropriate pre-treatment.
- Trade Waste usage charge - \$13.86/kL without appropriate pre-treatment.
- Food waste disposal charge - \$26.42/bed.
- Portable toilet - \$15.59/kL.
- Septic Waste
 - Normal (combined effluent and sludge) - \$2.59/kL.
 - Effluent only - \$2.15/kL.
 - Sludge only - \$22.34/bed.



Dischargers requiring nil or minimal pre-treatment of their liquid trade waste will only pay an annual trade waste fee together with a re-inspection fee where required. That is

$$TW = A + I$$

where

- TW = Total annual trade waste fees and charges (\$)
- A = Annual trade waste fee (\$)
- I = Re-inspection fee (\$) (where required)

Dischargers with prescribed pre-treatment will pay a trade waste usage charge per kL plus the annual trade waste fee. That is

$$TW = A + I + (C \times UC_{TW} \times TWDF)$$

where

- TW = Total annual trade waste fees and charges (\$)
- A = Annual trade waste fee (\$)
- I = Re-inspection fee (\$) (where required)
- C = Customer's annual water consumption (kL)
- UC_{TW} = Trade waste usage charge (\$/kL) of \$1.50/kL
- TWDF = Trade waste discharge factor

The TWDF represents the estimated proportion of a customer's metered water consumption that is discharged to the sewerage system as liquid trade waste.



The following table represents sewerage and trade waste discharge factors.

Sewer and Trade Waste Discharge Factor

Business Description	Discharge Factor	
	Sewer	Trade Waste
Bakery	95	25
With a residence attached ¹	70	18
Bed and Breakfast/Guesthouse (max. 10 persons)	75	NA ²
Butcher	95	90
With residence attached ¹	70	65
Cakes/Patisserie	95	50
Car Detailing	95	90
Caravan Park (with commercial kitchen)	75	25
Caravan Park (no commercial kitchen)	75	NA ²
Club	95	30
Community Hall (minimum food only)	95	NA ²
Craft/Stonemason	95	80
Day Care Centre	95	NA ²
Delicatessen, mixed business (no hot food)	95	NA ²
With residence attached	70	
Dental Surgery with X-ray	95	80
With a residence attached ¹	70	60
Hairdresser	95	NA ²
High School	95	25 ⁵
Hospital	95	60
Hotel	100	25
Joinery	95	10
Laundry	95	92 ⁵
Mechanical Workshop ³	95	70
Mechanical Workshop with car yard	85	70
Medical Centre	95	25 ⁵
Motels small (breakfast only, no hot food)	90	NA ²
Motel (other than breakfast only, no hot food)	90	20
Nursing Home	90	50
Office Building	95	NA ²
Panel Beating/Spray Painting	95	70
Primary School	95	10 ⁵
Printer	95	85
Restaurant ⁴	95	50
Self Storage	90	NA ²
Service Station	90	70
Supermarket	95	70
Swimming Pool (commercial)	85	NA ²
Take Away Food	95	50
Veterinary (no X-ray), Kennels, Animal Wash	80	NA ²

Notes:

¹ If a residence is attached, that has garden watering, the residential SDF should be applied.

² A trade waste usage charge is not applicable for this Category 1 activity.

³ Includes lawn mower repairers, equipment hire.

⁴ Includes café, canteen, bistro, etc.

⁵ A trade waste usage charge applies if appropriate pre-treatment has not been installed or has not been properly operated or maintained.

Submitted to Council: 28 June 2017

..... General Manager Mayor



Waste Management

The Local Government Act, 1993 Section 504, requires that Waste Management is treated as a separate function and that all monies raised for this purpose are spent on this function. There is to be no cross subsidisation. The Act also requires that a separate charge be levied for the service.

The Annual Waste Management charges for 2017/2018 be made and levied as follows:

	Services	Rate	Levy
Domestic Waste Management	801	\$474.00	\$379,674
Domestic Waste Management Additional 140l General Waste bin	2	\$214.00	\$428
Domestic Waste Management Additional 240l General Waste bin	2	\$321.00	\$642
Commercial Waste Management	230	\$482.00	\$110,860
Commercial Waste Management Additional Recycle bin	8	\$161.00	\$1,288
Commercial Waste Management Additional Green Bin	18	\$38.00	\$684
Waste Management – Rural	907	\$134.00	\$121,538
Waste Management Unoccupied DWM Charge	68	\$107.00	\$7,276
Commercial Recycling Woolpack Service	540	\$16.00	\$8,640
Commercial Recycling 240 Litre Bin	116	\$8.00	\$928
Supermarket Bale (minimum 12 bale)	32	\$200.00	\$6,400

A new fee has been introduced this year for the removal of cardboard bales from the Supermarkets. The fee of \$200 per 12 bale load reflects the actual cost to Council to collect, transport and process the bales and takes into account the revenue received for the sale of cardboard (ie the costs are reduced by the income). Until now this service has been subsidised by all ratepayers.

Extra Charges on Overdue Rates

That the Extra Charges on overdue rates for the period 1 July 2017 to 30 June 2018, be fixed at 7.50% per annum simple interest calculated daily in accordance with Section 566 of the Local Government Act 1993.

Submitted to Council: 28 June 2017

..... General Manager Mayor



RECOMMENDATION:

That in accordance with the provisions of Section 404 and 406 of the Local Government Act 1993, Council ADOPT the Draft Delivery Program 2017/2018 – 2020/2021.

That in accordance with the provisions of Section 405 and 406 of the Local Government Act 1993, Council ADOPT the Draft Operational Plan for 2017/2018 which includes the Revenue Policy 2017/2018 and Fees & Charges 2017/2018.

That in accordance with Section 494 of the Local Government Act, 1993, Council make and levy the Rates and Charges for 2017/2018 for the General, Water and Sewerage Funds, and Waste Management Charges as detailed in the Report FURTHER THAT the General Manager be authorised to arrange for the preparation and the service of the 2017/2018 rate notices.

Submitted to Council: 28 June 2017

..... General Manager Mayor



Item:	6.2	Ref: WO/2017/00912
Title:	Review and Update Delegated Authorities	
Author:	General Manager	
Previous Items:	Not Applicable	
Attachment:	Yes	

Report:

The recent introduction of the *Local Government Amendment (Governance and Planning) Bill 2016*, changes to Section 377 of the *Local Government Act 1993* (the Act) regarding the general power of the council to delegate, has resulted in Council now being able to delegate acceptance of most types of tenders to the General Manager.

It is recommended that Council add the following delegation to those of the General Manager.

The authority to accept tenders up to the value of \$500,000 where all other tender requirements of the Local Government Act 1993 and Local Government (General) Regulation 2005 are met with the exclusion of the acceptance of tenders to provide services currently being provided by members of staff of the council.

Section 380 of the Local Government Act, 1993 requires each Council to review all its delegations during the first 12 months of each term of office. Council’s updated and current delegations are attached to this report as *Appendix A*.

RECOMMENDATION:

That Council, update the General Manager’s delegated authorities, in accordance with Section 377 of the Local Government Act 1993, by delegating the acceptance of tenders up to the value of \$500,000 where all other tender requirements of the Local Government Act, 1993, and Local Government (General) Regulation 2005 are met FURTHER THAT Council in accordance with the provisions of Section 380 of the Local Government, 1993, reaffirm its updated delegations.

Submitted to Council: 28 June 2017

..... General Manager Mayor



Appendix A -Delegated Authorities

TO THE GENERAL MANAGER, MR JOHN GREGORY O'HARA

To perform on behalf of Council the following powers, authorities, duties and functions, within the terms of the Local Government Act 1993 and Regulations thereunder:-

Finance and Administration

1. The authority to, in conjunction with the Mayor, make recommendations to Council in all Office matters in dispute which cannot be satisfactorily resolved administratively.
2. The authority to make recommendations to Council on industrial disputes which cannot be satisfactorily resolved administratively.
3. The authority to re-arrange and re-organise Administration Staff.
4. The authority to generally authorise any action within the Council's Policies.
5. The authority to incur normal and everyday expenses in the administration of Council's Office (such as advertising, printing and stationery, repairs of Office equipment, etc) but only within the sums voted by Council for this purpose.
6. The authority to instruct appropriate Senior Officers to take the necessary action in connection with any complaints or requests received. Provided that where any expenditure by Council is involved this must be within the sum voted by Council for the particular purpose; and the actions so directed are to comply with any Policy of the Council and/or the provisions of the appropriate Act of Parliament.
7. The authority to reply to all routine correspondence.
8. The authority to apply to wages and salaries any automatic wage variation or cost of living adjustments that have been approved by the Local Government New South Wales.
9. The authority to arrange for legal action for recovery of outstanding Rates and Debtor Accounts and approve applications for extension of time to pay Rates and Accounts where an acceptable case is presented.
10. The authority to determine whether Council is satisfied with any application received under Section 585 of the Local Government Act 1993 seeking postponement of part of Rates and the General Manager shall be authorised to determine the applications and forward the same to the Valuer General for a Valuation of the attributable part.
11. The authority, in accordance with Section 562 of the Local Government Act, in relation to payment of Rates by Instalments, to determine if extenuating circumstances exist when Instalment payments are not made by the due date and be given authority to decide whether the Instalment will be accepted as a bona-fide payment.
12. The authority to approve Street Stalls, raffle competitions, and the like.
13. The authority to approve applications for use of Council Chambers, Library and other Council buildings and facilities to approved organisations.

Submitted to Council: 28 June 2017

..... General Manager Mayor



14. The authority to issue Certificates under Section 172 and Section 603 of the Local Government Act and Section 149 of the Environmental Planning and Assessment Act (ie, Building Certificate of Compliance, Rates Certificate and Town Planning Certificate).
15. The authority to approve, in consultation with the Mayor, CBD Small Grant Programme Applications for Assistance, in accordance with adopted guidelines.
16. The authority to serve notices under Section 66 of the Rural Fires Act 1997.
17. The authority to inspect, or cause to be inspected, at least once each year, all fire fighting apparatus in each Bush Fire Brigade District.
18. The authority to arrange for the opening of tenders (received) after the advertised closing date, in conjunction with the Senior Officer involved.
19. The authority to determine the source of Council investments, taking into consideration interest rates and borrowing requirements, in accordance with Council Policy.
20. The authority to determine opening hours for the Walcha Branch Library.
21. The authority to appoint temporary Clerical Staff as and when required to aid in Office work in emergency situations.
22. Nothing in the Delegations shall imply that legal proceedings can be instituted against any person unless expressly contained within the Delegation and/or unless expressly authorised by Resolution/Policy of Council. Provided that in all circumstances a right of appeal to the Mayor and/or Council will apply.
23. The authority to accept Grants on behalf of Council.
24. The authority to, in conjunction with the Pool Manager, determine the dates and times of usage of the Walcha Swimming Pool by the local Schools, the Swimming Club and approved Instructors.
25. The authority to approve the issuing of temporary Grazing Permits by the Livestock Health & Pest Authority over roads under Council's control in accordance with the provisions of the Rural Lands Protection Act and Regulations and Council Policy.
26. The authority to approve funding of specific locally based projects for local Schools as provided for in Council's "Isolated Schools - Financial Assistance" Policy and in accordance with budgetary provisions.
27. The authority to handle all matters relating to Weight of Loads offences committed within the Council area.
28. The authority to accept tenders up to the value of \$500,000 where all other tender requirements of the Local Government Act 1993 and Local Government (General) Regulation 2005 are met with the exclusion of the acceptance of tenders to provide services currently being provided by members of staff of the council.
29. The authority to authorise selected employees to supervise inspections of Council's Minute Books in accordance with the provisions of Section 12, Chapter 4, Part 2 of the Local Government Act 1993.
30. The authority, in conjunction with the Mayor, to approve the admittance of new Councils to the Mid-North Weight of Loads Group.
31. The authority to process applications received pursuant to the Freedom of Information Act 1989.

Submitted to Council: 28 June 2017

..... General Manager Mayor



32. The authority to process applications received pursuant to the Government Information (Public Access) Act 2009 No.52
33. The authority to adjudicate on or to grant approvals as appropriate under the terms of the adopted Code of Conduct for Local Government provided that in all cases, a right of appeal to the full Council shall exist.
34. The authority to recover costs for damage to Council property or property under Council control, in accordance with Council Policy.
35. That Council resolve to authorise John Gregory O’Hara as an Authorised Officer for the purpose of administering the relevant provisions of the Protection of the Environment Operations Act 1997. This authorisation shall extend to the service of Penalty Notices and Instigation of Legal Action in relation to the Protection of the Environment Operations Act.
36. The authority to consider and determine Council's response to representations seeking leniency or outlining extenuating circumstances from persons who have been served with a Penalty Notice. This determination shall extend only to those representations referred through the New South Wales Police Service Infringement Processing Bureau.
37. The authority to authorise the use of Council's resources for the purpose of providing work experience opportunities for local students, as pressure of work permits.
38. The authority to authorise the Environmental Services Manager/Assistant General Manager to act as Assistant General Manager during periods of absence of the General Manager
39. The authority, in conjunction with the Mayor, to witness the affixing of the Council's Common Seal and also in conjunction with the Mayor to sign the attestation attaching to the affixing of the Common Seal.
40. The authority, in accordance with the provisions of Clause 43(1) of the Local Government (Meetings) Regulation, to keep the Common Seal of the Council of Walcha.
41. The authority to issue approvals, in future years if necessary, to the Walcha Branch of the RSL Women’s Auxiliary to conduct a normal Street Stall on the Friday prior to Remembrance/Poppy Day as well as sell badges/poppies on Remembrance/Poppy Day.
42. The authority to perform such other duties as are imposed by Council from time to time.
43. Authority to Proceed:
By virtue of the powers conferred on me by Section 687 of the Local Government Act, 1993, I Eric Henry Noakes, Mayor of the Council of Walcha, hereby appoint John Gregory O’Hara, a servant of the said Council, to represent the Council in all respects as though he were the party concerned, and to institute and carry on any proceedings which the Council is authorised to institute and carry on under the said Act, in any proceedings in any Court of Petty Sessions or before any Justice.
44. That Council resolve to authorise John Gregory O’Hara as an Authorised Officer for the purpose of administering the relevant provisions of the Protection of the Environment Operations Act 1997. This authorisation shall extend to the Service of

Submitted to Council: 28 June 2017

..... General Manager Mayor



Penalty Notices and Instigation of Legal Action in relation to the Protection of the Environment Operations Act.

- 45. The authority to exercise control of the lighting of fires in public places and the use of explosives.

Works

- 46. The authority to carry out private works, and carry out construction works for approved authorities and render accounts.
- 47. Be appointed as an "Authorised Person" under the provisions of the Protection of the Environment Operations Act 1997.
- 48. The authority to appoint other Council Officers as "Authorised Persons" in accordance with the provisions of the Protection of the Environment Operations Act 1997.
- 49. The authority to act on behalf of Council for the purpose of carrying out survey work, obtaining gravel samples and removing road making material under Section 192 and relevant Regulations of the Local Government Act, 1993.
- 50. The authority to endorse Council's recommendation on "Proceeding Reports" attached to all Weight of Loads Breach Reports issued within the Walcha Council area.
- 51. The authority to approve conditionally or refuse applications under Council's Tree Preservation Order. Provided that any application which in the opinion of the General Manager may generate significant public controversy, and any application refused and submitted for reconsideration shall be determined by Council.
- 52. The authority to carry out the requirements of the Impounding Act, 1993, as regards the removal and disposal of vehicles standing upon a public place or public reserve where it appears that the vehicle has been abandoned.
- 53. The authority to sign, on behalf of Council, the Agreement for Pipe Crossing of a Council Road and Agreement to Use or Occupy a Public Place, as appropriate.
- 54. The authority to assess whether an activity, other than those activities listed below, would have significant environmental impact or has no significant impact, pursuant to Part V of the Environmental Planning and Assessment Act, 1979:-

- ◆ Shoulder Grading
- ◆ Street Gutter Cleaning
- ◆ Bridge Maintenance
- ◆ Bitumen Maintenance
- ◆ Bitumen Resealing
- ◆ Bitumen Road Pavement Restoration
- ◆ Gravel Resheeting
- ◆ Drain Cleaning
- ◆ Levee Bank Maintenance
- ◆ Footpath Maintenance
- ◆ Street Tree Maintenance
- ◆ Grass Mowing
- ◆ Water and Sewer Main and Manhole Maintenance

Submitted to Council: 28 June 2017

..... General Manager Mayor



- ◆ New Water and Sewerage Services
 - ◆ Sewerage Treatment Works Maintenance
 - ◆ Sewer Pumping Station Maintenance
 - ◆ Water Pumping Station Maintenance
 - ◆ Water Reservoirs Maintenance
 - ◆ Rural Road Construction Within Existing Road Reserve Alignment
 - ◆ Urban Road Construction Within Existing Road Reserve Alignment
 - ◆ Kerb and Gutter Construction Within Existing Road Reserves
 - ◆ Drainage Construction Within Road Reserves or Urban Properties
 - ◆ Water Main Construction Within Road Reserves or Urban Properties
 - ◆ Sewerage Main Construction Within Road Reserves or Urban Properties
 - ◆ Noxious Weed Control, Either by Chemical or Biological Means.
55. The authority to exercise the functions under Section 4D (Traffic Control Signs) of the Traffic Act, 1993.
56. The authority to approve of house numbering and carry out revision of house numbers from time to time.
57. The authority to control and manage all Waste Disposal Facilities within the Budget control.
58. The authority to issue and revoke permits for the installation of public gates and bypass structures across public roads, under the Roads Act, 1993. This delegation includes the creation and ongoing review of guidelines to assist the public to apply for, construct and maintain public gate infrastructure.

Environmental Services

59. The authority to approve, but not disapprove, applications for the subdivision of land which do not involve the opening of new roads or streets and which otherwise comply with the Environmental Planning & Assessment Act 1979, Walcha Local Environment Plan and Council's Policy.
60. The authority to approve, but not disapprove Development Applications for all Classes, provided they comply with the provisions of the Building Code of Australia, the Walcha Local Environmental Plan 2012 and Council Policies.
61. The authority to issue Construction Certificates for Class 1 and 10 Buildings (Per Building Code of Australia under the Environmental Planning and Assessment Act, 1979, for development that has received Development consent under that Act.
62. The authority to approve of fences on the boundary alignment within Council policy.
63. The authority to approve variations to building alignments for new buildings, additions, carports, garages, pergolas and the like provided it is applied for in accordance with the requirements of the Environment Planning & Assessment Act and Regulations Act.
64. The authority to approve carports, awnings, pergolas and similar structures extending to the boundary provided the adjoining owners provide no objections and the amenity of the neighbourhood is not materially affected, and the survey is correct.

Submitted to Council: 28 June 2017

..... General Manager Mayor



- 65. The authority to issue Certificates of Occupation under the Environmental Planning & Assessment Act 1979:-
 - a) 1) Upon completion of a building;
 - 2) Upon the giving of approval to occupy an incomplete building;
 - b) The authority to revoke a Certificate of Occupation where required by the Environmental Planning & Assessment Act, 1979 prior to the issue of a further Certificate of Occupation.
- 66. The authority to determine applications for Building Certificates by issuing Building Certificates to applicants under the Environmental Planning & Assessment Act, 1979.
- 67. The authority to grant extension of time to a Development Application and Construction Certificate for a period not exceeding twelve (12) months for any Development Application which does not require additional development consent.
- 68. The authority to cancel Development Applications and Construction Certificates and to authorise refund of building fees only on the formal request of the holder of such a Permit or Approval or the applicant for Development approval.
- 69. The authority to issue Notices or Orders under the Local Government Act requiring work to be done or not to be done relating to buildings in urgent or dangerous cases only, i.e., Orders 3, 5.
- 70. The authority to approve the demolition or removal of buildings in accordance with the Environmental Planning & Assessment Act, 1979.
- 71. The authority to issue Orders or serve Notices under the Local Government Act, 1993, Protection of the Environmental Operations Act, 1997, which are considered necessary in regard to repairs to premises, sanitation of premises or for the preservation of health and hygiene or securing the wholesomeness and purity of goods and drugs or the abatement of any nuisance, obstruction or interference with public health, safety or convenience.
- 72. The authority to approve S68 applications in accordance with the Local Government Act 1993.
- 73. The authority to issue plumbing, draining and water fitting permits in accordance with Acts and Regulations and Policy of Council and serve Notices to connect to sewer.
- 74. The authority to approve but not refuse advertising on private premises under the Environmental Planning & Assessment Act 1979 and the Walcha Local Environmental Plan 2012 and Development Control Plan No.2.
- 75. The authority to approve issue of registrations under the Companion Animals Act and issue Notices to Register Dogs.
- 76. The authority to lay information and complaints and take, institute or commence all proper proceedings, actions and prosecutions against all persons committing an offence under the Companion Animals Act and Regulations.
- 77. The authority to issue on-the-spot notices to persons contravening the Protection of the Environmental Operations Act, Part 2 of the Local Government Act, 1993 and Regulations relating to litter control.

Submitted to Council: 28 June 2017

..... General Manager Mayor



- 78. The authority to carry out the requirements of Dog Control Policy and approve of special dispensation.
- 79. The authority to carry out the requirements of the Impounding Act, 1993 as regards the removal and disposal of vehicles standing upon a public place or public reserve where it appears that the vehicle has been abandoned.
- 80. Food Act, 2003 -
 - ◆ Pursuant to Section 377(1) of the Local Government Act 1993 the power to appoint authorized officers under Section 114 of the Food Act 2003;
 - ◆ Pursuant to Section 377 (1) of the Local Government Act 1993 the power to serve Prohibition Orders under Section 60 of the Food Act 2003;
 - ◆ Pursuant to Section 378 (2) of the Local Government Act 1993 and conditional upon advice from the NSW Food Authority, to sub-delegate the power to serve Prohibition Orders under Section 60 of the Food Act 2003 to the Environmental Services Manager;
 - ◆ Pursuant to Section 381 (3) of the Local Government Act 1993, to approve the NSW Food Authority’s delegation to provide written approvals for dispensations and alternative methods of compliance in regard to the Food Standards Code’s Standard 3.2.2 (Clause 15 and 17) and Standard 3.2.3 (Clauses 10 and 14).
 - ◆ Pursuant to Section 109E (3) of the Food Act 2003 and conditional upon approval from the NSW Food Authority to sub-delegate the power to provide written approvals for dispensations and alternative methods of compliance in regard to the Food Standards Code’s Standard 3.2.2 (Clause 15 and 17) and Standard 3.2.3 (Clause 10 and 14 to the Environmental Services Manager.
- 81. Legal Proceedings:

Authorised to carry on any proceedings in any Court of Petty Sessions or before any Justice which Council is authorised to institute and carry on under the following Acts:

 - ◆ Public Health Act, 2010.
 - ◆ Food Act, 2003, as amended.
 - ◆ Protection of the Environmental Operations Act, 1979.
 - ◆ Environmental, Planning and Assessment Act, 1979, as amended.
 - ◆ Local Government Act, 1993, and Regulations made thereunder.
 - ◆ Companion Animals Act and Regulation and Amendments thereunder.
- 82. Power of Entry – Companions Animals Act 1998:

Authorised to enter, for the purposes of the Companion Animals Act, upon any land or premises situate within the area at all reasonable times.
- 83. Power of Entry - Public Health Act 2010:

Authorised, in pursuance of the powers vested in Council by Section 108 of the Public Health Act, as Environmental Services Manager to enter and examine any premises situate within the Shire between the hours of eight (8) o'clock in the forenoon and eight (8) o'clock in the afternoon or at all hours during which business is in progress or is usually carried out in the premises.
- 84. Power of Entry - Local Government Act, 1993 Section 191:

Authorised to:-

Submitted to Council: 28 June 2017

..... General Manager Mayor



- a) Enter upon any land or building at all reasonable hours in the daytime and at any hour during which business is in progress or is usually carried on in the premises.
 - b) Enter in or upon any land or building to make inspections, and for that purpose upon any ground and remove any flooring and take such measures as may be necessary to ascertain the character and condition of the land or building and or any pipe, sewer, drain, well and fitting in connection therewith.
 - c) Inspect any premises, food, matter or thing.
85. Caravan Parks and Camping Grounds - Inspections:
Authority to carry out inspections and to serve Notices of Irregularity in accordance with the Local Government, 1993 and relevant Regulations.
86. Swimming Pools Act, 1992 :
Appointed as Authorised Officer under Section 27 of the Swimming Pools Act, 1992.
87. The authority to investigate and prepare Notices on behalf of Council with respect to Noise Control Notices under the Protection of the Environmental Operations Act of New South Wales, on:-
- a) Non-Schedule Premises.
 - b) Public Places.
 - c) Lawful Sporting Activities involving the use of motor cycles.
(Note: Such Notices to be signed by the General Manager.)
88. The authority to exercise the Delegation of Powers by the Director-General, New South Wales Department of Health under Part 4, Division 2 of the Food Act 2003.
89. To act as the Authorised Officer to exercise the functions under the delegations from the Director-General of the Department of Planning.
90. The authority to sign annual Environmental Protection Authority declarations certifying that the terms of Council’s Landfill Licences have been complied with.
91. The authority to sign annual Environmental Protection Authority declarations certifying that the terms of Council’s Sewerage Treatment Plant and the Water Treatment Plant licences have been complied with.
92. The Authority to sign Community Care funding agreements.

Delegated to Mr John O’Hara Council Meeting 25 June 2003 – Minute No.: 281/03
Amended Council Meeting 22 February 2005 – Minute No.:151/05
Amended Council Meeting 27 July 2005 – Minute No.: 4/2005-2006
Reaffirmed Council Meeting 28 October 2008 – Minute No.: 60/2008-2009
Amended Council Meeting 26 August 2009 – Minute No.: 27/2009-2010
Reaffirmed Council Meeting 31 October 2012 – Minute No.: 70/2012-2013

Submitted to Council: 28 June 2017

..... General Manager Mayor



TO THE MAYOR:

To perform on behalf of Council the following powers, authorities, duties and functions within the terms of the Local Government Act and Regulations thereunder:-

1. To appoint any Councillor to represent either the Mayor or the Council at any function or Meeting or other event as the Mayor deems appropriate or necessary.
2. In conjunction with the General Manager to approve the admittance of new Councils in the Mid-North Weight of Loads Group.
3. The authority to adjudicate on or to grant approvals as appropriate under the terms of the adopted Code of Conduct for Local Government provided that in all cases, a right of appeal to the full Council shall exist.
4. The authority to consider and determine Council's response to representations seeking leniency or outlining extenuating circumstances from persons who have been served with a Penalty Notice. This determination shall extend only to those representations referred through the New South Wales Police Service Infringement Processing Bureau.
5. The authority to approve a mode of travel, other than by Council vehicle, for Councillors and Staff travelling on Council business, as circumstances may, from time to time, warrant.
6. In accordance with the provisions of Section 378(2) of the Local Government Act, 1993, authority to approve Council orders for the provision of goods and services up to the amount of two thousand dollars (\$2,000).

In the absence of the Mayor, Councillor Noakes, these powers are delegated to the Deputy Mayor, Councillor Lyon, **EXCEPT** for Clause 6.

TO THE DEPUTY MAYOR:

To perform on behalf of Council the following powers, authorities, duties and functions within the terms of the Local Government Act and Regulations thereunder:-

1. During periods of absence of the Mayor, Councillor Noakes, the Delegations made to Councillor Noakes shall be deemed to be made to the Deputy Mayor, Councillor Lyon, **EXCEPT** for Clause 6.

Submitted to Council: 28 June 2017

..... General Manager Mayor



Item: 6.3 **Ref:** WO/2017/00895
Title: Senior Staff Conditions of Contract Annual Report
Author: General Manager
Previous Items: Not Applicable
Attachment: Appendix A – General Manager’s Contract of Employment

Report:

The General Manager is, for the purposes of the Local Government Act, 1993, Council’s only *Senior Staff* member.

Tenure/Contractual Conditions

The General Manager’s current contract began on 19 October 2015 and expires on 18 October 2020. A copy of the contract is attached as Appendix A. Council is required to review annually the performance agreement.

Salary Package

The General Manager’s salary package is currently \$225,500 in accordance with the following contract condition:

On each anniversary of the commencement date, the total remuneration package will be increased by a percentage amount that is equivalent to the latest percentage amount increase in remuneration for senior executive office holders as determined by the Statutory and Other Officers Remuneration Tribunal.

RECOMMENDATION:

That the Report be NOTED by Council.

Submitted to Council: 28 June 2017

..... General Manager Mayor



APPENDIX A

Contract of Employment

for

Jack O'Hara
General Manager

19 October 2015

To

18 October 2020



ACKNOWLEDGEMENTS

The Department of Local Government acknowledges the cooperation and contributions of the Local Government and Shires Associations of NSW, Local Government Managers Australia, and the WA Department of Local Government and Regional Development which have assisted in the preparation of this document.

We also wish to thank the Local Government Engineers Association and the Development and Environmental Professionals Association for their comments during our drafting process.

ACCESS TO SERVICES

The Department of Local Government is located at:

Levels 1 & 2

5 O'Keefe Avenue
NOWRA NSW 2541
Phone 02 4428 4100
Fax 02 4428 4199
TTY 02 4428 4209

Locked Bag 3015
NOWRA NSW 2541

Level 9, 323 Castlereagh Street
SYDNEY NSW 2000
Phone 02 9289 4000
Fax 02 9289 4099
Email dlg@dlg.nsw.gov.au
Website www.dlg.nsw.gov.au

Locked Bag A5045
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Submitted to Council: 28 June 2017

..... General Manager Mayor



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Contract of Employment

This Contract of Employment is made on

Date **19 October 2015**

between

Name of Council **WALCHA COUNCIL**

[Referred to in this contract as "Council"]

Address **2W HAMILTON STREET, WALCHA NSW 2354**

and

Name of Employee **JOHN GREGORY O'HARA**

[Referred to in this contract as "the employee"]

Address **1/210 URALLA ROAD, WALCHA NSW 2354**

Submitted to Council: 28 June 2017

..... General Manager Mayor



1 Position

The position to which this contract applies is that of General Manager.

Note: A person who has held civic office in relation to Council must not be appointed to any paid position on the staff of Council within 6 months after ceasing to hold the office: section 354 of the Act.

2 Term

Subject to the terms and conditions in this contract, Council will employ the employee for a term of:

FIVE YEARS

Note: The term of this contract must not be less than 12 months or more than 5 years (including any option for renewal): section 338 of the Act.

commencing on **19 OCTOBER 2015**

and terminating on **18 OCTOBER 2020**

Submitted to Council: 28 June 2017

..... General Manager Mayor



3 Definitions

3.1 In this contract, unless otherwise stated or indicated.

the Act means the *Local Government Act 1993*.

Code of conduct means the document within the meaning of section 440 of the Act adopted by Council and which incorporates the provisions of the model code.

Commencement date means the date that this contract commences as specified in clause 2.

Confidential information means any and all confidential information, data, reports, operations, dealings, records, materials, plans, statistics, finances or other agreements and things (other than that which is already in the public domain), whether written or oral and of whatever type or nature relating to property, assets, liabilities, finances, dealings or functions of Council or any undertaking from time to time carried out by Council.

Director-General means the Director-General of the New South Wales Department of Local Government.

Equal employment opportunity management plan means the document a council must prepare under Part 4 of Chapter 11 of the Act.

Minister means the New South Wales Minister for Local Government.

Model code means the Model Code of Conduct for Local Councils in NSW prescribed by the Regulation.

Month means a calendar month.

Performance agreement means the agreement referred to in clause 7.

Performance criteria means the criteria to which a performance review is to have regard.

Performance review means a review of the employee’s performance conducted in accordance with the procedures under clause 7.

the position means the position referred to in clause 1.

the Regulation means the *Local Government (General) Regulation 2005*.

Senior executive office holder (New South Wales Public Service) means the holder of a senior executive position within the meaning of the *Public Sector Employment and Management Act 2002*.

Statutory and Other Officers Remuneration Tribunal means the Statutory and Other Officers Tribunal constituted under the *Statutory and Other Officers Remuneration Act 1975*.

Termination date means the date that this contract terminates as specified in clause 2.

3.2 Expressions in this contract corresponding with expressions that are defined in the Act have those meanings.

Submitted to Council: 28 June 2017

..... General Manager Mayor



4 Contract operation and application

- 4.1 This contract constitutes a contract of employment for the purposes of section 338 of the Act, and governs the employment of the employee while in the position.
- 4.2 A reference in this contract to any Act or regulation, or any provision of any Act or regulation, includes a reference to subsequent amendments of that Act, regulation or provision.
- 4.3 A reference to a Schedule to this contract refers to a Schedule as may be varied in accordance with this contract, and applies whether or not the Schedule has been physically attached to this contract.
- 4.4 Where the mayor or any other person is lawfully authorised to act as Council or Council’s delegate for the purpose of this contract, this contract will be construed as if:
 - (a) any reference to Council includes a reference to that authorised person, and
 - (b) any reference to a requirement for Council’s approval includes a reference to a requirement for that authorised person’s written approval,
- 4.5 Any staff entitlement under a lawful policy of Council as adopted by Council from time to time and that is set out in Schedule A will apply to the employee unless this contract makes express provision to the contrary. Schedule A may be varied from time to time by agreement between the employee and Council, such agreement not to be unreasonably withheld.

Note: Only those policies that create entitlements are to be set out in Schedule A. Schedule A policies are distinct from those which create a duty or function as referred to in subclause 6.1.4 and which are not required to be set out in Schedule A.

- 4.6 Subject to clauses 7 and 13, the terms of this contract, as varied from time to time in accordance with this contract, represent the entire terms of all agreements between the employee and Council and replace all other representations, understandings or arrangements made between the employee and Council that relate to the employment of the employee in the position.

Note: The contract authorises the making of agreements that are linked to the contract. Clause 7 requires the parties to sign a performance agreement. Clause 13 allows either party to require the other to sign a confidentiality agreement for the purpose of protecting intellectual property.

5 Renewal of appointment

- 5.1 At least 9 months before the termination date (or 6 months if the term of employment is for less than 3 years) the employee will apply to Council in writing if seeking re-appointment to the position.
- 5.2 At least 6 months before the termination date (or 3 months if the term of employment is for less than 3 years) Council will respond to the employee’s application referred to in subclause 5.1 by notifying the employee in writing of its decision to either offer the employee a new contract of employment (and on what terms) or decline the employee’s application for re-appointment.
- 5.3 At least 3 months before the termination date (or 1 month if the term of employment is for less than 3 years) the employee will notify Council in writing of the employee’s decision to either accept or decline any offer made by Council under subclause 5.2.
- 5.4 In the event the employee accepts an offer by Council to enter into a new contract of employment, a new contract of employment will be signed.

Submitted to Council: 28 June 2017

..... General Manager Mayor



6 Duties and functions

6.1 The employee will:

- 6.1.1 to the best of their ability, meet the performance criteria set out in the performance agreement as varied from time to time,
- 6.1.2 carry out the duties and functions imposed by the Act and Regulation, or any other Act and associated regulations, which include but are not limited to:
 - (a) the efficient and effective operation of Council’s organisation,
 - (b) implementing, without undue delay, the decisions of Council,
 - (c) exercising such of the functions of Council as are delegated by Council to the employee,
 - (d) appointing staff in accordance with an organisation structure and resources approved by Council,
 - (e) directing and dismissing staff,
 - (f) implementing Council’s equal employment opportunity management plan,
 - (g) consulting with Council prior to the appointment or dismissal of senior staff,
 - (h) reporting to Council, at least once annually, on the contractual conditions of senior staff,
 - (i) giving immediate notice to Council on becoming bankrupt or making a composition, arrangement or assignment for the benefit of the employee’s creditors and providing Council, within the time specified by Council with any further information concerning the cause of the bankruptcy or of the making of the composition, arrangement or assignment,
 - (j) subject to subclause 6.2.3, providing advice and recommendations to Council or the mayor if directed to do so,
 - (k) not engaging, for remuneration, in private employment or contract work outside the service of Council without the approval of Council,
 - (l) not approving, where appropriate, any member of Council staff from engaging, for remuneration, in private employment or contract work outside the service of Council that relates to the business of Council or that might conflict with the staff member’s Council duties,
 - (m) acting honestly and exercising a reasonable degree of care and diligence in carrying out the employee’s duties and functions,
 - (n) complying with the provisions of the code of conduct,
 - (o) preparing and submitting written returns of interest and disclosing pecuniary interests in accordance with the Act and the Regulation,

Note: Sections 335, 337, 339, 341, 352, 353, 439, 440 and 445 of the Act.
- 6.1.3 carry out the duties and functions set out in Schedule B as varied from time to time by agreement between the employee and Council, such agreement not to be unreasonably withheld,

Note: Schedule B may include additional duties and functions, for example, those related to special projects.
- 6.1.4 carry out the duties and functions set out in the policies of Council as adopted by Council from time to time during the term of this contract,
- 6.1.5 observe and carry out all lawful directions given by Council, in relation to the performance of the employee’s duties and functions under this contract,
- 6.1.6 work such reasonable hours as are necessary to carry out the duties and functions of the position and the employee’s obligations under this contract,
- 6.1.7 obtain the approval of the Council for any absences from the business of Council,

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..... General Manager Mayor



- 6.1.8 promote ethical work practices and maintain a culture of integrity and professionalism where Council staff members treat each other, members of the public, customers and service providers with respect and fairness,
- 6.1.9 facilitate Council staff awareness of the procedures for making protected disclosures and of the protection provided by the *Protected Disclosures Act 1994*,
- 6.1.10 take all reasonable steps to ensure that actions and policies of Council accord with the strategic intent of Council,
- 6.1.11 take all reasonable steps to maximise compliance with relevant legislative requirements,
- 6.1.12 maintain effective corporate and human resource planning,
- 6.1.13 maintain the Council staff performance management system,
- 6.1.14 maintain satisfactory operation of Council’s internal controls, reporting systems (including protected disclosures), grievance procedures, the documentation of decision-making and sound financial management,
- 6.1.15 develop procedures to ensure the code of conduct is periodically reviewed so that it is in accordance with the Act and Regulation and adequately reflects specific organisational values and requirements,
- 6.1.16 promote and facilitate compliance with the code of conduct ensuring that each councillor and Council staff member is familiar with its provisions, and
- 6.1.17 report to Council on any overseas travel taken by the employee or any Council staff member where that travel is funded in whole or in part by Council.

6.2 Council:

- 6.2.1 will provide adequate resources to enable the employee to carry out the duties and functions specified in subclause 6.1 and Schedule B,
- 6.2.2 will provide the employee with reasonable opportunities to participate in professional development initiatives relevant to the duties and functions under this contract subject to the operational needs of Council, and
- 6.2.3 will not direct the employee as to the content of any advice or recommendation made by the employee.

Note: Section 352 of the Act.

7 Performance agreement and review

- 7.1 Within 3 months after the commencement date, the employee and Council will sign a performance agreement setting out agreed performance criteria.
- 7.2 In the event that the employee and Council are unable to agree on the performance criteria, Council will determine such performance criteria that are reasonable and consistent with the employee’s duties and functions under clause 6 and in Schedule B.
- 7.3 The performance agreement may be varied from time to time during the term of this contract by agreement between the employee and Council, such agreement not to be unreasonably withheld.
- 7.4 Within 2 months after signing or varying the performance agreement, the employee will prepare and submit to Council an action plan which sets out how the performance criteria are to be met.
- 7.5 Council will ensure that the employee’s performance is reviewed (and, where appropriate, the performance agreement varied) at least annually. Any such review is to have regard to the performance criteria.

Note: Council may review the employee’s performance every 6 months or more frequently if necessary.

Submitted to Council: 28 June 2017

..... General Manager Mayor



- 7.6 The employee will give Council 21 days' written notice that an annual performance review in accordance with subclause 7.5 is due.
- 7.7 Council will give the employee at least 10 days notice in writing that any performance review is to be conducted.
- 7.8 The structure and process of the performance review is at the discretion of Council following consultation with the employee.
- 7.9 The employee may prepare and submit to Council an assessment of the employee's own performance prior to a performance review.
- 7.10 Within 6 weeks from the conclusion of a performance review, Council will prepare and send to the employee a written statement that sets out:
 - (a) Council's conclusions about the employee's performance during the performance review period,
 - (b) any proposal by Council to vary the performance criteria as a consequence of a performance review, and
 - (c) any directions or recommendations made by Council to the employee in relation to the employee's future performance of the duties of the position.
- 7.11 The employee and Council will, as soon as possible after the employee receives the written statement referred to in subclause 7.10, attempt to come to agreement on any proposal by Council to vary the performance criteria and on any recommendations by Council as to the future performance of the duties of the position by the employee.
- 7.12 Subject to the employee being available and willing to attend a performance review, Council undertakes that if a performance review is not held in accordance with this clause, this will not operate to the prejudice of the employee unless the employee is responsible for the failure to hold the performance review.

8 Remuneration

- 8.1 Council will provide the employee with the total remuneration package set out in Schedule C.
- 8.2 The total remuneration package includes salary, compulsory employer superannuation contributions and other benefits including any fringe benefits tax payable on such benefits.
Note: Compulsory employer superannuation contributions are those contributions required under the Superannuation Guarantee Charge Act 1992 of the Commonwealth and any contributions required to be paid for an employee under a superannuation arrangement entered into by Council for that employee. See Schedule C.
- 8.3 Council may, on only one occasion during each year of this contract, approve an increase in the total remuneration package where the employee's performance has been assessed in accordance with a performance review as being of a better than satisfactory standard.
- 8.4 Any increase in remuneration approved under subclause 8.3 will not be paid as a lump sum.
- 8.5 On each anniversary of the commencement date, the total remuneration package will be increased by a percentage amount that is equivalent to the latest percentage amount increase in remuneration for senior executive office holders as determined by the Statutory and Other Officers Remuneration Tribunal.
Note: When making determinations referred to in subclause 8.5, the Tribunal takes into account key national economic indicators and movements in public sector remuneration across Australia, market conditions, the Consumer Price Index and wages growth as measured by the Wage Cost Index. Tribunal determinations are published in the Government Gazette and are available at

Submitted to Council: 28 June 2017

..... General Manager Mayor



www.remtribunals.nsw.gov.au. The Premier’s Department issues periodic Memoranda summarising the Tribunals determinations.

These Memoranda are available at www.premiers.nsw.gov.au.

- 8.6 The structure of the total remuneration package may be varied from time to time during the term of this contract by agreement between the employee and Council, such agreement not to be unreasonably withheld.
- 8.7 The total remuneration package, as varied from time to time, remunerates the employee for all work undertaken by the employee while in the position. No other remuneration, benefit, overtime or allowances other than those to which the employee may be entitled under this contract will be paid to the employee during the term of this contract.

9 Leave

9.1 General

- 9.1.1 Council will pay remuneration calculated in accordance with Schedule C to the employee proceeding on paid leave under this clause.
- 9.1.2 On the termination of this contract, and if the employee is not reappointed to the position under clause 5 or appointed to any other position in Council’s organisation structure, the Council will pay:
 - (a) to the employee in the case of annual leave, or
 - (b) to the employee or new employer council in the case of long service leave, accrued but unused leave entitlements calculated at the monetary value of the total remuneration package as specified in Schedule C.
- 9.1.3 If the employee is re-appointed to the position under clause 5 or appointed to any other position in Council’s organisation structure within 3 months after the termination of this contract, the employee will be taken to have continuing service with Council for the purpose of determining the employee’s entitlement to annual leave, long service leave and sick leave.
- 9.1.4 Any leave accrued with Council standing to the credit of the employee immediately prior to entering into this contract will be taken to be leave for the purposes of this contract.

9.2 Annual leave

The employee is entitled to four weeks paid annual leave during each year of employment under this contract to be taken as agreed between the employee and Council.

9.3 Long service leave

- 9.3.1 The employee’s entitlement to long service leave is to be calculated by the same method that applies to a non-senior member of Council staff.
- 9.3.2 Long service leave is transferable between councils in New South Wales in the same manner that applies to a non-senior member of Council staff.

9.4 Sick leave

- 9.4.1 The employee is entitled to 15 days paid sick leave during each year of employment under this contract provided that:
 - (a) Council is satisfied that the sickness is such that it justifies time off, and
 - (b) satisfactory proof of illness to justify payment is provided to Council for absences in excess of two days.
- 9.4.2 Sick leave will accumulate from year to year of employment under this contract so that any balance of leave not taken in any one year may be taken in a subsequent year.
- 9.4.3 Council may require the employee to attend a doctor nominated by Council at Council's cost.

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..... General Manager Mayor



- 9.4.4 Accrued but unused sick leave will not be paid out on the termination of this contract.
- 9.5 Parental leave
 - 9.5.1 Parental leave includes supporting parent’s leave, maternity leave, paternity leave and adoption leave.
 - 9.5.2 The employee is entitled to the same parental leave that a non-senior member of Council staff would be entitled.
- 9.6 Carer’s leave
The employee is entitled to the same carer’s leave that a non-senior member of Council staff would be entitled.
- 9.7 Concessional leave
The employee is entitled to the same concessional leave that a non-senior member of Council staff would be entitled.
- 9.8 Special leave
Council may grant special leave, with or without pay, to the employee for a period as determined by Council to cover any specific matter approved by Council.

10 Termination

- 10.1 General
On termination of this contract for any reason the employee will immediately return to Council all property of Council in the employee’s possession including intellectual property and confidential information and will not keep or make any copies of such property and information.
- 10.2 Termination date
The employment of the employee under this contract terminates on the termination date.
- 10.3 Termination by either the employee or Council
This contract may be terminated before the termination date by way of any of the following:
 - 10.3.1 written agreement between the employee and Council,
 - 10.3.2 the employee giving 4 weeks’ written notice to Council,
 - 10.3.3 council giving 4 weeks’ written notice to the employee, or alternatively by termination payment under subclause 11.1, where:
 - (a) the employee has been incapacitated for a period of not less than 12 weeks and the employee’s entitlement to sick leave has been exhausted, and
 - (b) the duration of the employee’s incapacity remains indefinite or is likely to be for a period that would make it unreasonable for the contract to be continued,
 - 10.3.4 Council giving 13 weeks’ written notice to the employee, or alternatively, by termination payment under subclause 11.2 where Council:
 - (a) has conducted a performance review, and
 - (b) concluded that the employee has not substantially met the performance criteria or the terms of the performance agreement,
 - 10.3.5 Council giving 38 weeks’ written notice to the employee, or alternatively, by termination payment under subclause 11.3.
- 10.4 Summary dismissal
 - 10.4.1 Council may terminate this contract at any time and without notice if the employee commits any act that would entitle an employer to summarily dismiss the employee. Such acts include but are not limited to:
 - (a) serious or persistent breach of any of the terms of this contract,
 - (b) serious and willful disobedience of any reasonable and lawful instruction or direction given by Council,

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..... General Manager Mayor



- (c) serious and willful misconduct, dishonesty, insubordination or neglect in the discharge of the employee’s duties and functions under this contract,
 - (d) failure to comply with any law or Council policy concerning sexual harassment or racial or religious vilification,
 - (e) commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the employee’s ability to perform the employee’s duties and functions satisfactorily, or in the opinion of Council brings Council into disrepute,
 - (f) absence from the business of Council without Council approval for a period of 3 or more consecutive business days.
- 10.4.2 This contract is terminated immediately without notice if the employee becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit.

11 Termination payments

- 11.1 On termination of this contract under subclause 10.3.3, where written notice has not been given, Council will pay the employee a monetary amount equivalent to 4 weeks’ remuneration calculated in accordance with Schedule C.
- 11.2 On termination of this contract under subclause 10.3.4, where written notice has not been given, Council will pay the employee a monetary amount equivalent to 13 weeks’ remuneration calculated in accordance with Schedule C.
- 11.3 On termination of this contract under subclause 10.3.5, where written notice has not been given, Council will pay the employee a monetary amount equivalent to 38 weeks’ remuneration calculated in accordance with Schedule C, or the remuneration which the employee would have received if the employee had been employed by Council to the termination date, whichever is the lesser.
- 11.4 On termination of this contract under subclause 10.3.1, 10.3.2, 10.4.1 or 10.4.2, Council will pay the employee remuneration up to and including the date of termination calculated in accordance with Schedule C and any other payment to which the employee is entitled under this contract.

12 Expenses and credit cards

In addition to any duties or entitlements that may be set out in any relevant policies of Council as adopted by Council from time to time, the employee will:

- 12.1 keep such records of expenses, travel and motor vehicle use as required by Council from time to time,
- 12.2 be reimbursed by Council for expenses properly incurred on Council business, subject to Council’s prior approval to this expense being incurred,
- 12.3 only use any credit card provided by Council for expenses incurred on Council business, and
- 12.4 return any credit card provided by Council on request from Council.

13 Intellectual property

Submitted to Council: 28 June 2017

..... General Manager Mayor



- 13.1 Any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment under this contract is the sole property of Council and Council will unless otherwise agreed have the exclusive right to use, adapt, patent and otherwise register it.
 - 13.2 The employee will immediately disclose to Council any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee after the commencement date to enable Council to ascertain whether it was discovered, developed or produced wholly outside and wholly unconnected with the course of employment under this contract.
 - 13.3 To protect disclosures made in accordance with subclause 13.2, Council or the employee may require a confidentiality agreement to be signed prior to, during or immediately after discussion of the intellectual property being considered.
- Note: IP Australia, the Commonwealth Government intellectual property agency, has developed a Confidentiality Agreement Generator for the purpose of preparing intellectual property confidentiality agreements. It is available at [http:// www.ipaustralia.gov.au/smartstart/cag.htm](http://www.ipaustralia.gov.au/smartstart/cag.htm).**
- 13.4 The employee assigns to Council by way of future assignment all copyright, design, design right and other property rights (if any) in respect to any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment under this contract.
 - 13.5 At the request and expense of Council the employee will complete all necessary deeds and documents and take all action necessary to vest in Council any literary work, computer program, invention, design, patent, copyright, trademark, improvement or idea developed by the employee in the course of employment under this contract and obtain for Council the full benefit of all patent, trademark, copyright and other forms of protection throughout the world.

14 Confidential Information

The employee will not divulge any confidential information about Council either during or after the term of their employment under this contract.

15 Waiver

The failure of either the employee or Council to enforce at any time any provision of this contract or any right under this contract or to exercise any election in this contract will in no way be considered to be a waiver of such provision, right or election and will not affect the validity of this contract.

16 Inconsistency and severance

- 16.1 Each provision of this contract will be read and construed independently of the other provisions so that if one or more are held to be invalid for any reason, then the remaining provisions will be held to be valid.
- 16.2 If a provision of this document is found to be void or unenforceable but would be valid if some part were deleted, the provision will apply with such modification as may be necessary to make it valid and effective.

Submitted to Council: 28 June 2017

..... General Manager Mayor



17 Dispute resolution

- 17.1 In relation to any matter under this contract that may be in dispute, either the employee or Council may:
 - (a) give written notice to each other of the particulars of any matter in dispute, and
 - (b) within 14 days of receiving a notice specified in subclause 17.1(a), a meeting will be convened between Council (along with any nominated representative of Council) and the employee (along with any nominated representative of the employee) in an attempt to resolve the dispute.
- 17.2 The employee and Council will attempt to resolve the dispute at the workplace level.
- 17.3 Upon failure to resolve the dispute at the workplace level, the employee and Council will:
 - (a) refer the dispute to an independent mediator as agreed by the employee and Council, or otherwise as appointed by the Director- General,
 - (b) agree to participate in any mediation process in good faith, with such mediation to operate in a manner as agreed by the employee and Council, and
 - (c) acknowledge the right of either the employee or Council to appoint, in writing, another person to act on their behalf in relation to any mediation process.
- 17.4 The cost of the mediation service will be met by Council.
- 17.5 The employee and Council will each be responsible for meeting the cost of any advisor or nominated representative used by them.

18 Service of notices and communications

- 18.1 Any communication, including notices, relating to this contract will be in writing and served on the employee or Council at their last known residential or business address in accordance with subclause 18.2.
- 18.2 Any written communication including notices relating to this contract is taken to be served:
 - (a) when delivered or served in person, immediately,
 - (b) where served by express post at an address within New South Wales in the Express Post Network, on the next business day after it is posted,
 - (c) where served by post otherwise in the ordinary course of postage, as set down in Australia Post’s delivery standards, and
 - (d) where sent by facsimile, within standard business hours otherwise on the next business day after it is sent.

19 Variations

- 19.1 Where this contract provides that its terms may be varied, that variation will be by agreement in writing signed by the employee and Council.
Note: See clauses 4.5, 6.1.3, 7.3, 8.6 and 19.2.
- 19.2 Where the Director-General approves an amended or substitution standard form of contract for the employment of the general manager of a council, the provisions of this contract may be varied by agreement between the employee and Council to the extent that they are consistent with the provisions of that amended or substitution standard form of contract.
Note: See section 338 of the Act.

Submitted to Council: 28 June 2017

..... General Manager Mayor



20 Other terms and conditions

- 20.1 The employee and Council acknowledge that they have sought or had the opportunity to seek their own legal and financial advice prior to entering this contract.
- 20.2 In accordance with section 731 of the Act, nothing in this contract gives rise to any action, liability, claim or demand against the Minister, the Director-General or any person acting under their direction.

Submitted to Council: 28 June 2017

..... General Manager Mayor



21 Signed by the employee and Council

COUNCIL:

Date _____

Name of signatory
in full **JANELLE MAY ARCHDALE**

Office held **MAYOR OF WALCHA**

Signed by Witness _____

Name of Witness
in full **SCOTT JOHN NIGEL SCHMUTTER**

Office held **DEPUTY MAYOR of WALCHA**

THE EMPLOYEE:

Signed
by the employee _____

Date _____

Name of employee
in full **JOHN GREGORY O'HARA**

Signed by Witness _____

Name of Witness
in full **ELIZABETH LYNNETTE HOBBS**

Submitted to Council: 28 June 2017

..... General Manager Mayor



Schedule A – Council policies

Note: This Schedule may be varied during the term of this contract in accordance with subclauses 4.5 and 19.1 of this contract.

This Schedule operates on and from

Date **19 OCTOBER 2015**

For the purposes of subclause 4.5 of this contract, the following policies apply to the employee:

- Administrative Policies
- Award Restructuring Policy
- Community Services & Education Policies
- Footpaths Policy
- Health Policies
- Housing & Community Policies
- Local Approvals Policy
- Mining, Manufacturing & Construction Policies
- Public Order & Safety Policies
- Recreation & Cultural Policies
- Staff Training Policy
- Transport & Communication Policies
- Youth Policy & Guidelines
- Email Policy
- Records Management Policy
- Debt Recovery Policy
- Water Supply Policies
- Sewerage Services Policy
- Commercial & Industrial Policy
- Salary Sacrifice Policy
- Investment Policy

Signed by Council

Clr JM Archdale - Mayor

Clr SJN Schmutter – Deputy Mayor

Signed by the employee

JG O'Hara

Submitted to Council: 28 June 2017

..... General Manager Mayor



Schedule B - Duties and functions

Note: This Schedule may be varied during the term of this contract in accordance with subclauses 6.1.3 and 19.1 of this contract.

This Schedule operates on and from

Date **19 OCTOBER 2015**

In addition to the duties and functions specified in clause 6 of this contract, the employee will carry out the following duties and functions:

Delegations of Authority as per attached.

Signed by Council

Clr JM Archdale – Mayor

Clr SJN Schmutter – Deputy Mayor

Signed by the employee

JG O’Hara

Submitted to Council: 28 June 2017

..... General Manager Mayor



Schedule C – Remuneration

Note: This Schedule may be varied during the term of this contract in accordance with clauses 8 and 9 of this contract.

This Schedule operates on and from

19 OCTOBER 2015

The Annual Total Remuneration Package is as follows:

\$220,000

The Total Remuneration Package is comprised of:

Salary (Net of actual AL & LSL taken)	\$154,868
Annual Leave (salary/48*4)	12,906
LSL Accrual (salary/48*2.2)	7,098
Super	26,848
Motor Vehicle *private use + FBT	16,280
Professional Membership	2,000
ANNUAL REMUNERATION	\$220,000

The employee agrees and acknowledges that deductions under subclause 8.2 of this contract are made principally for the benefit of the employee and that the Council relies on that statement in providing the non-cash benefits requested by the employee.

In the case of an employee who is a member of a defined benefit division of the Local Government Superannuation Scheme (or equivalent) compulsory employer superannuation contributions are the long term or “notional” employer contribution, as advised by the Actuary for the Local Government Superannuation Scheme from time to time.

The employee’s superable salary will be the amount of the total remuneration package less the amount of compulsory superannuation contributions.

Signed by Council
Clr JM Archdale – Mayor

.....
Clr SJN Schmutter – Deputy Mayor

Signed by the employee
JG O’Hara

Submitted to Council: 28 June 2017

..... General Manager Mayor



DELEGATIONS OF AUTHORITY

TO THE GENERAL MANAGER, MR JOHN GREGORY O'HARA

To perform on behalf of Council the following powers, authorities, duties and functions, within the terms of the Local Government Act 1993 and Regulations thereunder:-

Finance and Administration

1. The authority to approve, but not disapprove, in conjunction with the Director - Environmental Services, applications for subdivision of land which do not involve the opening of new roads or streets and which otherwise comply with the Walcha Local Environmental Plan 2000 and Council's Policy.
2. The authority to, in conjunction with the Mayor, make recommendations to Council in all Office matters in dispute which cannot be satisfactorily resolved administratively.
3. The authority to re-arrange and re-organise Administration Staff.
4. The authority to generally authorise any action within the Council's Policies.
5. The authority to incur normal and everyday expenses in the administration of Council's Office (such as advertising, printing and stationery, repairs of Office equipment, etc) but only within the sums voted by Council for this purpose.
6. The authority to instruct appropriate Senior Officers to take the necessary action in connection with any complaints or requests received. Provided that where any expenditure by Council is involved this must be within the sum voted by Council for the particular purpose; and the actions so directed are to comply with any Policy of the Council and/or the provisions of the appropriate Act of Parliament.
7. The authority to reply to all routine correspondence.
8. The authority to apply to wages and salaries any automatic wage variation or cost of living adjustments that have been approved by the Local Government & Shires Associations of NSW.
9. The authority to arrange for legal action for recovery of outstanding Rates and Debtor Accounts and approve applications for extension of time to pay Rates and Accounts where an acceptable case is presented.
10. The authority to determine whether Council is satisfied with any application received under Section 585 of the Local Government Act 1993 seeking postponement of part of Rates and the General Manager shall be authorised to determine the applications and forward the same to the Valuer General for a Valuation of the attributable part.
11. The authority, in accordance with Section 562 of the Local Government Act, in relation to payment of Rates by Instalments, to determine if extenuating circumstances exist when Instalment payments are not made by the due date and be given authority to decide whether the Instalment will be accepted as a bona-fide payment.
12. The authority to approve Street Stalls, raffle competitions, and the like.

Submitted to Council: 28 June 2017

..... General Manager Mayor



13. The authority to approve applications for use of Council Chambers, Library and other Council buildings and facilities to approved organisations.
14. The authority to issue Certificates under Section 172 and Section 603 of the Local Government Act and Section 149 of the Environmental Planning and Assessment Act (i.e., Building Certificate of Compliance, Rates Certificate and Town Planning Certificate).
15. The authority to approve, in consultation with the Mayor, CBD Small Grant Programme Applications for Assistance, in accordance with adopted guidelines.
16. The authority to approve Business Christmas Decorations Incentive Grant Programme Applications for Assistance, in accordance with adopted guidelines.
17. The authority to serve notices under Section 66 of the Rural Fires Act 1997.
18. The authority to inspect, or cause to be inspected, at least once each year, all fire fighting apparatus in each Bush Fire Brigade District.
19. The authority to arrange for the opening of tenders (received) after the advertised closing date, in conjunction with the Senior Officer involved.
20. The authority to determine the source of Council investments, taking into consideration interest rates and borrowing requirements, in accordance with Council Policy.
21. The authority to determine opening hours for the Walcha Branch Library.
22. The authority to appoint temporary Clerical Staff as and when required to aid in Office work in emergency situations.
23. Nothing in the Delegations shall imply that legal proceedings can be instituted against any person unless expressly contained within the Delegation and/or unless expressly authorised by Resolution/Policy of Council. Provided that in all circumstances a right of appeal to the Mayor and/or Council will apply.
24. The authority to accept Grants on behalf of Council.
25. The authority to, in conjunction with the Pool Manager, determine the dates and times of usage of the Walcha Swimming Pool by the local Schools, the Swimming Club and approved Instructors.
26. The authority to approve the issuing of temporary Grazing Permits by the Livestock Health & Pest Authority over roads under Council's control in accordance with the provisions of the Rural Lands Protection Act and Regulations and Council Policy.
27. The authority to approve funding of specific locally based projects for local Schools as provided for in Council's "Isolated Schools - Financial Assistance" Policy and in accordance with budgetary provisions.
28. The authority to handle all matters relating to Weight of Loads offences committed within the Council area.
29. The authority to authorise selected employees to supervise inspections of Council's Minute Books in accordance with the provisions of Section 12, Chapter 4, Part 2 of the Local Government Act 1993.

Submitted to Council: 28 June 2017

..... General Manager Mayor



30. The authority, in conjunction with the Mayor, to approve the admittance of new Councils to the Mid-North Weight of Loads Group.
31. The authority to process applications received pursuant to the Freedom of Information Act 1989.
32. The authority to adjudicate on or to grant approvals as appropriate under the terms of the adopted Code of Conduct for Local Government provided that in all cases, a right of appeal to the full Council shall exist.
33. The authority to recover costs for damage to Council property or property under Council control, in accordance with Council Policy.
34. That Council resolve to authorise John Gregory O'Hara as an Authorised Officer for the purpose of administering the relevant provisions of the Protection of the Environment Operations Act 1997. This authorisation shall extend to the service of Penalty Notices and Instigation of Legal Action in relation to the to Protection of the Environment Operations Act.
35. The authority to consider and determine Council's response to representations seeking leniency or outlining extenuating circumstances from persons who have been served with a Penalty Notice. This determination shall extend only to those representations referred through the New South Wales Police Service Infringement Processing Bureau.
36. The authority to authorise the use of Council's resources for the purpose of providing work experience opportunities for local students, as pressure of work permits.
37. The authority to authorise the Director - Engineering Services/Assistant General Manager to act as Assistant General Manager during periods of absence of the General Manager and to authorise the Director-Corporate Services - Acting General Manager to act as Acting General Manager during periods of absence of the General Manager and the Director - Engineering Services/Assistant General Manager.
38. The authority, in conjunction with the Mayor, to witness the affixing of the Council's Common Seal and also in conjunction with the Mayor to sign the attestation attaching to the affixing of the Common Seal.
39. The authority to approve the Walcha Jockey Club's application for the granting of a public half-day holiday in the Walcha Shire on the Friday afternoon of the Walcha Cup Carnival.
40. The authority, in accordance with the provisions of Clause 43(1) of the Local Government (Meetings) Regulation, to keep the Common Seal of the Council of Walcha.
41. The authority to issue approvals, in future years if necessary, to the Walcha Branch of the RSL Women's Auxiliary to conduct a normal Street Stall on the Friday prior to Remembrance/Poppy Day as well as sell badges/poppies on Remembrance/Poppy Day.
42. The authority to perform such other duties as are imposed by Council from time to time.
43. Authority to Proceed:

Submitted to Council: 28 June 2017

..... General Manager Mayor



By virtue of the powers conferred on me by Section 687 of the Local Government Act, 1993, I William John Heazlett, Mayor of the Council of Walcha, hereby appoint John Gregory O'Hara, a servant of the said Council, to represent the Council in all respects as though he were the party concerned, and to institute and carry on any proceedings which the Council is authorised to institute and carry on under the said Act, in any proceedings in any Court of Petty Sessions or before any Justice.

- 44. That Council resolve to authorise John Gregory O'Hara as an Authorised Officer for the purpose of administering the relevant provisions of the Protection of the Environment Operations Act 1997. This authorisation shall extend to the Service of Penalty Notices and Instigation of Legal Action in relation to the Protection of the Environment Operations Act.

Works

- 45. The authority to carry out private works, and carry out construction works for approved authorities and render accounts.
- 46. The authority to make recommendations to Council on industrial disputes which cannot be satisfactorily resolved administratively.
- 47. The authority to exercise control of the lighting of fires in public places and the use of explosives.
- 48. Be appointed as an "Authorised Person" under the provisions of the Protection of the Environment Operations Act (Depositing of Litter).
- 49. The authority to appoint other Council Officers as "Authorised Persons" in accordance with the provisions of the Protection of the Environment Operations Act (Depositing of Litter).
- 50. The authority to act on behalf of Council for the purpose of carrying out survey work, obtaining gravel samples and removing road making material under Section 192 and relevant Regulations of the Local Government Act, 1993.
- 51. The authority to endorse Council's recommendation on "Proceeding Reports" attached to all Weight of Loads Breach Reports issued within the Walcha Council area.
- 52. The authority to approve conditionally or refuse applications under Council's Tree Preservation Order. Provided that any application which in the opinion of the General Manager may generate significant public controversy, and any application refused and submitted for reconsideration shall be determined by Council.
- 53. The authority to carry out the requirements of the Impounding Act, 1993, as regards the removal and disposal of vehicles standing upon a public place or public reserve where it appears that the vehicle has been abandoned.
- 54. The authority to sign, on behalf of Council, the Agreement for Pipe Crossing of a Council Road and Agreement to Use or Occupy a Public Place, as appropriate.

Submitted to Council: 28 June 2017

..... General Manager Mayor



55. The authority to assess whether an activity, other than those activities listed below, would have significant environmental impact or has no significant impact, pursuant to Part V of the Environmental Planning and Assessment Act, 1979:-
- ❖ Shoulder Grading
 - ❖ Street Gutter Cleaning
 - ❖ Bridge Maintenance
 - ❖ Bitumen Maintenance
 - ❖ Bitumen Resealing
 - ❖ Bitumen Road Pavement Restoration
 - ❖ Gravel Resheeting
 - ❖ Drain Cleaning
 - ❖ Levee Bank Maintenance
 - ❖ Footpath Maintenance
 - ❖ Street Tree Maintenance
 - ❖ Grass Mowing
 - ❖ Water and Sewer Main and Manhole Maintenance
 - ❖ New Water and Sewerage Services
 - ❖ Sewerage Treatment Works Maintenance
 - ❖ Sewer Pumping Station Maintenance
 - ❖ Water Pumping Station Maintenance
 - ❖ Water Reservoirs Maintenance
 - ❖ Rural Road Construction Within Existing Road Reserve Alignment
 - ❖ Urban Road Construction Within Existing Road Reserve Alignment
 - ❖ Kerb and Gutter Construction Within Existing Road Reserves
 - ❖ Drainage Construction Within Road Reserves or Urban Properties
 - ❖ Water Main Construction Within Road Reserves or Urban Properties
 - ❖ Sewerage Main Construction Within Road Reserves or Urban Properties
 - ❖ Noxious Weed Control, Either by Chemical or Biological Means.
56. The authority to exercise the functions under Section 4D (Traffic Control Signs) of the Traffic Act, 1993.
57. The authority to approve of house numbering and carry out revision of house numbers from time to time.
58. The authority to control and manage all Waste Disposal Facilities within the Budget control.
59. The authority to issue and revoke permits for the installation of public gates and bypass structures across public roads, under the Roads Act, 1993. This delegation includes the creation and ongoing review of guidelines to assist the public to apply for, construct and maintain public gate infrastructure.

Environmental Services

60. The authority to approve, but not disapprove, applications for the subdivision of land which do not involve the opening of new roads or streets and which otherwise comply with the Environmental Planning & Assessment Act 1979, Walcha Local Environment Plan and Council's Policy.

Submitted to Council: 28 June 2017

..... General Manager Mayor



61. The authority to approve, but not disapprove Development Applications for Class IA to Class 10 Buildings, provided they comply with the provisions of the Building Code of Australia, the Walcha Local Environmental Plan 2000 and Council Policies and Clause 52 of the Local Government (Approvals) Regulation, 1993.
62. To issue Construction Certificates under the Environmental Planning and Assessment Act, 1979, for development that has received Development consent under that Act.
63. The authority to approve of fences on the boundary alignment within Council policy.
64. The authority to approve variations to building alignments for new buildings, additions, carports, garages, pergolas and the like provided it is applied for in accordance with the requirements of the Environment Planning & Assessment Act and Regulations Act.
65. The authority to approve carports, awnings, pergolas and similar structures extending to the boundary provided the adjoining owners provide no objections and the amenity of the neighbourhood is not materially affected, and the survey is correct.
66. The authority to issue Certificates of Occupation under the Environmental Planning & Assessment Act, 1979:-
 - a) 1) Upon completion of a building;
 - 2) Upon the giving of approval to occupy an incomplete building;
 - b) The authority to revoke a Certificate of Occupation where required by the Environmental Planning & Assessment Act, 1979 prior to the issue of a further Certificate of Occupation.
67. The authority to determine applications for Building Certificates by issuing Building Certificates to applicants under the Environmental Planning & Assessment Act, 1979.
68. The authority to grant extension of time to a Development Application and Construction Certificate for a period not exceeding twelve (12) months for any Development Application which does not require additional development consent.
69. The authority to cancel Development Applications and Construction Certificates and to authorise refund of building fees only on the formal request of the holder of such a Permit or Approval or the applicant for Development approval.
70. The authority to issue Notices or Orders under the Local Government Act requiring work to be done or not to be done relating to buildings in urgent or dangerous cases only, i.e., Orders 3, 5.
71. The authority to approve the demolition or removal of buildings in accordance with the Environmental Planning & Assessment Act, 1979.
72. The authority to issue Orders or serve Notices under the Local Government Act, 1993, Protection of the Environmental Operations Act, 1961, which are considered necessary in regard to repairs to premises, sanitation of premises

Submitted to Council: 28 June 2017

..... General Manager Mayor



- or for the preservation of health and hygiene or securing the wholesomeness and purity of goods and drugs or the abatement of any nuisance, obstruction or interference with public health, safety or convenience.
73. The authority to approve applications for the installation of septic tanks and other like appliances approved by the New South Wales Department of Health in accordance with the Local Government Act, 1993.
 74. The authority to issue plumbing, draining and water fitting permits in accordance with Acts and Regulations and Policy of Council and serve Notices to connect to sewer.
 75. The authority to approve but not refuse advertising on private premises under the Environmental Planning & Assessment Act 1979 and the Walcha Local Environmental Plan and Development Control Plan.
 76. The authority to approve issue of registrations under the Companion Animals Act and issue Notices to Register Dogs.
 77. The authority to lay information and complaints and take, institute or commence all proper proceedings, actions and prosecutions against all persons committing an offence under the Companion Animals Act and Regulations.
 78. The authority to issue on-the-spot notices to persons contravening the Protection of the Environmental Operations Act, Part 2 of the Local Government Act, 1993 and Regulations relating to litter control.
 79. The authority to carry out the requirements of Dog Control Policy and approve of special dispensation.
 80. The authority to carry out the requirements of the Impounding Act, 1993 as regards the removal and disposal of vehicles standing upon a public place or public reserve where it appears that the vehicle has been abandoned.
 81. Food Act, 2003 -
Pursuant to Section 377(1) of the Local Government Act 1993 the power to appoint authorized officers under Section 114 of the Food Act 2003;
Pursuant to Section 377 (1) of the Local Government Act 1993 the power to serve Prohibition Orders under Section 60 of the Food Act 2003;
Pursuant to Section 378 (2) of the Local Government Act 1993 and conditional upon advice from the NSW Food Authority, to sub-delegate the power to serve Prohibition Orders under Section 60 of the Food Act 2003 to the Director – Environmental Services;
Pursuant to Section 381 (3) of the Local Government Act 1993, to approve the NSW Food Authority's delegation to provide written approvals for dispensations and alternative methods of compliance in regard to the Food Standards Code's Standard 3.2.2 (Clause 15 and 17) and Standard 3.2.3 (Clauses 10 and 14).
Pursuant to Section 109E (3) of the Food Act 2003 and conditional upon approval from the NSW Food Authority to sub-delegate the power to provide written approvals for dispensations and alternative methods of compliance in

Submitted to Council: 28 June 2017

..... General Manager Mayor



- regard to the Food Standards Code's Standard 3.2.2 (Clause 15 and 17) and Standard 3.2.3 (Clause 10 and 14 to the Director – Environmental Services.
82. Legal Proceedings:
Authorised to carry on any proceedings in any Court of Petty Sessions or before any Justice which Council is authorised to institute and carry on under the following Acts:-
- * Public Health Act, 1991, as amended.
 - * Food Act, 2003, as amended.
 - * Protection of the Environmental Operations Act.
 - * Environmental, Planning and Assessment Act, 1979, as amended.
 - * Local Government Act, 1993 and Regulations made thereunder.
 - * Companion Animals Act and Amendments thereunder.
 - * Companion Animals Act Regulations and Amendments thereunder.
83. Power of Entry – Companion Animals Act:
- Authorised to enter, for the purposes of the Companion Animals Act, upon any land or premises situate within the area at all reasonable times.
84. Power of Entry - Public Health Act:
Authorised, in pursuance of the powers vested in Council by Section 72 of the Public Health Act, as Director - Environmental Services to enter and examine any premises situate within the Shire between the hours of eight (8) o'clock in the forenoon and eight (8) o'clock in the afternoon or at all hours during which business is in progress or is usually carried out in the premises.
85. Power of Entry - Local Government Act, 1993:
Authorised to:-
- a) Enter upon any land or building at all reasonable hours in the daytime and at any hour during which business is in progress or is usually carried on in the premises.
 - b) Enter in or upon any land or building to make inspections, and for that purpose upon any ground and remove any flooring and take such measures as may be necessary to ascertain the character and condition of the land or building and or any pipe, sewer, drain, well and fitting in connection therewith.
 - c) Inspect any premises, food, matter or thing.
86. Caravan Parks and Camping Grounds - Inspections:
Authority to carry out inspections and to serve Notices of Irregularity in accordance with the Local Government, 1993 and relevant Regulations.
87. Swimming Pools Act, 1990:
Appointed as Authorised Officer under Section 27 of the Swimming Pools Act, 1992.
88. The authority to investigate and prepare Notices on behalf of Council with respect to Noise Control Notices under the Protection of the Environmental Operations Act of New South Wales, on:-
- a) Non-Schedule Premises.

Submitted to Council: 28 June 2017

..... General Manager Mayor



- b) Public Places.
 - c) Lawful Sporting Activities involving the use of motor cycles.
(Note: Such Notices to be signed by the General Manager.)
89. The authority to exercise the Delegation of Powers by the Director-General, New South Wales Department of Health under Part 4, Division 2 of the Food Act 1989.
 90. To act as the Authorised Officer to exercise the functions under the delegations from the Director-General of the Department of Planning.
 91. The authority to sign annual Environmental Protection Authority declarations certifying that the terms of Council's Landfill Licences have been complied with.
 92. The authority to sign annual Environment Protection Authority declarations certifying that the terms of Council's Sewerage Treatment Plant and the Water Treatment Plant licences have been complied with.
 93. The Authority to sign Home and Community Care funding agreements.

Adopted Council Meeting 25th August, 1993 - Minute No. 308/93.
Amended Council Meeting 23rd December, 1993 - Minute No. 470/93.
Amended Council Meeting 25th May, 1994 - Minute No. 127/94.
Amended Council Meeting 31st August, 1994 - Minute No. 37/94.
Amended Council Meeting 29th March, 1995 - Minute Nos. 223 & 229/95.
Reaffirmed Council Meeting 27th September, 1995 - Minute No. 54/95.
Amended Council Meeting 27th March, 1996 - Minute No. 223/96.
Amended Council Meeting 24th July, 1996 - Minute No. 9/96.
Amended Council Meeting 19th March, 1997 - Minute No. 192/97.
Amended Council Meeting 29th July, 1997 - Minute Nos. 4/97, 5/97 & 10/97.
Reaffirmed Council Meeting 24th September, 1997 - Minute No. 82/97.
Amended Council Meeting 24th September, 1997 - Minute No. 88/97.
Amended Council Meeting 26th November, 1997 - Minute No. 141/97 & 143/97.
Amended Council Meeting 13 February, 2001 – Minute No. 178/00
Amended Council Meeting 26th September 2001 – Minute No. 70/01
Amended Council Meeting 31 July 2002 – Minute No.: 13/2002.
Amended Council Meeting 27 November 2002 – Minute No.: 122/02
Delegated to Mr John O’Hara Council Meeting 25 June 2003 – Minute No.: 281/03
Amended Council Meeting 22 February 2005 – Minute No.:151/05
Amended Council Meeting 27 July 2005 – Minute No.: 4/2005-2006
Reaffirmed Council Meeting 28 October 2008 – Minute No.: 60/2008-2009
Amended Council Meeting 26 August 2009 – Minute No.: 27/2009-2010
Reaffirmed Council Meeting 31 October 2012 – Minute No.: 70/2012-2013

Submitted to Council: 28 June 2017

..... General Manager Mayor



Item: 6.4
Title: Road Naming
Author: Director – Engineering Services
Previous Items: Not Applicable
Attachment: No

Ref: WO/2017/00884

Introduction

The 0.65km unsealed road that leads to Mr Neville Hicks property “Coxs Swamp” 8271 Thunderbolts Way is un-named. This report asks Council to determine a name for the road.



Report

The section of unsealed road starts 17.33km along Thunderbolts Way and finishes 0.65km to the West at entry to “Coxs Swamp”.

Written suggestions for naming the road were requested from affected land owners and the Walcha Historical Society. At the time of writing this report no responses had been received.

RECOMMENDATION: That Council propose the following road name and proceed with the naming of the road in accordance with the normal statutory and consultative requirements set down for the naming of roads.

Coxs Swamp Road	The road that intersects Thunderbolts Way 17.33 kilometres (intersection GPS Latitude 31.47881 Longitude 151.676488) and travels West for a distance of 0.65 kilometres to the property boundary at Coxs Swamp (- 31.481511, 151.670610)
-----------------	--

Submitted to Council:

..... General Manager Mayor



Item: 6.5 **Ref:** WO/2017/01001
Title: Australian Aged Care Quality Agency – Final Quality Review Report
Author: General Manager
Previous Items: Not Applicable
Attachment: Final Quality Review Report is provided under separate cover.

Report:

Council has an agreement with Department of Social Services to provide supports under the Commonwealth Home Support Program. These supports are meals on wheels, transport, individual and group social support. One of the conditions of receiving this funding is the need to undergo a quality review during the funding period. Services are assessed against the Home Care Standards.

A preparatory education session was conducted in the lead up to this review on 23 March 2017 which involved the educator, the Community Care Coordinator and the Community Services Manager. A review team from the Australia Aged Care Quality Agency visited the Community Care office on Tuesday, 2 May 2017. The review team consisted of two team members (“the team”).

Council’s Community Care Coordinator, ATSI Officer, Bus Driver and Community Services Manager were interviewed by the team. The following people were also involved:

- ◆ Exercise Instructor (Rural and Remote Exercise Group – via phone)
- ◆ 5 Exercise Group Clients (via phone)
- ◆ Advisory Committee Member
- ◆ Taxi Driver (Taxi Voucher Program)
- ◆ 12 Community Care Clients
- ◆ 14 Community Care Volunteers

The schedule for the day was as follows:

- ◆ Entry meeting – including: Introductions and role of quality reviewers / Purpose of visit / Open and transparent approach / Confidentiality / Review of schedule and relevant personnel / Work areas / Exit meeting / Questions / Tour
- ◆ Discussion with Community Services Manager – Standard 1, documentation review.
- ◆ Discussion with Coordinator, ATSI Officer and Bus Driver – Standards 2 & 3, documentation review.
- ◆ Discussion with clients and volunteers.
- ◆ Travel to Apsley Riverview to observe meals on wheels procedure.
- ◆ Discussion with exercise instructor and clients.
- ◆ Exit Meeting.

During the exit meeting the feedback given by the team was extremely positive. They were very impressed with the program that Council runs. In particular they told of the wonderful feedback they received about the Community Care Coordinator.

Submitted to Council: 28 June 2017

..... General Manager Mayor



An interim report was sent to Council which stated that the Community Care program met 18 out of 18 expected outcomes of the Home Care Standards. No further information was requested and no recommended changes were given. This is an outstanding achievement for the Community Care team, as it is rare for a service this size to achieve this result during the review.

A copy of the final report has been attached.

RECOMMENDATION:

For Council’s information only.

Submitted to Council: 28 June 2017

..... General Manager Mayor



Item: 6.6 **Ref:** WO/2017/00992
Title: Committee of the Whole Referral – Tenders for the Supply and Delivery of Stationery – REGPRO021718, Traffic Safety Signage – REGPRO041718, Concrete Pipes – T051718NEC, Water Meters T11718NEC, Hardware REGPRO031718 and Chlorine – Sodium Hypochlorite T0392017
Author: Director – Engineering Services
Previous Items: Not Applicable
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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RECOMMENDATION:

That, in accordance with the provisions of Section 10 of the Local Government Act, 1993, the matters of tenders for tenders for the supply and delivery of :

- ◆ Stationery – REGPRO021718
- ◆ Traffic Safety Signage – REGPRO041718
- ◆ Concrete Pipes – T051718NEC
- ◆ Water Meters – T111718NEC
- ◆ Hardware – REGPRO031718
- ◆ Sodium Hypochlorite – T0392017

be referred to be discussed in Committee of the Whole for the reason that they relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



Item 7:

Notice of
Motions

Submitted to Council: 28 June 2017

..... General Manager Mayor



NOTICE OF MOTION NUMBER: 1

Item:	7.1	Ref: WO/2017/00898
Title:	Notice of Motion – Heritage Near Me – Expression of Interest	
Author:	Councillor Jennifer Kealey	
Previous Items:		
Attachment:	Yes	

Background:

In March 2017 I attended the Tourism Conference at Taree and had the opportunity to hear about Heritage Near Me. Further to their presentation to our last Council Meeting, May 2017, I submit the following Notion of Motion.

Motion:

That Council proceed with an Expression of Interest under the Local Heritage Strategic Planning stream to develop a community wide strategic plan for the preservation, enhancement and value adding of all forms of our Walcha heritage.

Expressions of Interest are invited from owners and managers of local heritage items, local councils and organisations who are seeking support for projects and programs that will enhance and protect local heritage assets and values, either through minor works conservation projects, community-based events and activities, or the development of innovative heritage processes, strategies and plans.

The Heritage Near Me Roadshow Team will work closely with all successful applicants to this program to develop detailed project plans with a view to further collaboration in the implementation stage.

The Local Heritage Strategic Projects program is open year round, subject to available funding

Grants up to \$100,000 are available.

<http://www.environment.nsw.gov.au/topics/heritage/support-for-local-heritage/heritage-near-me-incentives-program>

Submitted to Council: 28 June 2017

..... General Manager Mayor



Applicant Information and Guidelines

Local Heritage Strategic Projects program 2016-17

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Published by:

Office of Environment and Heritage
59 Goulburn Street, Sydney NSW 2000
PO Box A290, Sydney South NSW 1232
Phone: +61 2 9995 5000 (switchboard)
Phone: 131 555 (environment information and publications requests)
Phone: 1300 361 967 (national parks, general environmental enquiries, and publications requests)
Fax: +61 2 9995 5999
TTY users: phone 133 677, then ask for 131 555
Speak and listen users: phone 1300 555 727, then ask for 131 555
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See also www.environment.nsw.gov.au

OEH 2017/0060
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Introduction

Heritage Near Me is an initiative of the Office of Environment and Heritage (OEH), and an innovative program that empowers NSW communities to protect, share and celebrate their local heritage. The program has been developed to address an identified gap in current heritage programming.

The Heritage Near Me Incentives program includes three grant streams:

- Local Heritage Strategic Projects program
- Local Heritage Activation Grants program
- Heritage Green Energy Grants program

These guidelines are for the Local Heritage Strategic Projects program.

Program purpose

The Local Heritage Strategic Projects program will provide support to local communities to enhance and protect their local heritage assets. The key focus of the program is to drive reform and innovation to improve the long term sustainability and management of NSW's heritage spaces and values.

All projects supported through the Local Heritage Strategic Projects program will be developed and implemented in collaboration with the Heritage Near Me Roadshow team.

This framework will:

- allow communities and councils to strategically establish local priorities
- provide opportunities for collaboration across a number of stakeholders
- facilitate projects involving multiple owner/managers, heritage items, organisations, beneficiaries and participants
- facilitate community, organisation and Council access to specialist heritage assistance
- provide opportunities for community skills development and training in heritage processes
- actively support improvements to the internal processes and procedures which Councils have in place for heritage management.

The funding is targeted at:

- owners and managers of local heritage items – to undertake minor works, seek design guidance and access expert technical advice and services in order to preserve and enrich the values and significance of local heritage
- local government – to support best-practice heritage management
- managers of projects that seek to connect a local community with its heritage
- managers of activities and programs that will lead to a broader understanding of diverse heritage values within a local community.

Application Process

Applicants are invited to submit an expression of interest (EOI) through the SmartyGrants online grant management system, in line with OEH grants processes, and provide an overview of their proposed project. These will be accepted throughout the year.

The link to the application form can be accessed from the [Heritage Near Me Incentives program](#) page.

All applicants will be asked to identify one of four project categories that their activity falls under. EOIs will be assessed against both the priorities established for the current program period, and the general assessment criteria used in all OEH funding programs. Further detail on the categories, priorities and criteria is provided below.

The Heritage Roadshow Team will collaborate with successful applicants to develop project scopes, identify other collaborators, source specialist expertise and resources, and support the implementation and evaluation phases as appropriate.

Who can apply?

EOIs are sought from a wide range of applicants, including owners and managers of heritage items, local government, and businesses and organisations seeking to develop projects that meet the program's priorities.

Projects that are eligible for funding through existing OEH heritage funding programs are not eligible for funding through the Heritage Near Me Incentives program. Owners and managers of heritage items listed on the State Heritage Register (SHR) or gazetted as an Aboriginal Place are urged to review the State Heritage Grants programs on the [NSW Heritage Grants](#) page before submitting an EOI.

Project categories

The Local Heritage Strategic Projects program will support projects under the following four project categories.

Support sustainable futures for heritage

- Projects under this category must benefit a heritage item listed in a local council's Local Environmental Plan
- Projects may include conservation and restoration works, and the production of reports, plans and strategies supporting the development and implementation of such works.
- Financial support for building works will generally be limited to the 'heritage deficit' i.e. the additional cost to a project due to heritage concerns, restrictions or requirements.
- Priority will be given to projects which:
 - involve a number of owner/managers and/or multiple heritage items
 - include an opportunity for skills development or training
 - demonstrate opportunities for community participation and the sharing of heritage values
 - are part of a community plan or priority.

Connect communities and heritage

- Projects, programs, activities or events which aim to raise community awareness of local heritage will be considered under this category. This could include:
 - interpretation and planning strategies
 - heritage tourism plans and strategies

- festivals and events.

Support effective heritage management

- This category is for projects that support the establishing of an effective heritage stewardship model for NSW, such as:
 - community engagement and facilitation programs
 - the development of strategies for identifying, managing and celebrating local heritage
 - inventory update and management.
- Local government is envisaged as the principal applicant under this category, but projects from other applicants will be considered.

Diversify understanding of heritage values

- Projects, programs, activities or events that lead to communities broadening and diversifying their understanding of heritage values will be considered under this category. This could include projects that celebrate heritage outside the building environment, such as:
 - Aboriginal cultural heritage
 - stories of particular groups or industries e.g. migrant or mining
 - heritage conservation areas
 - natural heritage.

Priorities for 2016-17

Priority will be given to projects that:

- are collaborative and multi-disciplinary
 - projects that are inclusive of different types of heritage and involve collaboration with multiple partners including community groups, not-for-profit and for-profit organisations and local government
- support long term sustainability through the transfer of skills, knowledge and experience
 - projects that can demonstrate a reasonable expectation that it will lead to an increased capacity in the community to manage and protect their heritage
 - projects that demonstrate in their design that knowledge and/or skills in restoration and conservation will be transferred to groups or individuals in the local community
- address an identified community need
 - projects that demonstrate a likelihood of resulting in quantifiable social or cultural benefits
- increase awareness of local heritage values
 - projects that include opportunities for increasing community use and awareness of, and participation in, its local heritage.

General assessment criteria

All EOIs will be assessed against the general assessment criteria common for all OEH funding programs.

Economic sustainability

Projects should demonstrate a reasonable expectation of culminating in an activity that will contribute to the long-term sustainability of local heritage.

Public benefit and enjoyment, community leadership

Priority will be given to projects that can demonstrate a reasonable expectation of a community's increased awareness and enjoyment of its local heritage as a direct result of the funding, and that can also demonstrate inclusivity and accessibility.

Innovation

Projects that are innovative, creative, unusual, provide new solutions, demonstrate imagination and are likely to generate anticipation, excitement and discussion in the community will be highly regarded.

Capacity and commitment to undertake and complete the project

Applicants should demonstrate both a willingness to contribute human and financial resources to the project, and a level of competence in project and budget planning appropriate to the project.

Assessment process

Assessments of the EOIs will be completed by the Heritage Near Me Roadshow team in collaboration with a specialist assessment panel and submitted to the Executive Director, Heritage for his/her approval under delegation.

Members of the Roadshow team will be allocated to each successful project to collaborate in the development of the project scope, including all budgeting, resourcing, scheduling, monitoring and reporting requirements.

At this stage, project scopes will be assessed once again by the specialist assessment panel, and successful projects will be advanced to the implementation stage.

Both assessments will be against the priorities and general criteria outlined above.

Successful and unsuccessful applicants will be notified in writing of any assessment decisions as soon as possible.

Agreement

Participants in the Local Heritage Strategic Projects program will be required to enter into an Agreement which specifies the terms and conditions attached to the particular project. All participants are expected to contribute fully to the acquittal and evaluation process.

The names of collaborators, stakeholders, project details and amount of assistance approved will be made public.

Key contact details and further information

To contact the Heritage Near Me program by phone: 02 9873 8544 or email: heritage.nearme@environment.nsw.gov.au.

For more information about the Local Heritage Strategic Projects program visit the [Heritage Near Me Incentives program](#) page.



Ref: WO/2017/00955

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

Item 9:
Management
Review Reports

Submitted to Council: 28 June 2017

..... General Manager Mayor



FINANCE AND ADMINISTRATION

9.1 Listing of Bank Balances for the Month of May 2017

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

	<u>2017</u>	<u>2016</u>
General	\$1,999,485.89	\$Not available

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)	\$ 35,828.35	\$ Not available

9.2 Investments (Local Government (Financial Management) Regulation 1993, Clause 19 (3) (A) for May 2017

Please see the following Report for the investments placed in May 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

Submitted to Council: 28 June 2017

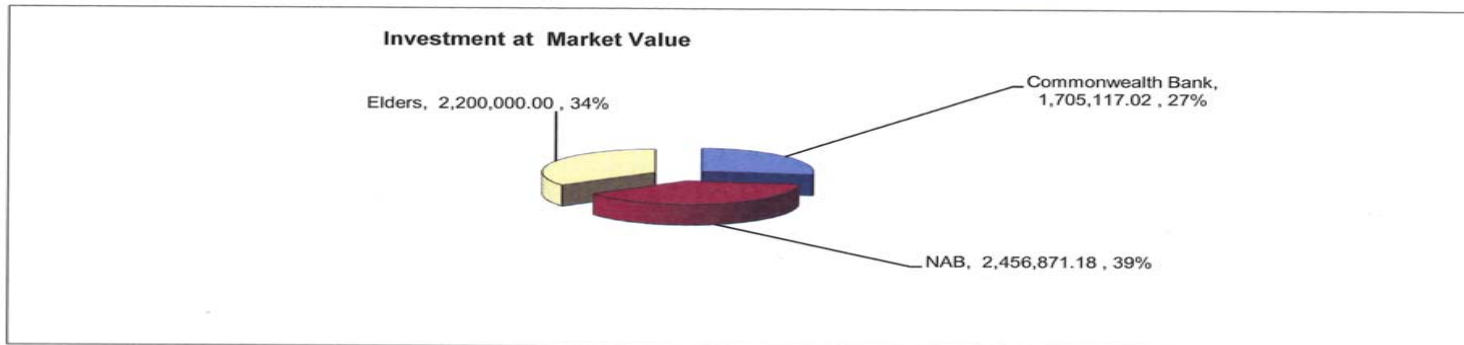
..... General Manager Mayor



REGISTER OF INVESTMENTS TO 31/05/2017

Institution	Type	Placement Date	Term (Days)	Maturity Date	Rate	Est. Interest	YTD Interest	Amount Invested	YTD Redemption	Est. Market Value At 31/05/17	MV % of Portfolio	
National Australia Bank	Term Deposit			30-Jan-17			9560.62	-	509,927.26	-	0.00%	
National Australia Bank	Term Deposit			30-Mar-17			4966.40	-	504,966.40	-	0.00%	
National Australia Bank	Term Deposit			30-May-17			14888.49	-	499,999.00	-	0.00%	
National Australia Bank	Term Deposit	16/10/2016	243	16-Jun-17	2.90%	9380.16	7584.24	485,846.09	-	485,846.09	7.64%	
National Australia Bank	Term Deposit	16/10/2016	243	17-Jun-17	2.90%	9653.41	17517.45	499,999.00	-	499,999.00	7.86%	
National Australia Bank	Term Deposit	1/03/2017	134	13-Jul-17	2.45%	8642.64	16748.95	960,878.74	-	960,878.74	15.10%	
Elders Rural Bank	Term Deposit	29/04/2017	120	29-Aug-17	2.55%	5449.32	13201.69	650,000.00	-	650,000.00	10.22%	
Commonwealth Bank	Term Deposit	17/09/2016	365	17-Sep-17	3.00%	10118.45	6197.18	337,281.82	-	337,281.82	5.30%	
Commonwealth Bank	Term Deposit	30/11/2016	296	26-Sep-17	2.65%	10887.16	5639.88	506,605.63	-	506,605.63	7.96%	
Elders Rural Bank	Term Deposit	28/03/2017	180	28-Sep-17	2.65%	12415.07	22516.41	950,000.00	-	950,000.00	14.93%	
Elders Rural Bank	Term Deposit	4/04/2017	180	04-Oct-17	2.65%	7841.10	0.00	600,000.00	-	600,000.00	9.43%	
Commonwealth Bank	Term Deposit	30/11/2016	326	26-Oct-17	2.66%	20460.93	9587.79	861,229.57	-	861,229.57	13.54%	
National Australia Bank	Term Deposit	28/04/2017	210	28-Nov-17	2.50%	7337.74	14421.33	510,147.35	-	510,147.35	8.02%	
							102,186	142,830	6,361,988.20	1,514,892.66	6,361,988.20	100.00%

Capital Value of Portfolio	6,361,988.20
Redeemed Value of Portfolio	1,514,892.66
Market Value of Portfolio 31/05/17	6,361,988.20
Estimated Profit/(Loss) 31/05/17	6,361,988.20



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: 28 June 2017

..... General Manager Mayor



9.3 Work, Health & Safety

May 2017

Workplace Incidents – Nil.

Motor Vehicle – Three minor plant incidents were recorded, none of the incidents resulted in an insurance claim.

Public Liability – One Public Liability Incident on a WCCC excursion – the Ambulance was called with no serious injury sustained.

9.4 Tourism Report

May/June 2017

Number of visitors to VIC

May	2017	2016	2015	2014
Walk in's	571	484	364	394
Phone enquiries	15	25	20	16
Email enquiries	1	0	1	1

Website	May	April	March	February
Visits	2,580	3,656	4,781	4,232
No of Hits	119,834	151,660	147,496	173,158

Ulysses Club AGM in Wauchope

The Ulysses Motorcycle Club held their AGM in Wauchope from May 22-28. We had increased motorcycle traffic and visitors over this period.

Proposed Walcha Sculpture Symposium

Walcha Tourism; Lisa Kirton and Susie Crawford, along with some members from the *Arts Advisory Committee*, Stephen King, James Rogers and John Heffernan have formed a Committee to organise the proposed symposium. We have applied for funding through a *Regional Partnerships Grant* with *Create NSW* and are looking into a few other smaller grants to support this event also. The event proposal is to host four high quality artists, chosen through an application process and selected by an independent judge, to complete one sculpture each over a ten day period in a public place so that the general public can see the formation of these sculptures from a work in progress to a realised piece of art. These four sculptures will be added to the Open Air Gallery permanently.

John Oxley Bicentennial Celebration and Brochure

Walcha Tourism; Lisa Kirton and Susie Crawford, along with some members from the *Walcha District Historical Society*, Nerida Hoy and Jane Morrison are working on an event to celebrate 200 years since John Oxley explored this region and came to Walcha. The brochure is expected to be launched this year and will be a permanent addition to the line up of Walcha brochures in the Visitor Information Centre. We are in the process of approaching other community groups to participate in the celebrations by the way of organised motorcycle rides, bicycle rides, guided tours of the Apsley Falls, horse rides or any other activities.

Submitted to Council: 28 June 2017

..... General Manager Mayor



NPWS Famil-Tours

On Tuesday 13 June National Parks offered us a famil-tour to Muluerindie Cabin in Warrabah National Park. The Tourism Manager and Officer were unable to attend so the famil-tour was offered to two of our valued volunteers, Janet Dunbar and Mary Brearley. They both enjoyed the day and appreciated the opportunity. The Tourism Manager and Officer hope to do this famil-tour another time if the opportunity arises. Thursday 22 June another famil-tour is organised for East Kunderang Homestead. The Tourism Manager and Officer will attend this famil-tour.

Susie Crawford
Tourism Manager

9.5 Grant Information

Grants Currently Applied for:

Name of Grant:	Purpose of Grant:	Amount Requested:	Council Contribution:	Date Outcome Announced:
Fixing Country Wash Bay Grants	Truck Wash Bay	\$578,000	\$22,000	Successful
National Volunteer Grants	Equipment to facilitate and support people who volunteer	\$5,000	Nil	Unsuccessful
ClubGrant, Local Arts and Cultural Infrastructure.	Increase Participation and Drive Cultural Tourism.	\$300,000	TBD – multiple submissions	Unknown.
Transitional Assistance Program for Local Councils	Assistance to implement the NDIS	\$10,000	Nil	Unknown
OLG – Innovation Fund Round 2	Purchase & implement LG Solutions Financial Control Centre	\$24,250	\$17,500	Closing Date: 090617
OLG – Innovation Fund Round 2	Implement reciprocal internal audit function with Uralla Shire Council	\$30,000	\$10,250	Closing Date: 090617
Regional Growth – Marketing & Promotion Fund	Promote Walcha as a great place to live, work and conduct business	\$13,387	\$5,000	End of June
Regional Growth – Marketing & Promotion Fund	Attend GP17 RACGP conference	\$6,290	\$1,000	End of June

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..... General Manager Mayor



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
Youth Opportunities Program	One-off, time-limited grants of up to \$50,000 for youth-led and youth-driven community projects that have a positive youth development focus.	26 June 2017

Website Links:

- <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://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.lgnsw.org.au/files/imce-uploads/127/cremf-introduction-1.pdf>
- <http://youth.nsw.gov.au/youth-opportunities/>

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ENGINEERING SERVICES

9.6 Wages & Overtime Summary

Pay Period	Week Ending	Overtime Hours	Amount (\$)
47	14/05/2017	71.00	3,420.34
48	21/05/2017	120.25	5,781.97
49	28/05/2017	63.75	3,150.58
50	04/06/2017	87.50	4,507.08
TOTAL		342.50	\$16,859.97

9.7 Shire Roads Maintenance

Local Roads & Bridges - Projects:
Design and Construct – Five Bridges Tender.



Waeger Constructions are continuing their works on site, and have finalised the Aberbaldie and Flags Niangala Bridges. Both bridges require some minor abutment works and Guardrail installation which is expected to be complete shortly. The bridges will be opened once these final stages are complete.



The Kangaroo Flat Bridge has commenced as pictured below and to the left the Piles have commenced, as has abutment and column works. Bridge construction is expected to commence during June, with guard rail and finishing works to commence in early July.



Regional Roads – Projects:
Bergen Bridge Widening:



The Bergen Bridge Widening is progressing very well. The Bridge construction works is now complete. Guard Rail has been installed on the opposing side of the bridge widening.

The in-situ deck pour has been successfully completed, Council is currently in a curing period as the concrete must reach 28 days prior to opening to traffic.

Local Government Engineering Services have been engaged to complete the approach designs to the bridge, which

are currently being constructed. The works are progressing well, with Councils final trim crew are close to arriving on site to complete the project.





Pandora Rehabilitation:



The Pandora Rehabilitation – Roadworks Component commenced on 23 May 2017.

This portion of the work will include placing a 170mm overlay of crushed gravel, stabilising the pavement with 70/30 slag lime and compacting the mixed pavement. Some minor curve amendments and shoulder widening will allow for greater safety on this section of the Thunderbolts Way.

The project is progressing well, with the overlay complete. A delay on gravel crushing occurring at the Millbank Quarry has delayed the project, which is now progressing. The project is expected to be complete in late June.

State Roads – Projects:

Oxley Highway Heavy Patching:



Council is currently close to finishing a month long heavy patching project on the Oxley Highway. This year the program not only focused on segments that will be resealed next financial year but focused on safety concerns. The program extends from Congi in the west to 5km East of Rushbrook to the East. During this program to small rehabilitations will also be accomplished, with these rehabilitations targeting areas that are currently failing, the result will be very positive for the Oxley Highway.



Bergen Culverts Project:

The Bergen Culverts Project is an additional request from the RMS to install a six cell 1200mm pipe culvert structure on the Oxley Highway. This will include the installation of

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..... General Manager Mayor



a bypass track, culverts and a 15m long in-situ concrete headwall. The project is running well and it is expected to be complete in early July.

Urban – Projects:

Streetscape:

Streetscape has commenced for the 2016-17 portion of this greater project. This year the parks and gardens crew will advance to pass NAB and finish on the corner of Derby and Apsley Streets. The project has progressed very well, and has greatly improved the aesthetics and quality of the footpath in the area. A new garden and seat will be installed between the Council Chambers and NAB, making for a great spot to rest along this central footpath.

Completed Maintenance Snapshot:

Local Roads	
Maintenance Grading:	Roads:
	Blue Mountain
	Hazeldean
	Uruga
	Aerodrome
	Scrubby Gully
	Willow Tree
	Ruby Hills
	Tallara
	Gills
	Oaklahoma
	Rowley's Creek
	Lockyer's Lane
Bypass Tracks	Roads:
	Kangaroo Flat
Vegetation Control	Roads:
	Wollun
	Bergen
	Niangala
	Flags Niangala
	Glen Morrison
Clean Culvert	Roads:
	Tia Diggings
Slashing	Roads:
	Brackendale
	Bergen
State & Regional Roads	
Oxley Highway Maintenance:	Tasks:
	Sign Maintenance & Repair
	Servicing Rest Areas
	Vegetation Control



Regional Roads:	Tasks:
	Repair Potholes
	Vegetation Maintenance
	Service Rest Areas
Urban Roads	
Urban Maintenance:	Tasks:
	Sporting Ground Maintenance
	Town Street Cleaning
	Parks and Garden Maintenance

Proposed Works for the Coming Period:

Shire Roads:

- ◆ Grading will take place on Chinnooks, Echo Point, Riverside, Bukeiro, Brooklyn and Lakes Roads.
- ◆ Continue works on the Design and Construct 5 Bridges Contract with the aim of finalising these projects in the new financial year.

State & Regional Roads:

- ◆ The “Pandora” Rehabilitation which is an extension of the “Yerrawun” Rehabilitation on the Thunderbolts Way will continue and be finalised in late June.
- ◆ Complete the Bergen Bridge Widening Project.
- ◆ Complete the Bergen Culverts Project on the Oxley Highway.
- ◆ Complete the Heavy Patching and Targeted Rehabilitations Project.
- ◆ Maintenance:
 - Pothole Patching.
 - Drainage Works.
 - Vegetation Maintenance.

Works In Town:

- ◆ Streetscape Maintenance
- ◆ Sporting grounds maintenance.
- ◆ Town Mowing - parks, gardens and cemeteries.
- ◆ Town Garden Maintenance.
- ◆ Complete Streetscape to complete the Apsley Hotel corner.

Dylan Reeves
 Director – Engineering Services

9.8 Water

Level 1 Restrictions– introduced 29 June 2016, target usage 250 – 290 Litres/Person/Day
 Water usage for the month of May 2017 was as follows:

- ◆ Monthly Usage – 15.90 Mega Litres (5 week month)
- ◆ Usage per person per day – 307 Litres

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..... General Manager Mayor



Emergency Town Water Supply

Construction work and commissioning is now complete on the emergency town water supply at “Muluerindie”.

Water Treatment Plant (WTP) Augmentation

Work still continues on a few final tasks on this major upgrade project.

Final testing of all of the new chemical dosing systems has been carried out but two failed commissioning; these two systems still require fine tuning by the supplier.

The dedicated workstation for the monitoring systems has proven to be defective and a replacement is being sought.

9.9 Sewer

Sewer Treatment Plant (STP) Upgrade

Infrastructure NSW has finally announced that the upgrade and expansion of the Waste Water Treatment Plant will receive funding through the NSW Government \$110 million Regional Water and Wastewater Backlog Program. Council is to receive \$900,000 / 50% of the project costs. Preparatory work has commenced on this project.

STP Crown Land Acquisition

Council bought forward the purchase of the land adjacent to the STP to allow for environmental works to commence that will deal with legacy algal bloom issues from last summer in the tertiary treatment pond. These works will be undertaken in preparation for the next hot weather conditions so that the plant is able to satisfactorily mitigate the potential for any future algal blooms from the tertiary treatment pond. This work will be undertaken in accordance with the approved upgrade works.

Council will continue to pursue the request for the land to be ‘gifted’ to Council by Crown Lands.

9.10 Waste

Community Recycling Centre (CRC)

The CRC (hazardous waste collection) facility was officially opened Friday 23rd June. Council will undertake community advertising and promotion of this new facility.

Waste Strategy

The waste strategy by Impact Environmental has now been finalised and Council has requested a proposal to prepare a master plan from waste industry engineering consultants. The plan is to include concept designs of the main items/key concerns from the waste strategy, such as leachate and storm water management and construction of a new landfill cell. And ultimately the master plan will form the basis for estimated costings for operational costs and future costs (which include building reserves for capping, remediation and asset replacement). The completion of the plan is expected to take 4-6 months.

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..... General Manager Mayor



Proposed upgrades of Woolbrook & Nowendoc landfills:

Woolbrook Landfill – Summary - The ‘Woolbrook Landfill Closure and Conversion to Waste Transfer Station Project’. The security fencing installation is complete and work has commenced on a ‘Closure Plan’. Unfortunately suitable capping material is not available from Council’s stocks so alternate capping material is being sourced. The closure plan is to be submitted to the EPA prior to further works being undertaken.

Nowendoc Landfill – Summary - The Nowendoc Landfill Environmental Improvement Project will implement environmental improvements such as security fencing; improved drainage; provision of onsite collection receptacles for the separation of recyclables.

Installation of the security fencing has been indefinitely postponed as alternative fencing contractors are being wanted. The new design work is progressing well and requests for quotes to undertake the earthworks are being sought.

Tess Dawson
Senior Manager - Water, Sewer & Waste

Submitted to Council: 28 June 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.

9.11 Development

Development Application (DA) Data		
	2015/2016	2016/2017 YTD
Total Number of DAs Determined	35	19
Number of DAs Outstanding	-	2
Average Determination Time (days)	28.17	31.5
Value of DAs	\$3,866,140	\$4,110,200
Number of Single New Dwellings	6	7
Residential	1	1
Village / Large Lot Residential	2	1
Rural	3	5
Number of Multi Unit Dwellings	1 (9 units)	0
Number of Commercial Developments	3	3
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	8
Value of CDCs	\$659,900	\$324,300
Number of Single New Dwellings	1	0
Residential	1	0
Village / Large Lot Residential	0	0
Rural	0	0

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..... General Manager Mayor



**Development Applications and Complying Development Certificates
 Determinations issued – May 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	
10.2017.6	Construct new single storey dwelling	14237 Thunderbolts Way, Walcha
10.2017.7	Erect new two car garage	111N Lagoon St, 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	130	12

9.12 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	1
	Intention	0	0	0
	Order	0	0	0
Accumulation of waste (Order Number 22, Section 124 Local Government Act 1993)	Warning	3	3	0
	Intention	0	0	0
	Order	0	0	0
Keeping of animals (Schedule 2 Local Government Regulation 2005 & Council Policy)	Warning	8	6	0
	Intention	2	1	0
	Order	0	0	0
Nuisance dog (Section 32A Companion Animals Act 1998)	Warning	0	0	2
	Intention	0	2	0
	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	2
	Intention	0	0	0
	Order	0	0	0
Companion animal microchipping & registration (Sections 8 & 9 CA Act 1998)	Warning	0	4	1
	Intention	0	0	0
	Order	0	1	0
Vehicles and traffic on nature strip (NSW Road Rules 2014)	Warning	0	13	19
	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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For information purposes a summary of the number of customer requests received is provided.

Environmental Services Customer Requests May 2017	
Barking dogs	3
Dog attacks	0
Roaming dogs	2
Roaming stock	0
Other animal issues	1
Public buildings / amenities	0
Food premises	0
Overgrown land	1
Accumulation of waste	0
Environmental pollution	0
Illegal building works	0

Tree Management Applications (TMAs)

A Tree Preservation Order exists over the town of Walcha to promote the retention of trees and tree cover and to conserve as far as is practical the existing pattern of vegetation, 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	25	3
Approved (under delegation)	17	22	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.

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..... General Manager Mayor



For information purposes a summary of the food surveillance activities undertaken for the 2016/2017 year as at 22 May 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	26	5	0	2	2	34
No. Re-inspections	2	0	-	-	0	2
No. additional Re-inspections	0	-	-	-	-	0
No. FSS Required	21					21
No. FSS Current	19					19

9.13 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
Apr	0	0	0	0	0	0	\$0.00
May	1	0	2	0	0	0	\$97.00

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Companion Animals Seizures 2016/2017						
	Seized	Surrendered	Released	Rehomed	Euthanased	Stolen/Escaped
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
Apr	3	0	0	0	1	2
May	1	0	1	0	0	0

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..... General Manager Mayor



COMMUNITY SERVICES

9.14 Walcha Council Community Care

May 2017

Groups

Women’s Group and Wanderer’s Group

3 May 2017 – 27 clients from the Women’s Group and the Wanderer’s Group attended morning tea at the Community Day Centre Rooms. The guest speaker for the morning was Peter Sargeant from National Clinical Services in Armidale. Peter talked to the group about sleep apnoea and sleep hygiene.

17 May 2017 – 28 ladies attended the morning held in the Community Day Centre Rooms. The theme for the day was “Mothers Day” as the day had just been celebrated on the Sunday before. The room was beautifully decorated and the elegant high tea crockery was a special treat for the occasion. Lunch was held at the Apsley Arms Hotel.

Wanderer’s Group

10 May 2017 – The group enjoyed morning tea at the Community Day Centre Rooms.

24 May 2017 – The Wanderer’s Group travelled to Uralla for the outing trip for May. The group visited the Library and Information Centre and had lunch at the Uralla hotel.

Men’s Group

9 May 2017 – 17 gentlemen attended morning tea in the Community Day Centre Rooms.

23 - 24 May 2017 – 22 gentlemen attended the overnight trip to the Hunter Region around Singleton and Maitland. Leaving early Tuesday morning the first stop was at Wallabadah for morning tea and a look at the First Fleet Memorial Park. The group then headed on to Singleton where lunch was held at the Imperial Hotel bistro. The group found the visit to the Lone Pine Barracks, Australian Infantry Museum extremely interesting and really appreciated the vast collection of memorabilia and exhibits that were magnificently displayed in well lit glass cabinets. The Infantry Museum collects, preserves and exhibits the history of Australian infantry from the Sudan War, 1885 to the present.



Submitted to Council: 28 June 2017

..... General Manager Mayor



Submitted to Council: 28 June 2017

..... General Manager Mayor



Submitted to Council: 28 June 2017

..... General Manager Mayor



The Poppy Wall display in the Museum



Completing the tour of the Infantry Museum, the Group boarded the bus to continue on to the accommodation at the Motto Farm Motel. The staff at the Motel were very friendly and helpful and provided a lovely relaxed environment in the dining area where the Group met for dinner and a social evening together.

The following morning the Group enjoyed the trip through the town of Morpeth on the way to visit Richmond Vale Railway and Mining Museum. The Group was spoilt with a delicious morning tea before climbing aboard the steam train “Marjorie” where we chuffed along the railway line and back again for an hour. A barbeque lunch was served in the venue at the Railway Museum before the Group set off for the journey back to Walcha.

Submitted to Council: 28 June 2017

..... General Manager Mayor



The group looking at "Marjorie" the steam train before leaving for the train ride



Brian Glanville enjoying the steam train and the beautiful old carriage



Dick Bowden, Eric O'Keefe and Bryan Hughes

Submitted to Council: 28 June 2017

..... General Manager Mayor



Burge Blomfield and
Lloyd Levingston
taking in the view
while on the train ride



George Lawrence and
Bryan Hughes enjoying
themselves on the steam
train



Peter Sendall enjoying
the luxury of the leather
seats on the steam train





Margie Carter and Brian Glanville both blowing the whistle on the steam train "Marjorie"



Submitted to Council: 28 June 2017

..... General Manager Mayor



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

May 2017 – The UFO Group were in recess, however the group are looking forward to resuming in the new financial year.

Transport– May

Medical drives –12 clients utilized the service with 19 trips during May 2017.

Access bus – 8 clients used the service making 58 trips.

Bus to Tamworth – 6 clients used the service on 26 May 2017.

Bus to Armidale numbers for May were as follows:

- ◆ 2 May 2017 – 6 clients – Uralla Service using TCT Bus and Driver
- ◆ 9 May 2017 – 6 clients – Uralla Service using TCT Bus and Driver
- ◆ 16 May 2017 – 6 clients – Walcha Service
- ◆ 23 May 2017 – 4 clients – Uralla Service using TCT Bus and Driver
- ◆ 30 May 2017 – 7 clients – Walcha Service

Taxi Vouchers – 9 clients used the Taxi Vouchers with Walcha Taxi Service and Walcha Community Transport in May with a total of 84 Taxi Vouchers returned.

Meals on Wheels

For the period of 1/5/2017 to 31/5/2017, there were 15 clients who received hot main meals with 4 of those clients also receiving frozen meals for the weekend. There were 4 clients who received frozen meals. The total number of meals for the month of May was:

- ◆ 253 Hot meals,
- ◆ 117 frozen meals and
- ◆ 224 desserts.

Rural and Remote Exercise Groups

11 clients attended at Nowendoc during May 2017.

Feedback and Complaints

Nil Feedback to report for May.

Meetings and Training

2 May – Walcha Council Community Care Quality Review

9 May– Dementia Support Group meeting held at the Community Day Centre Rooms.

10 – 11 May – Transport Forum held the Play House Hotel in Barraba.

25 May – Elaine Bartholomew and Cathy Noon attended a workshop facilitated by Glen Sorrenson. The workshop was funded through New England Sector Support Team and was held at the Bowling Club in Armidale. The workshop title was “Developing a Wellness and Reablement Action Plan”.

Cathy Noon
Community Care Coordinator

Submitted to Council: 28 June 2017

..... General Manager Mayor



9.15 Library

April 2017

The Karly Lane author talk went really well. Karly was a delight to listen to and I'm sure all who attended would agree that she was great. We had around 15 people attend the talk, which considering the time (2pm on a Thursday) was a good turn out for our community. Karly was more than happy to stick around to chat and sign books well after her talk, which I think was what made her visit so special.

School holiday programs are well underway. I am just about ready to publish the program however I am still waiting on some last minute details. This is probably our biggest program yet, with 8 possibly 9 programs organized. We have a few new activities this time round which I'm sure the kids of Walcha will enjoy. Tamworth have announced they will be running another Makerspace (STEM) workshop at the library, which is fantastic news. I am trialing a Lego workshop this time round and I am particularly eager to see how it goes. If it is successful I hope to establish a permanent Library Lego Club which would run 1-2 afternoons a week after school.

I mentioned in my last report we would be starting a new program 1,000 Books Before School in June, however I have pushed this back to July to allow for more advertising and admin organisation. Cassie McKenna, put a great display together in the library for Reconciliation Week (23 May – 3 June), which made the front page of the Walcha News, a big well done to Cassie. More and more kids are coming into the library and making use of our Makerspace trolley, I think parents are particularly fond of this section as it gives them a chance to search for their books in peace.

To end my report on a very positive note, recently we had a couple who came to stay in Walcha for a month. During this time they certainly made good use of our library services. Unfortunately their time came to head back home (Canberra), and on their last visit to the library they stated how appreciative they were of the services offered and the help they received from the library. They said that the library was one of the best parts of their visit. This made me very happy and once again reiterated how important public libraries are for small communities like us!

Madison Garrad
Library Coordinator/Youth Worker



Two of our regular library users, Jess and Lisa Patterson-Kane. Jess loves coming to the library to do craft.

Submitted to Council: 28 June 2017

..... General Manager Mayor



9.16 Preschool

There has been a focus on dental health over the last few weeks with Armajun Aboriginal Health coming to preschool to talk to the children about how to look after their teeth properly. They read a story and demonstrated how to brush teeth correctly. The story provided the children with lots of information relating to dental health including what foods to avoid and which foods to eat to keep your teeth healthy. To follow up this education the children did an activity called “Happy Tooth, Sad Tooth” where they would cut out images of food products and glue them under either the happy tooth or the sad tooth depending on if they are good or bad for your teeth.



With the majority of the children being interested in farming and taking the cows to the sale yards preschool extended the children’s play by setting up a butcher’s shop for the children to play with. This was so popular an excursion to Walcha Prime Meats was organised so the children could witness another set in the farming process. On the excursion Clint made sausages so the children could witness the whole process from start to finish. Clint then showed the children brains, kidneys and then they all got to feel a tongue. Clint then showed the children a lamb and a hindquarter and a forequarter of beef from the cool room. One child asked what the ban saw was for and Clint demonstrated by cutting up some ribs. Clint gave us the sausages he made and then for lunch the children had a sausage sandwich.



Submitted to Council:

28 June 2017

..... General Manager Mayor



Each year the transition children attend the Life Education van at St. Patrick’s school and this year there were 19 children that attended the children learnt about all the things they need to do to keep their bodies healthy including eating healthy, sleeping, washing, breathing clean air, having shelter and being loved. The children also got to have a play on the climbing equipment at the school which was a great way to allow the children to move so they are ready to pay attention. The children were then given Healthy Harold workbooks, recipe cards and stickers.



Zoe Herbert
Preschool Nominated Supervisor

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

Submitted to Council: 28 June 2017

..... General Manager Mayor



Item 10:

Committee
Reports

Submitted to Council: 28 June 2017

..... General Manager Mayor



Walcha Council Tourism Advisory Committee Meeting

held on

Wednesday, 14 June 2017

at

10:30am

at

Walcha Council Chambers

PRESENT:

Clr Jennifer Kealey (Chairperson), Patrick Lupica on behalf of Roger Mills (NPWS), Louise Clarke, Jane Morrison, Doug Laurie, Lisa Kirton (Tourism Officer) and Susie Crawford (Tourism Manager).

1. APOLOGIES:

Vanessa Arundale, Casper Ozinga, Neil Smith, Roger Mills (NPWS)

The Committee **RESOLVED** on the Motion of Kirton and Crawford that the apologies be accepted.

MINUTES



2. MINUTES OF THE MEETING HELD ON 23 FEBRUARY 2017:

The Committee **RESOLVED** on the motion of Kirton and Crawford that the minutes of the meeting of the Walcha Council Tourism Advisory Committee held at Walcha Council Chambers, Thursday 23 February 2017, copies of which were distributed to all members, be taken as read and confirmed a **TRUE** record.

3. BUSINESS ARISING:

3.1 Carson's Lookout – Facilities Upkeep

Carson's Lookout on the Thunderbolts Way, has previously been flagged as a public place that needs some attention. The lookout (toilet facilities and rubbish specifically) is often in a disgraceful state and although it is located in the (Gloucester) Mid Coast Shire it also reflects on the Walcha Shire. Walcha Council are already communicating with Mid Coast Shire regarding this, it will not be fixed overnight however steps are being taken towards remedying the situation. This topic is to be left on the agenda so we can be kept up to date with the progress of upkeep at Carson's Lookout.

Carson's Lookout – Walcha promotional signage

The recommendation that Council write a letter to the Mid Coast Council seeking permission to put Walcha promotional signage at Carson's Lookout was not adopted. Council felt that the amenities and upkeep needed to improve before we associated the lookout more heavily with Walcha.

Kirton and Crawford noted the presence of an enclosed notice board at the lookout which they thought would be good to have a Walcha Brochure displayed in. Crawford had enquired with Gloucester Council whether this would be acceptable, verbal acceptance of the idea was given by the Gloucester Visitor Information Centre. Crawford enquired further on how to go about getting this done. A response to the enquiry was not available immediately and communication regarding a response is yet to be returned. Crawford will follow up with the Gloucester office of Mid Coast Council again on how to obtain access to the locked noticeboard at Carson's Lookout.

3.2 Nivison Lookout

Council has written a letter to the Nivison family seeking approval for the name change of Nivison Lookout and the Koala Walk combined to the new name of the "Nivison Walk". The family accepted the idea on the proviso that signage be updated to reflect the change. Council are working on this.

3.3 Welcome to Walcha Signage

Dylan Reeves (Engineering, Walcha Council) has got some quotes regarding new signage on each approach town. Dylan was unable to be at today's meeting but we will invite him to the next Tourism Advisory Committee meeting to discuss.

3.4 Caravan and Motorhome Magazine

In the Caravan and Motorhome magazine No 247, published in June 2017, journalist, Fred Wright was doing an article on the Thunderbolts Way. He praised Walcha and many of our tourism assets and made the statement of the Walcha Caravan Park being the best they'd stayed in around Australia. This was a great promotion for Walcha.



3.5 Promote Apsley Falls as Accessible

Roger Mills was unable to be here today, Patrick Lupica (NPWS) reported that his proposal would be for NPWS to pay for the signage, and Walcha Council to seek approval from RMS and pay for the installation of the signage.

NPWS and Walcha Tourism to liaise and finalise what the end product of the signage will be. Suggestions:

Apsley Falls

'X' km on right/Left

Sealed access - 1km off Highway

Picture (RV friendly or caravan) Picture (disabled access)

Tia Falls

'X' km on right/Left

Patrick Lupica suggested two appropriate locations for the signage.

- Heading east; *'Waterloo Hill'* was suggested as there is a long approach, high visibility and heavy vehicle and recreational vehicle traffic would be often travelling at a slower pace due to the hill.
- Heading west; a little closer to Apsley Falls from the *'Stoney Creek Rest Area'* was suggested, allowing a two to three kilometre lead up to the Apsley Falls entrance.
 - (Appendix A – a map marking the two proposed locations)
- It was suggested that we do the same for Tia Falls but with less information.

Patrick Lupica will take the recommendation back to Roger Mills that the payment of signage be covered by National Parks and Wildlife Service.

The Committee RECOMMENDED that Council seek approval for signage on the Oxley Highway, on the lead up to both Apsley Falls and Tia Falls access points, from Roads and Maritime Services.

The Committee RECOMMENDED that Council pay the costs associated with installation of the signage.

4. GENERAL BUSINESS

4.1 Welcome to New Committee Members

Louise Clarke has a background in finance, owns an organic farm and B&B at Yarrowitch. Louise hopes to strategically help with new ideas.

Jane Morrison has a background in tourism and hospitality, and is experienced in sitting on boards, as a member of the board of the Inbound Tourism Organisation of Australia. Jane also hopes to bring new ideas to the committee.

4.2 Proposed 5th Walcha Sculpture Symposium

Expressions of Interest have been lodged for grant applications with Create NSW, towards funding the Walcha Sculpture Symposium. If successful in obtaining funding the event would be held next April. The proposed structure of the event is to have four quality artists to create one sculpture each over a ten day period. The creation of the sculptures is proposed to be accessible to the public to make the symposium a culturally rich event where the general public can witness the work in progress of a hatched idea to a realised sculpture. The finished sculptures will then become additions to Walcha's Open Air Gallery.



4.3 Heritage Near Me

New members were informed of the Heritage Near Me opportunities. The whole committee were updated on the progress. Heritage Near Me, through the Department of Environment and Heritage were invited to present to Council last month. It was recommended by Council to submit Expressions of Interest for funding a local heritage program. The way forward is to establish a holistic strategic plan on local heritage.

4.4 Bicentennial National Trail (BNT)

Louise Clarke has a lot of people doing the BNT stay at her place at Yarrowitch. Crawford and Kirton stated that we don't see a lot of people who are doing the BNT through the Visitor Information Centre. It was noted that the Bicentennial National Trail is more heavily used than it had been realised. It was suggested that we put a link to the BNT website on our Tourism website www.walchansw.com.au to promote more of an affiliation between the Trail and Walcha area.

4.5 Chinese Market – AGENDA ITEM FOR NEXT MEETING

Louise Clarke suggested somehow accessing the Chinese Market. Louise is taking several trips to China this year and will investigate how we might do this. The Chinese market is noted in tourism research as having evolved from “Guided Tour Bus” travellers to seeing an increase in “Self Drive” travellers in more recent times. To be raised as an agenda item in the November 1, 2017, Tourism Advisory Committee meeting.

4.6 Sculpture Placement at Apsley Falls – to be raised at the Arts Advisory Committee meeting – AGENDA ITEM FOR NEXT MEETING

Patrick Lupica suggested a sculpture on the verge of the Apsley Falls entrance would be a great addition to the entrance, strengthening and further promoting the connection Walcha has to both the waterfalls, National Parks and reputable Open Air Gallery and other artistic assets. It was suggested that perhaps it could be considered that one of the sculptures realised from the proposed Walcha Sculpture Symposium could be placed there.

4.7 Nowendoc Village Board

Sue Lyon, Nowendoc resident, is organising an information board to be erected in Nowendoc. Recommended that it be raised at Council the proposal for Walcha to engage with this project so we work together to get great information on the Nowendoc Information board.

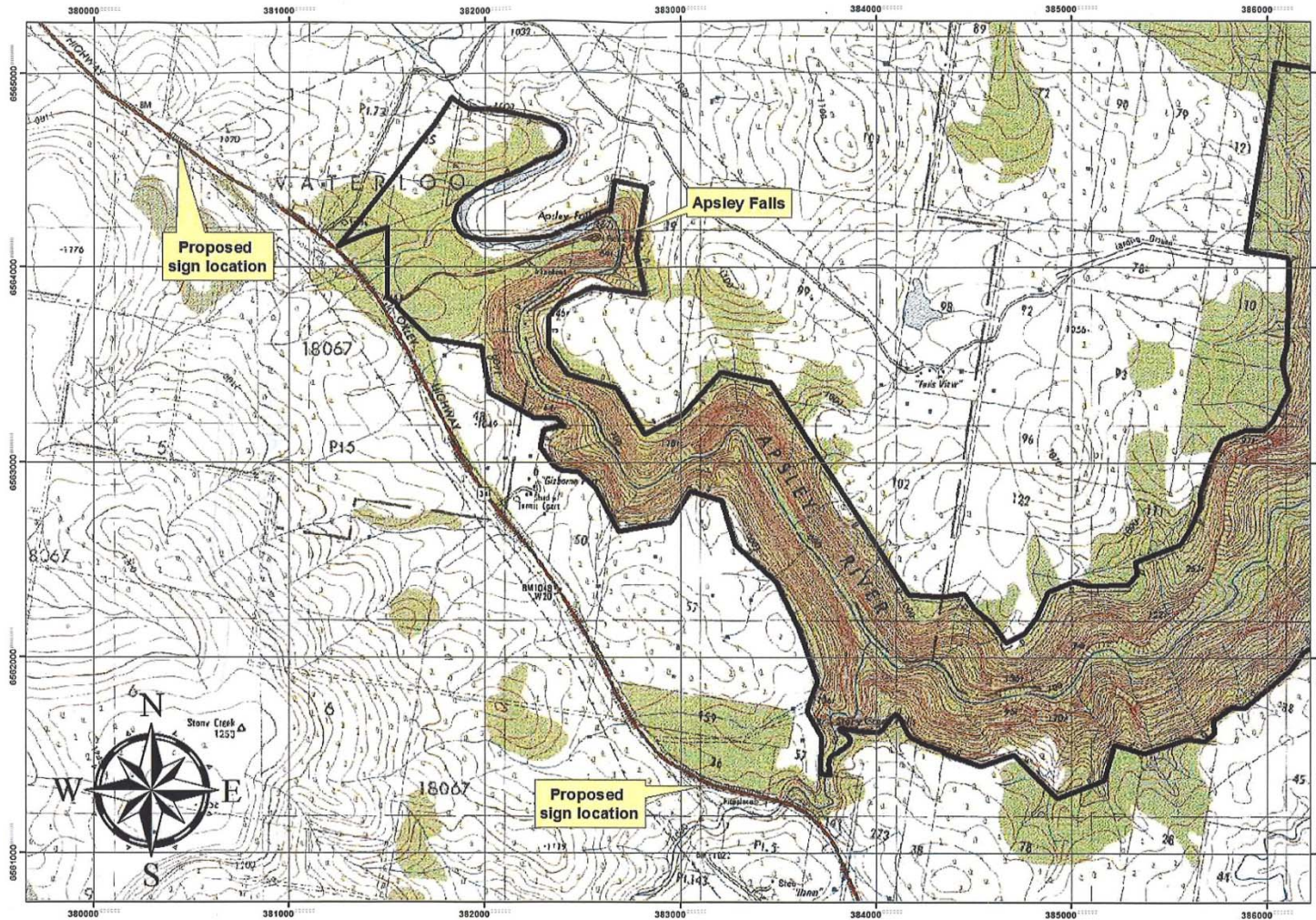
5. NEXT MEETING

Wednesday 1 November 2017 – 10:30am at Walcha Council Chambers

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 12.10pm



Appendix A – Proposed Sign Location Map





Item 11:

Delegate Reports

Submitted to Council: 28 June 2017

..... General Manager Mayor

GENERAL MEETING

10 May 2017

Meeting opened 3:35

Present: Mark Hall, Kate Mackaway, Lee McCoy, Barry Spry, Jen Kealey, Tony Bozza, Simon Warden, Lisa Kirton

Apologies: Nil

Welcome: Barry extended a welcome to Lisa and Simon, the two new P&C representatives

Minutes of previous meeting

RESOLVED on a motion from Jen, seconded by Mark, *that the minutes of the previous general meeting held 23/11/16 are a true and correct record.*

Business arising:

- **GST Deregistration:** Still on hold.
- **Committee's Public Liability Insurance:** Letter still to be written regarding cover for the minister's representative. RESOLVED on a motion from Jen, seconded Tony, *that the letter be written.*
- **Progress on Kitchen Improvements:**
Shelving – Barry will organise Rotary to do this task
Containers for crockery – still waiting till the painting is done
Sink still to be done – on hold till consideration is given to replacing the bench tops.
- **Tables:** The new tables were received and had varying levels of manufacturing or transport damage. Members agreed via email communication to accept the company's offer of 20 new tables and allowing us to keep the old tables. RESOLVED on a motion from Barry, *that the email decision be ratified.*

Replacement tables were received. Two of them were badly damaged in transport. About 6 were as they should be, and the remaining tables had the same manufacturing issues as the original tables.

Eleven of the old tables have been sold.

RESOLVED on a motion from Lee, seconded Jen, *that an advertisement for the sale of the old tables be placed in the advocate.*

- **Display Systems:** On hold.
- **Netball Markings:** RESOLVED on a motion from Kate, seconded Lisa, that the request for netball markings be acted upon when the floor is next remarked under the maintenance schedule. Posts will also be required then.
- **Community Use of School Facilities:** Kate has advertised that bookings are made through Council during school holidays. Kate will see Tasha about including this information on the school's website and Lisa will add the information to the tourist information website, and Jen will liaise with Council to have the MPC included on Council's website as a venue. RESOLVED on a motion from Jen, seconded Tony, that Lisa contact Council to investigate whether the Council's venue booking system is an option for MPC bookings outside of school hours.
- **MPC Repairs:** The school's asset management unit has been contacted to get quotes for fixing the sliding doors, replacing the door bollards and cleaning and fixing the fly screens. The cost of fly screen maintenance will not be covered by asset management.

Lights: 30 fluorescent tubes were replaced. There are 12 broken diffusers which are becoming a WHS issue. Replacement diffusers are no longer available. Mark has requested a quote from asset management to replace the lights, possibly with more energy efficient LEDs.

Jen will investigate the eligibility requirements for BRRR grants to see if they are a possible source of funds to cover these repairs.

- **Constitutional Changes:** Council supports the proposed changes and has sent a letter to Sue Brown in District Office requesting the Department's agreement. Sue has forwarded the request to legal branch for consideration.
- **Kitchen equipment:** Jen disposed of the old bain marie and the cupboard doors. The door bollards have been removed from the kitchen.

Correspondence:

- In:** Email newsletter from ACNC
Email from Walcha police supporting the Town & Country Club's BYO application for their soiree.
Letter from council acknowledging our letter re constitutional change.
Hon Andrew Leigh, MP, re invitation to a civic engagement event in Sydney
- Out:** Email exchanges regarding the unsatisfactory tables.
Letter to Council re constitutional change

Treasurers Report: Kate presented her report showing a balance of \$11,325.37 including \$9,046.40 in term deposit. RESOLVED on a motion from Kate, seconded Simon, that the treasurer's report be accepted.

General Business:

- ACNC return was submitted
- New member: members were referred to the P&C Minutes nominating Lisa Kirton and Simon Warden as the P&C representatives for this year. Kate will hand over the treasurer's duties to Simon (as per AGM nomination) before the next meeting.

RESOLVED on motion from Lee, seconded Kate, *that the position of secretary be filled by Lisa*. Lee will hand over the secretary's duties to Lisa before the next meeting.

Signatories need to be changed, along with ACNC logins, and ATO authorised persons. Jen suggested as list of tasks, both for treasurer and secretary.

- Tables: members inspected the new tables. RESOLVED on a motion from Lee, seconded Barry, *that another trolley be ordered*. After the new trolley arrives, the tables will be sorted and placed in the chair store. The more damaged tables will be used for external hiring.

Date of Next Meeting: Will include the AGM, and be in October. Secretary to notify members.

Meeting Closed: 5:15pm



Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Katrina Humphries
PO Box 420 Moree NSW 2400
02 6757 3222
ABN 92 803 490 533

MINUTES

GENERAL MEETING

FRIDAY, 16 JUNE 2017, JUBILEE ROOM, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 9.00am a.m.

1. ATTENDANCE:

Albury City Council, Cr Kevin Mack, Mayor
Bathurst Regional Council, Cr Graeme Hanger, Mayor
Bathurst Regional Council, Mr David Sherley, General Manager
Bega Valley Shire Council, Cr Kristy McBain, Mayor
Bellingen Shire Council, Cr Dominic King, Mayor
Bland Shire Council, Cr Tony Lord, Mayor
Bland Shire Council, Mr Ray Smith, General Manager
Blayney Council, Cr Scott Ferguson, Mayor
Blayney Council, Mr Grant Baker, Acting General Manager
Broken Hill City Council, Cr Darriea Turley, Mayor
Broken Hill City Council, Mr James Roncon, General Manager
Carrathool Shire Council, Cr Peter Laird, Mayor
Carrathool Shire Council, Ms Joanne Treacy, General Manager
Coffs Harbour City Council, Cr Denise Knight, Mayor
Coffs Harbour City Council, Mr Stephen McGrath, general Manager
Coonamble Shire Council, Cr Michael Webb, Mayor
Cowra Shire Council, Cr Bill West, Mayor
Gilgandra Shire Council, Cr Doug Batten, Mayor
Gilgandra Shire Council, Mr Matthew Wilson, Acting General Manager
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor
Goulburn Mulwaree Council, Mr Warrick Bennett, General Manager
Griffith City Council, Cr John Dal Broi, Mayor
Griffith City Council, Mr Brett Stonestreet, General Manager
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor
Gwydir Shire Council, Cr John Coulton, Mayor
Gwydir Shire Council, Mr Max Eastcott, General Manager
Inverell Shire Council, Cr Paul Harmon, Mayor
Junee Shire Council, Cr Neil Smith, Mayor
Junee Shire Council, James Davis, General Manager
Kempsey Shire Council, Cr Liz Campbell, Mayor
Leeton Shire Council, Cr Paul Maytom, Mayor
Leeton Shire Council, Ms Jackie Kruger, General Manager
Lockhart Shire Council, Cr Roger Schirmer, Mayor

Lockhart Shire Council, Mr Peter Veneris, General Manager
Mid Western Regional Council, Cr Des Kennedt, Mayor
Mid Western Regional Council, Mr Brad Cam, General Manager
Moree Plains Shire Council, Cr Katrina Humphries, Mayor
Moree Plains Shire Council, Mr Lester Rodgers, General Manager
Narrabri Shire Council, Cr Catherine Redding, Mayor
Narrabri Shire Council, Mr Stewart Todd, General Manager
Oberon Shire Council, Cr Kathy Sajowitz, Mayor
Oberon Shire Council, Mr Garry Wallace, General Manager
Parkes Shire Council, Cr Ken Keith, Mayor
Singleton Council, Mr Jason Linnane, General Manager
Tamworth Regional Council, Cr Col Murray, Mayor
Tenterfield Shire Council, Cr Peter Petty, Mayor
Tenterfield Shire Council, Cr Greg Sauer, Deputy Mayor
Uralla Shire Council, Cr Michael Pearce, Mayor
Wagga Wagga City Council, Cr Greg Conkey, Mayor
Wagga Wagga City Council, Mr Robert Knight, Acting General Manager
Walcha Council, Cr Eric Noakes, Mayor
Walcha Council, Mr Jack O'Hara, General Manager
Warrumbungle Shire Council, Cr Peter Shinton, Mayor
Warrumbungle Shire Council, Mr Steve Loane, General Manager
Yass Valley Council, Mr David Rowe, General Manager

APOLOGIES:

As submitted

SPECIAL GUESTS:

Lieutenant General (Retired) Ken Gillespie, AC, DSC, CSM NSW Regional Infrastructure Coordinator, Premier and Cabinet and Bruce Whitehill, Principal, Alluvium Rural Water Advisory

Cr Keith Rhoades AFSM, President LGNSW

Mary Harrod CEO, NSW Users and Aids Association and Peter Williams, NSW Department of Health

2. ADOPTION OF MINUTES OF PREVIOUS MEETING:

RESOLVED that the minutes of the General Meeting held on 24 March 2017 be accepted as a true and accurate record (Inverell Shire Council / Uralla Shire Council).

3. Matters Arising from the Minutes

Disaster Funding Arrangements

RESOLVED That the Association write to Minister Grant requesting information on the new arrangements to commence 1 July 2018 (Tenterfield Shire Council / Warrumbungle Shire Council)

4 Membership

RESOLVED That Singleton Council, Broken Hill City Council, Kiama Municipal Council, Blayney Shire Council and Gilgandra Shire Council be admitted as members of the Association (Warrumbungle Shire Council / Coonamble Shire Council)

5. CORRESPONDENCE

Outward

- (a) Mr Ian Dinham, President, Floodplain Management Australia, thanking him for his presentation to 24 March meeting
- (b) The Hon Melinda Pavey MP, Minister for Roads, Maritime and Freight, thanking her for her presentation to 24 March meeting
- (c) Mr Gary White, Chief Planner, NSW Department of Planning and Environment, thanking him for his presentation to 24 March meeting
- (d) The Hon Duncan Gay MLC, thanking him for all his hard work he has done for Regional NSW
- (e) Cr Bob Kirk, Mayor, Goulburn Mulwaree Council, advising that his Councils application for membership was successful
- (f) The Hon John Barilaro MP, Minister for Regional NSW, Minister for Skills, Minister for Small Business, requesting the introduction of incentives to businesses that wish to relocate to Rural NSW
- (g) The Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government and Minister for Heritage, thanking her for her presentation to 24 March meeting
- (h) The Hon Gladys Berejiklian MP, Premier, The Hon Dominic Perrottet MP, Treasurer, The Hon Anthony Roberts MP, Minister for Planning, Minister for Housing and Special Minister of State, The Hon Mark Speakman MP, Attorney General, The Hon Victor Dominello MP, Minister for Finance and Services and Property, The Hon Troy Grant MP, Minister for Police and Minister for Emergency Services, The Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage, The Hon Melinda Pavey MP, Minister for Roads, Maritime and Freight, and The Hon Michael Keenan MLA, Minister for Justice, Minister Assisting the Prime Minister for Counter Terrorism, expressing support for the review of Disaster Recovery Funding Arrangements to provide guidelines which are fairer and more workable for local Councils

Inward

- (a) Duncan Gay MLC, thanking the Association for the support it has given him over the years
- (b) Hon Gladys Berejiklian MP, Premier, advising that she has forwarded our correspondence regarding the new disaster funding arrangements to the Hon Tony Grant MP, who has primary responsibility for the NDRRA
- (c) Mr Brett Newman, Deputy Secretary, Property and Advisory Group Re Review of the Natural Disaster Relief Recovery Arrangements
- (d) The Hon Troy Grant MP, Minister for Police, Minister for Emergency Services Re New Disaster Funding Arrangements

NOTED

6. FINANCIAL REPORT

RESOLVED That the financial reports for the last quarter were tabled and accepted (Narrabri Shire Council / Albury City Council)

7. Statutory Advertising Review

RESOLVED That the Office of Local Government be asked to provide information on the review of Statutory Advertising by Councils which is being undertaken as part of the review of the Local Government Act (Kempsey Shire Council / Yass valley Council)

8. Rural Airline Services

RESOLVED That member Councils be asked to provide input for the preparation of a submission on airline services in country New South Wales (Parkes Shire Council / Inverell Shire Council)

9. Neighborhood Watch

Moree Plains Shire Council outlined the operation of its Mobile Neighborhood Watch

10. Early FAG Grant Funding

RESOLVED That the Association write to the Auditor Generals Office and the Office of Local Government requesting that councils be allowed to hold funds in a suspense account for the FAG Grants received in advance in 2016/17 (Yass Valley Council / Warrumbungle4 Shire Council)

11. Lieutenant General (Retired) Ken Gillespie, AC, DSC, CSM NSW Regional Infrastructure Coordinator, Premier and Cabinet and Bruce Whitehill, Principal, Alluvium Rural Water Advisory

The NSW Infrastructure Review Report presented to the Premier contains 34 recommendations for change in the infrastructure provision area. The Premier has acted on sub reports during the review to allow implementation of some programs. The review required

- Advise on the obstacles to delivery of regional infrastructure
- Investigate measures that would reduce delay
- Monitor projects accountability
- Look at whether agencies are executing their duties in an appropriate manner

The Review commenced with a literature review to build a list of projects. Face to face meetings with Ministers and Parliamentarians, Councils, ROCS and authorities such as the RMS followed. There is a need to decide on regional boundaries as distinct from the overlapping current boundaries of each organization. 74 written submissions were received. The biggest strategic issue is water, followed by project approval timelines (an inhibitor to investment) and Energy particularly brownouts. Treasury guidelines don't allow consideration of amenity, health and safety projects because of the BCR requirements of greater than 1. The grants program needs to be simplified. There are too many and Native Land Title claims needs to be addressed as the process is long and cumbersome even when agreement between the various parties has been reached

RESOLVED That the Association write to the Premier extending Local Governments appreciation to Ken Gillespie and his team on the delivery and consultation processes put in place as part of the Infrastructure Review (Yass valley Council / Parkes Shire Council)

12. Cr Keith Rhoades AFSM, President LGNSW

The 2017 Federal budget from Local Government perspective was the best for a long time. Some of the outcomes were the unfreezing of the freeze on FAG's, the Roads to Recovery Black Spot and Bridges programs received additional funding and were extended to 2021/21

It is pleasing to see that Minister Grant supporting new disaster funding arrangements. LGNSW is looking forward to the State budget. The new RFS contributions to form part of councils rate notices is a broad based scheme but is not a fair scheme as the formula is wrong as it is based on land value which disadvantages some sectors of the community. LGNSW is still working on mergers and in particular those councils deemed "Not Fit for the Future"

13. Mary Harrod CEO, NSW Users and Aids Association and Peter Williams, NSW Department of Health

The Moree Project was outlined. The Hunter and New England area has 23% of the States aboriginal population and Moree's aboriginal population is 21%. The projects issues were Harm Minimisation, Needles and Syringes and Partnerships. There were a large number of sharps being discarded in the Moree area. Harm Minimization aims to promote better health, social and economic outcomes. The Needle and Syringe program aims to minimize risk behaviours. Minimisation encompasses supply reduction and demand reduction. The Moree Action Plan included identification of hotspots, consultation with key partners, communication between partners and review of the partnership model.

The NSW Users and Aids Association is a drug user organization that advocates for health and human rights. It is a harm reduction organization that is non judgmental. It uses evidence based and cost effective practices to prevent and reduce drug related harm.

14. Energy Supply

RESOLVED That the Association write to the Prime Minister and Premier expressing concern about the lack of Base Point Power which is affecting, businesses and industry and if it is not made ready available will have adverse consequences to business operations particularly those in Rural New South Wales (Carrathool Shire Council / Gunnedah Shire Council)

15. Health Services Rural Remote Communities

RESOLVED That the Association make representations to the Minister for Health on harm minimization and services to rural remote communities including but not limited to child psychological services (Broken Hill City Council / Leeton Shire Council)

There being no further business the meeting closed at 12.31pm.

Cr Katrina Humphries
Chair – Country Mayor's Association of NSW