

## NOTICE OF ORDINARY MEETING

Notice is hereby given that the next Meeting of Council will be held in the Council Chambers on **Tuesday, 20 February 2018 at 4.00pm.**

### Agenda

- (1) Submission of Questions for Next Meeting
- (2) National Anthem
- (3) Prayer
- (4) Acknowledgement of Traditional Owners:  
*"I acknowledge the traditional custodians of the land on which we live, work and play. I pay my respects to our Elders past and present and thank them for the contribution they have made, and continue to make, in the cultural identity of our nation."*
- (5) Apologies
- (6) Declarations of Interest:

At this juncture, Councillors should indicate any items in which they have an interest and therefore will not be participating in discussion or voting.

- (7) Confirmation of Minutes:
  - Ordinary meeting held on 19 December 2017 (circulated previously)
  - Extraordinary meeting held on 29 January 2018 (circulated previously)
- (8) Listing of matters to be considered in Closed Council

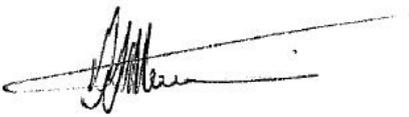
The following matters are listed to be considered in Closed Council in line with the confidentiality policy of Council and Clause 10A (2) of the Local Government Act, 1993, relating to:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
  - I. prejudice the commercial position of the person who supplied it, or
  - II. confer a commercial advantage on a competitor of the council, or
  - III. reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of the law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege information concerning the nature and location of a place or an item of Aboriginal significance on community land.

- Procedural Motion to close Council to Press and Public
- Reports from Servants to Closed Council Meeting
  - Staff – annual leave (a)
  - Tender – Supply and delivery of gravel (c)
  - Inland Rail Project (d)
  - Tenancy Occupancy Agreement (a)
- Procedural Motion to re-open meeting to Press and Public

(9) Reports from Servants

(10) Correspondence



David Neeves  
General Manager

Procedural Motion – to exclude Press and Public

“That by reason of the confidential nature of the matters to be considered in line with the confidentiality policy of Council and Clause 10(2) of the Local Government Act, 1993, relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate – the Press and Public be excluded from the Meeting.

**RESCISSION MOTION**

**SUMMARY**

To present a rescission motion submitted on 30 January 2018.

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The following rescission motion has been received:

**RESCISSION MOTION**

We the undersigned wish to rescind the resolution in regard to the application for a grant under the Growing Local Economies Fund from Council's meeting of 29 January 2018.

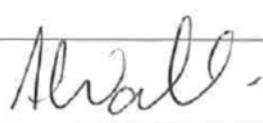
"That council submit an application under the Growing local Economies Fund to upgrade the intersection of the Oxley Highway and Berida Innisfail Road necessitated by the condition of approval for the proposed quarry".

**REASON:**

By limiting the funding application to only the Berida Innisfail - Oxley Highway intersection it denies the opportunity for council to work with the Quarry Developer in providing a private access from the Quarry to the Oxley Highway. It is in both the developers and council's best interest to encourage quarry traffic off council's rural road network.

If the rescission motion is successful, we propose the following motion:

"That Council submit an application under the Growing Local Economies Fund to upgrade either the intersection of the Oxley Highway and Berida Innisfail Road or an alternative private road intersection with the Oxley Highway which is being considered by the Berakee Quarry development."

		
Cr Ash Walker	Cr Brian Mocker	Cr Greg Peart

**MAYORAL MINUTE - 1/18**  
**MAYORAL COMMITMENTS**

**SUMMARY**

To advise Council of the Mayor's activities during the preceding month.

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Since the last report, as Mayor I have represented Council as follows:

16/1/18	Rural Fire Service workshop, Orange
18/1/18	Meeting with ARTC consultancy group
19/1/18	Farewell for Mr Lawford
24/1/18	Road inspection of south west Shire region
25/1/18	Australia Day prelude concert
26/1/18	Australia day breakfast, lunch and dinner with Ambassador
28/1/18	Familiarisation visit to proposed quarry site with Cr Mockler
29/1/18	Council workshop and extraordinary meeting
1/2/18	Orana group of Council, Joint Organisation information session, Cobar
1/2/18	Aged Care meeting
5/2/18	Regional Development Australia workshop as OROC representative, Dubbo
5/2/18	Presentation to Mrs Ellis on her 100 <sup>th</sup> birthday
5/2/18	Post approval meeting with Berakee Quarry developers
6/2/18	Attended funeral representing Orana Living/Carlinda, Warren
6/2/18	Afternoon tea and address to new staff including apprentices
6/2/18	Council workshop
7/2/18	Newell Highway Taskforce, Gilgandra
8/2/18	Cooee Lodge Retirement Village – presentation of Auditors report to Villa Unit residents
8/2/18	Disability Services Committee meeting
13/2/18	UNESCO Global Geopark teleconference meeting
13/2/18	Council workshop
20/2/18	Council meeting

<u>Principal Activity</u>	Strategic Leadership
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>4.1.2.1</b> Conduct the business of Council in an open and transparent manner

RECOMMENDATION

That the report be noted.

D Batten  
Mayor

**JOINT ORGANISATIONS**

**SUMMARY**

To finalise Council's position in relation to regional Joint Organisations.

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Council considered a detailed report on Joint Organisations (JOs) at its December 2017 meeting and resolved:

<b>RESOLVED 334/17</b>	Cr Batten/Cr Wrigley
<p>1. That Council agree in principle to form a Joint Organisation in accordance with the Orana Region footprint, subject to the take-up of other member Councils of OROC and the publication of the regulations relating to The Local Government Amendment (Regional Joint Organisations) Bill 2017.</p> <p>2. That Council reaffirm its commitment to ensuring that a Joint Organisation does not become a fourth tier of Government.</p>	

As outlined at the December meeting, JOs will focus on issues that matter most to regional communities such as building strong businesses, creating jobs, securing water supplies, improving regional transport and developing community infrastructure, services and facilities.

The Mayor and I travelled to Cobar on Thursday, 1 February 2018 to hear a presentation by representatives from the Office of Local Government. Elected representatives and General Managers from all current OROC councils were in attendance with the exception of:

- Walgett
- Brewarrina; and
- Dubbo Regional Council which was represented by the Relieving General Manager only.

The consensus amongst those present was that the re-badging of OROC as a Joint Organisation in accordance with the State Government initiatives was the desired way forward.

The Mayor received advice from the Mayor of Dubbo Regional Council, Cr Ben Shields, on Tuesday, 13 February 2018 in which Cr Shields expressed concerns regarding the JO structure and indicated his desire to remain as a ROC (Regional Organisation of Councils). It should be noted that Cr Shields' advice doesn't confirm that such action is a formal resolution of Dubbo Regional Council.

At the last OROC meeting the OROC member Councils (with the exception of Brewarrina Shire Council) supported the formation of a JO and resolved the following:

**Motion:** That OROC supports to form a Regional Joint Organisation with the current OROC membership and that each Council resolve their own position by way of a Council resolution prior to the next OROC meeting.

**Moved:** Clr Ray Donald      **Seconded:** Clr Peter Shinton      **CARRIED**

In summary, a JO is a new entity under the Local Government Act comprising member councils in regional NSW to provide a stronger voice for the communities they represent. The JO will provide a more structured and permanent way for Councils, State Government and other stakeholders to collaborate.

Each region is to decide its own priorities with short and long term projects e.g. economic development. Each JO must comprise of at least three member Councils and align with one of the State's strategic growth planning regions. One of the member Council's Mayors will be elected Chairperson and an Executive Officer may be appointed.

The Minister for Local Government, the Hon Gabrielle Upton MP, has advised that Councils choosing to form a JO will *"get a seat at the table in planning infrastructure and investment for their region, and access to better ways to get things done, with support and funding from the State Government"*.

The State Government intends to provide \$3.3 million seed funding to support the establishment of JOs and will then identify opportunities for additional investment through JOs in regional economies. Funding for each JO will be based on the number of Councils that choose to form a JO, with maximum funding provided to regions where all Councils in a region choose to be members of the new regional body.

The JO boundaries should:

- Align with, or 'nest' within one of the State's planning regions
  - Demonstrate a clear community of interest between member councils and regions
  - Not adversely impact on other Councils or JOs, e.g. leaving too few Councils to form a JO
  - Be based around a strong regional centre or centres
  - Be of an appropriate size to partner with State, Federal and other partners.
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The OLG has stated it will work with JOs to support their establishment and ensure they have the necessary systems and governance in place for the JO to deliver results.

**Establishment**

- The final JO network will be finalised in March 2018
- Funding allocations will be announced in March 2018
- JOs will be proclaimed in April 2018
- OLG will support establishment and work closely with them once operational to ensure they are successful
- JOs will be ready to start in July 2018

**Commencement**

- Hold first JO meeting and elect a Chairperson
- Recruit the Executive Officer
- Work with member Councils, DPC Regional Director and OLG support team to fully establish JO
- Work with member Councils to draft first JO Charter and Statement of Strategic Regional Priorities

<u>Principal Activity</u>	Representation and Collaboration Strategic Leadership
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil, noting the State Government will provide one-off funding towards the establishment of a Joint Organisation
<u>Delivery Program Actions</u>	<b>8.1.1.1</b> Maintain active relationships with Orana Regional Organisation of Councils

**RECOMMENDATION**

That, in accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), Gilgandra Shire Council resolves:

1. To inform the Minister for Local Government of Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation in accordance with the resolution
  2. To approve the inclusion of Gilgandra Shire in the Joint Organisation's area
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3. Endorse that the Joint Organisation be established to cover Gilgandra Shire area and any one or more of the following council areas:
  - Bogan Shire Council
  - Bourke Shire Council
  - Brewarrina Shire Council
  - Cobar Shire Council
  - Coonamble Shire Council
  - Dubbo Regional Council
  - Mid-Western Regional Council
  - Narromine Shire Council
  - Walgett Shire Council
  - Warren Shire Council
  - Warrumbungle Shire Council
4. That before 28 February 2018, the General Manager provide the Minister with a copy of this resolution including the date on which Council made this resolution.
5. That on the expiry of a period of 28 days from the making of this resolution, the General Manager inform with the Minister that this resolution has not been rescinded.

David Neeves  
General Manager

**RAILWAY STREET STORMWATER DRAINAGE**

**SUMMARY**

To provide an update on the installation of culverts under the railway line with plans to direct stormwater from Hargraves Lane under the railway line.

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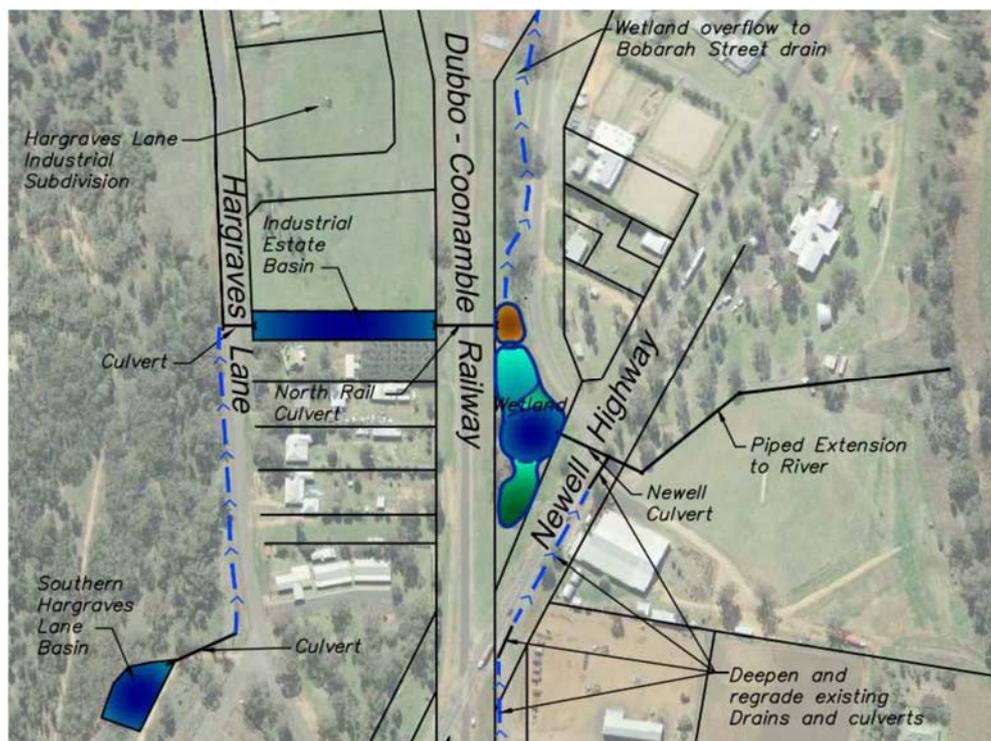
The recommendation of the Infrastructure Committee meeting, held on the 27 August 2014, and subsequently adopted by Council on 17 September 2014, was:

<b>COMMITTEE'S RECOMMENDATION – 46/14</b>	Cr Walker/Cr Peart
<ol style="list-style-type: none"><li>1. That the establishment of a single cell box culvert under Hargraves Lane (approximately 350 metres north of the Newell Highway intersection) be constructed at the earliest opportune time during 2014/15 utilising the allocated funds from the 2014/15 Regional Road Repair Grant.</li><li>2. That the drainage reserve located at the bottom edge of the Hargraves sub-division (Lot 12, DP1185063) be established at a single grade between the outlet of the Hargraves Lane box culvert and the design ingress invert level of the culvert to be constructed beneath the railway utilising funds from Council's annual urban storm water allocation.</li><li>3. That the sedimentation basin and wetland proposed for establishment adjacent to Railway Street be constructed utilising funds from the Environmental Trust Grant.</li><li>4. That investigation and design be undertaken to establish the retention pond immediately downstream of Bore No. 7 within allotment 272, DP40883, during 2014/15 utilising funds from within the annual urban stormwater allocation.</li><li>5. <b>That the design of a culvert beneath the railway be further investigated with John Holland Construction and a future report be issued to Council on the consequences of these investigations.</b></li><li>6. That the establishment of a culvert beneath the Newell Highway and the provision to run water from the outlet point of the Wetlands constructed adjacent to Railway Street be left in abeyance until further analysis of the need and method of establishment be undertaken.</li><li>7. That a future report be prepared and submitted to the Infrastructure Committee to allow for its consideration of the findings of the investigations into dispersing the stormwater from the Railway Street Wetlands to the Castlereagh River.</li></ol>	

Progress on these seven recommendations from 2014 is illustrated below:

1. The single cell box culvert under Hargraves Lane (approximately 350 metres north of the Newell Highway intersection) has been installed.
2. The drainage reserve located at the bottom edge of the Hargraves subdivision (Lot 12, DP1185063) between the outlet of the Hargraves Lane box culvert and the design ingress invert level of the culvert beneath the railway has been constructed.
3. The sedimentation basin and wetland proposed for establishment adjacent to Railway Street has been constructed utilising funds from the Environmental Trust Grant, has been constructed and is known as Bimbimbie.
4. The retention pond/wetland located adjacent to Bore No.7 on the western side of Hargraves Lane has been constructed.
5. *That the design of a culvert beneath the railway be further investigated with John Holland Construction and a future report be issued to Council on the consequences of these investigations. (The subject of this report)*
6. The establishment of a culvert beneath the Newell Highway and the provision to run water from the outlet point of the Wetlands constructed adjacent to Railway Street has not progressed and there is no immediate plan to do so.
7. There is no longer an Infrastructure Committee and no further action is required at this stage

The extent of the project is best illustrated in the image below.



Over the past 3-4 years, Council's former Director of Infrastructure has been working with John Holland Rail to have a design approved and the works completed. The culvert is critical in the overall stormwater management design as evidenced by the below photo. Currently the stormwater collected from the Southern side of the rail line has no direct route to flow under the rail line. This will only be exacerbated as hard stand area increase with the development of the Gilgandra Industrial Park as evidenced by the photo below:



Council's Project Manager and I participated in an onsite meeting on 13 February where the project was discussed with key operational staff from John Holland. The project is deemed to be a relatively simple construction and is planned to commence in mid April.

Originally the design was to include an under bore of the rail line. This design was chosen to reduce the need to close the rail line to trains for a period of time. Thankfully this method was reviewed and the project involves installing 2 x 42.8m long 600 diameter concrete culverts with associated headwalls and scour protection. This will be achieved by removing a section of track and excavating a trench through the rail corridor between Hargreaves Lane and the Castlereagh River, installing the culverts, then back filling followed by formation/track reinstatement. The advice we have received is that this method is a cheaper form of construction.

The estimate provided to Council is a figure of \$275,500 exclusive of GST however these estimates may be reduced as per the email received by the Project Superintendent

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*"I have also attached our construction estimate which has been approved by both Gilgandra Council and CRC. Note that margin (6.75% = \$17.5) and GST have not been applied to the \$258k figure. Further, please note that we submitted the variation on the original basis of underboring, however we have since revised the methodology to an open cut excavation, which we are anticipating reduced construction costs – TBC following site meeting on 13/2/18."*

Until a final figure is known, I suggest Council budgets for a figure of \$275,500. Unfortunately this project was not budgeted for.

Council has budgeted \$100,000 for stormwater drainage works in 2017/18 which remains unspent. There is also an accumulated stormwater reserve of \$149,132 that could be transferred from reserves to fund the project. Based on the \$275,500 estimate, there will still be a short fall of \$26,500 to be funded from an additional allocation or alternatively the project could be funded by loan borrowings. My suggestion is that the project be funded using the monies in reserves and an additional vote of \$26,500. Noting that the revised scope of works is expected to cost less and hopefully significantly less so that the additional allocation is not required.

Consideration shall be given to the procurement of these works without the need for a public tender. John Holland Rail - CRN is the only accredited private rail transport operator of a government owned heavy rail network in NSW performing all core operations and maintenance work along with stewardship responsibility for NSW rail transport.

Section 55(3) of the Local Government Act 1993 provides for certain exemptions from needing to go to public tenders, and in particular s55(3)(i) states;

- (i) *a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders*

I am satisfied to recommend to Council that due to the circumstances of procuring the services from John Holland Ltd, the licensed maintenance contractor for the Country Rail Network, the need for a public tender is negated due to extenuating circumstance, the availability of alternative contractors and the specific nature of these works undertake works within the rail corridor would comply with section 55(3)(i)

<u>Principal Activity</u>	Asset Management and Service Delivery
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	A reduction in storm water reserves of \$149,132 plus and additional allocation of \$26,500.
<u>Delivery Program Actions</u>	<b>6.1.2.5</b> Provide a safe and effective urban stormwater drainage system

#### RECOMMENDATION

1. That Council approves the installation of the stormwater culverts through the Railway corridor.
2. That Council accepts the price estimate supplied by John Holland to the value of \$275,500 exclusive of GST without the need for a public tender due to the unavailability of competitive tenders and the specific licencing authorisations required for undertaking works within a rail corridor.
3. That Council transfer \$149,132 from the stormwater reserve and approve an addition allocation of \$26,500 to fund the project.

David Neeves  
General Manager

**DELEGATIONS TO GENERAL MANAGER**

**SUMMARY**

To advise a review of the General Manager's delegations has taken place and seek Council's endorsement to update.

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The Delegations currently in place were adopted by Council in April 2017 after a minor review. With the appointment of new staff, the delegations have undergone a further review and Council's endorsement is sought to endorse the proposed changes.

The Schedule of Delegations adopted in 2017 is separately enclosed and it is suggested that the following delegations, as highlighted, be amended:

<b>No.</b>	<b>Details of Delegation</b>	<b>Proposed change</b>
5	Access to documents	Delete reference to Clause 12 (repealed)
7	Purchase of goods and services	"To incur expenditure for goods and services for which due provision has been made in the Estimates, subject to purchases being made in accordance with Council's Procurement policy"
13	Acquittal of grants	Update names of Council's services to reflect recent organisational changes
14	Rates/Rating	Addition of the words "or other categories as determined by Council"
19	b) Institution of legal proceedings	Remove reference to individual acts in favour of a more generic reference
23	Alcohol Free Zones – use of Parks	Update to include all parks in Gilgandra
33	Approval to purchase minor plant	Delete delegation as it is inconsistent with Council's procurement policy
45	Serve notices or orders	Update to the listing of Acts
61	Powers of an Authorised Officer	Update listing of Roads Transport Act
68	Recommendations from NSW Fire Brigades	Delete – this section of the Act has been repealed
71	Opening and re-opening public swimming pools	Delete delegation as the Regulation has been repealed

References to changed position titles in the document will also need to be updated, as will some wording around the reference to the Acts and subordinate legislation (as amended) to ensure consistency throughout the document.

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Once Council has determined this report, new delegations will be created for staff to reflect the relevant changes.

A complete list of the 2017 delegations are provided as an attachment.

<u>Principal Activity</u>	Respected Leadership
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>3.1.2.3</b> Develop, implement and continually monitor a good governance plan

RECOMMENDATION

That Council adopt the proposed changes to the General Manager's Delegations.

David Neeves  
General Manager

**SAFETY IMPROVEMENT PROGRAM**

**SUMMARY**

To provide an update on the Safety Improvement Program being implemented by Council.

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Details of Council's Safety Improvement Program (SIP) were lodged with SafeWork NSW in line with the requirements of the Enforceable Undertaking (EU) and the program has now been accepted, with a start date of 21 January 2018.

A public notice appeared in the Sydney Morning Herald on 6 February 2018 and a copy of the EU is on the SafeWork NSW website.

Council is in the process of disseminating information to the workplace via an information session with WHS & Consultative Committee members; an email from the General Manager and in the staff newsletter.

A Safety Culture Survey for staff will be conducted at the start and end of the SIP.

The strategies of the program will deliver workplace, industry, and community benefits. The four strategies and target issues are listed below:

**Strategy 1 – Plant Safety Improvement Program**

Review and assess procedures in relation to plant to ensure that procedures relating to the selection and use of plant are appropriate and effective.

Target issues are:

- i. Identify and detail gaps in plant safety management by determining the level of conformance with, and implementation of, current mobile plant safety management systems against WHS legislative, and Gilgandra Shire Council's operative requirements, focusing on the following areas:
  - Plant Procurement processed and procedures (including wet and dry hire of plant);
  - Plant Maintenance processes and procedures;
  - Plant Risk Management; and
  - Plant Operator Competency.

- ii. Identify and detail improvement suggestions (based on identified gaps) to assist Gilgandra Shire Council's development of a corrective action plan focused on improved performance across Gilgandra Shire Council's operations in:
- Mobile plant safety management;
  - Re-skilling and continuous review of plant operator competency; and
  - Continuous improvement (monitoring, review and evaluation) of plant safety management strategies.

An external auditor KAS Consulting has been engaged to conduct two independent audits which will assess Council's processes and procedures in relation to the selection and use of plant.

KAS Consulting commenced the audit which is the first part of this strategy on 12 February 2018. Other parts to follow are reports to SafeWork NSW, advise intended actions, implement recommendations, develop training plan, undertake refresher training, monitor and review effectiveness of training, perform second audit, with this strategy being completed by 21 July 2021.

#### Strategy 2 – Workplace Wellbeing Strategy

Establish and maintain programs and systems which promote and encourage a safer and healthier workplace and prevent work related musculoskeletal disorders from occurring. One way to achieve this is to implement the PERforM program throughout Gilgandra Shire Council. PERforM is a participative ergonomics program aimed at reducing musculoskeletal disorders in the workplace. By implementing PERforM, Gilgandra Shire Council will gain a greater understanding of the changes needed to reduce injuries throughout the workforce.

SafeWork NSW will conduct a PERforM information session before 21 July 2018. The MANEX team will then develop an implementation plan and evaluation plan to be submitted to SafeWork NSW for their review by 21 August 2018. The PERforM program is to be rolled out to all staff by 21 January 2019 and this strategy is to be completed by 21 January 2020.

#### Strategy 3 – Orana Regional Organisation of Councils (OROC) Safety and Wellbeing Initiative

Convene two (2) conferences; the first conference to have the theme of Plant Safety, Working in Isolation and in Remote Areas, The second conference will focus on Health and Wellbeing initiatives of staff to improve the general wellbeing of staff which includes but not limited to obesity, mental health, stress and active workplaces.

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HELD ON: 20 FEBRUARY 2018

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The aim of the conferences is to improve safety and wellbeing initiatives across Local Government and in particular the OROC region and Gilgandra Shire Council being seen as a dynamic leader in this field.

Consult with SafeWork NSW by 21 April 2018 to confirm topics.

First conference to be held by 31 October 2018 and second conference to be held by 31 October 2019.

Strategy 4 – Gilgandra Shire Council Community Awareness Program

Establish and implement a community awareness program to promote and encourage a safer and healthier community through an advertising campaign, addressing key farm safety concerns such as working at heights, operation of quad bikes and working near power lines.

Advertising campaign to commence October 2019

<u>Principal Activity</u>	Strategic Leadership
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	\$195,000 initially – to be included in 2018/19 budget
<u>Delivery Program Actions</u>	<b>4.1.4.1</b> Provide controls that minimise adverse impacts on all employees and stakeholders

RECOMMENDATION

That the report be noted.

N J Alchin  
Director Corporate Services

**2017/18 QUARTERLY OPERATIONAL PLAN REVIEW TO 31 DECEMBER 2017**

**SUMMARY**

To consider progress for the December quarter with Council's 2017/18 Operational Plan.

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Separately enclosed with this business paper is the 2017/18 Operational Plan Review document for the quarter 1 September to 31 December 2017. An abridged version highlighting progress and challenges of particular significance has been included along with the complete planning document.

**Principal Activity**

Strategic Leadership  
Community Engagement

**Policy Implications**

Nil

**Budget Implications**

Actions delivered in line with 2017/18 budget.

**Delivery Program Actions**

**4.2.1.1**

Develop and maintain and regularly review strategic plans in line with Integrated Planning requirements

**2.1.1.2**

Report Council's issues actions and achievements to the Community

**RECOMMENDATION**

That the 2017/18 Operational Plan Review for the quarter ended 31 December 2017 be adopted.

N J Alchin  
**Director Corporate Services**

**QUARTERLY BUDGET REVIEW – 31 DECEMBER 2017**

**SUMMARY**

To detail the variances to the original estimates for the 2017/18 financial year as presented in the Quarterly Budget Review as at 31 December 2017. Also, to report as to whether the Quarterly Budget Review indicates that the financial position of Council is satisfactory, having regard to the original estimates adopted by Council.

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**List of Budget Changes Previously Adopted by Council**

The following is a list of the changes that have been adopted by Council at previous quarterly budget reviews:

Note	Description	When Done	Income Change	Expense Change	Resp.
1100	Corporate Support Income	Sept	\$77,407		DCorp
1101	Corporate Support Wages	Sept		-\$40,000	DCorp
1121	Engineering & Works Wages	Sept		-\$200,000	DInf
1410	Other Waste Management Income	Sept	\$335		DComm
1420	Street Cleaning Expenses	Sept		-\$12,000	DInf
1511	Gilgandra Youth Service Expenses	Sept		\$3,000	DComm
1522	Gilgandra Community Transport Income	Sept	\$11,304		DComm
1523	Gilgandra Community Transport Expenses	Sept		\$11,304	DComm
1701	Gilgandra Library Expenses	Sept		\$79,234	DComm
1911	Rural Roads Expenses	Sept		\$1,085,133	DInf
1941	Roads to Recovery Expenses	Sept		\$492,823	DInf
2801	Financial Assistance Grant	Sept	-\$1,787,643		DCorp
2900	Transfers from Reserves	Sept	\$4,142,148		Various
2901	Transfers to Reserves	Sept		\$200,000	Various
2903	Capital Income	Sept	\$892,359		Various
2904	Capital Expenditure	Sept		\$1,119,694	Various
2905	Loan Income	Sept	-\$363,373		DCorp
	<b>General Fund Total</b>		<b>\$2,972,537</b>	<b>\$2,739,188</b>	
3000	Water Supply	Sept	\$742,496	\$723,131	DInf
4000	Sewerage Services	Sept	\$336,971	\$326,057	DInf
7000	Cooee Villa Units	Sept	\$26,600	\$29,874	DComm
7500	Home Care Packages	Sept	\$24,822	\$24,822	DComm
8000	Cooee Lodge	Sept		-\$67,980	DComm
8500	Jack Towney Hostel	Sept	\$237,130	\$237,130	DComm
	<b>Gilgandra Shire Council Total</b>		<b>\$4,340,556</b>	<b>\$4,012,222</b>	

## **Result**

The overall result for General Fund for this review as at 31 December 2017 is a \$75,153 increase in the estimated deficit at year end to an estimated result of a \$134,896 deficit (depreciation not included).

Water Fund has no change to the estimated result at year end of a \$101,119 deficit (depreciation not included).

Sewer Fund has a \$140,000 decrease to the estimated deficit at year end to an estimated result of a \$278,967 deficit (depreciation not included).

Orana Living has no change to the estimated result at year end of a \$55,190 surplus (depreciation not included).

Carlinda Enterprises has no change to the estimated result at year end of a \$1,279 surplus (depreciation not included).

Cooee Villa Units has no change to the estimated result at year end of an \$87,542 surplus (depreciation not included).

Home Care Packages has no change to the estimated result at year end of a \$35,944 surplus (depreciation not included).

Cooee Lodge Hostel has no change to the estimated result at year end of a \$177,675 surplus (depreciation not included).

Jack Towney Hostel has no change to the estimated result at year end of a \$14,508 surplus (depreciation not included).

The overall result for this review as at 31 December 2017 is a \$64,847 decrease to the estimated deficit at year end for Council as a whole to an estimated result of a \$142,844 deficit (depreciation not included).

## **Details - Notes**

The following notes are to be read in conjunction with the Quarterly Budget Review documents and contain a detailed description of the major variances to Council's budget. These changes are listed in the variance columns.

## **GENERAL FUND**

### **Note 1100 (page 2 QBR)**

#### **Corporate Support Income**

**\$18,412 additional income**

#### **Responsible Officer: Director Corporate Services**

The additional income of \$18,412 is made up of the following:

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- \$15,000 in sundry income due to Bogan Shire paying Council for the time that staff have spent on their asset management software implementation.
- \$3,000 for parental leave payments made to Council from the federal government.
- \$412 in reimbursement funds for costs incurred on the Fire and Emergency Services Levy.

**Note 1101 (page 2 QBR)**

**Wages & Other Employee Costs**

**\$40,000 additional expense**

**Responsible Officer: Director Corporate Services**

An additional vote is required to cover the cost of the new Community Engagement Officer position for the remaining 6 months of the year.

**Note 1103 (page 2 QBR)**

**Administration Expenses**

**\$9,199 additional expense**

**Responsible Officer: Director Corporate Services**

Additional funds required to cover the cost of the 2017/18 general insurance premium which was slightly higher than estimated.

**Note 1106 (page 2 QBR)**

**Administration – Property Expenses**

**\$30,000 additional expense**

**Responsible Officer: Director Corporate Services**

Due to a dry winter and hot summer, the amount of water that has and is being used on Council properties is more than estimated. Based on current usage, it is expected that a further \$30,000 will be required to cover the cost of the water.

**Note 1108 (page 2 QBR)**

**Civic Activities**

**\$14,033 additional expense**

**Responsible Officer: Director Corporate Services**

At the end of the previous financial year, Council resolved to set aside funds to enable the payment of the debt owed by the Armatree Progress Association to Council for the construction of a shed. As a result, an amount of \$14,033 was required with the cost shown here and is offset by a transfer from reserves on page 10.

**Note 1123 (page 2 QBR)**

**Project Management**

**\$200,000 additional expense**

**Responsible Officer: General Manager**

At the September review, an amount of \$200,000 was taken from the Engineering & Works wages and transferred to reserves to cover the wages for the new project management team to be put in place. These positions have now

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been filled and, as a result, the \$200,000 is required and is offset by the reduced transfer to reserves on page 10.

**Notes 1510 & 1511 (page 5 QBR)**

**Gilgandra Youth Service Income & Expenses**

**\$909 additional income**

**\$909 additional expense**

**Responsible Officer: Director Community Services**

There has been grant funding received for \$909 which will be offset by expenses for the same amount.

**Note 1640 (page 6 QBR)**

**Town Planning Income**

**\$13,000 additional income**

**Responsible Officer: Director Planning & Environment**

The original budget for development application fee income was an amount of \$15,450. As at this review, the actual amount received has been \$23,604 due to a higher level of activity than was estimated. As a result, an additional vote of \$13,000 is required and is expected to be achieved by the end of the year.

**Note 1750 (page 7 QBR)**

**Gilgandra Fitness Centre Income**

**\$27,000 less income**

**Responsible Officer: Director Community Services**

In previous years, Council has been the recipient of grant funding from the Federal Government for employment assistance at the Gilgandra Fitness Centre. At the time the 17/18 budget was prepared, there was no indication that this funding would not be forthcoming. Since then, advice has been received that Council will no longer be receiving the employment assistance funding.

**Note 2022 (page 9 QBR)**

**Promotion & Economic Development Income**

**\$25,750 less income**

**Responsible Officer: Director Corporate Services**

An amount of \$25,750 was included in the original budget being the contributions to be received from the business community for the Shop Local promotion over the Christmas period. Council then resolved to fully sponsor the program without assistance from the business community. As a result, the estimated income from the contributions will not be forthcoming in 17/18.

**Note 2023 (page 9 QBR)**

**Promotion & Economic Development Expenses**

**\$56,000 additional expense**

**Responsible Officer: Director Corporate Services**

Council has previously resolved to increase expenditure in this area by \$56,000 being \$6,000 for Travel Oz filming involvement and \$50,000 for pursuing Inland Rail opportunities.

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**Note 2801 (page 9 QBR)**

**Financial Assistance Grant**

**\$86,384 additional income**

**Responsible Officer: Director Corporate Services**

Based on the amounts paid for the first half of the year, it is expected that the total amount to be received will be \$86,384 greater than was estimated.

**Note 2803 (page 9 QBR)**

**Interest Income**

**\$20,000 additional income**

**Responsible Officer: Director Corporate Services**

It is expected that the total amount of interest to be received for the year will be \$20,000 more than originally estimated. This is due to the higher levels of cash invested than when the budget was prepared.

**Notes 2900 & 2901 (page 10)**

**Transfers from Reserves**

**\$164,033 additional income**

**Transfers to Reserves**

**\$200,000 less expense**

Following is a listing of the changes in transfers from and to reserves (the responsible officer is listed in brackets):

- IT Infrastructure Upgrades (DCorp): \$150,000 additional income which is offset by additional capital expenses on page 11.
- Armatree Shed (DCorp): \$14,033 additional income which is offset by additional operational expenses on page 2.
- Project Management Costs (GM): \$200,000 less expense which is offset by additional operating expenses on page 2.

**Note 2903 (page 11 QBR)**

**Capital Income**

**\$500,000 additional income**

Following is a listing of the capital income variances (the responsible officer is shown in brackets):

- Grants – CBD Stage 2 (DCorp): \$500,000 additional income to reflect the recent announcement made under the Stronger Country Communities Fund. This is offset by increased capital expenses of \$200,000 on page 11 and reduced loan income of \$300,000 also on page 11.

**Note 2904 (page 11 QBR)**

**Capital Expenditure**

**\$375,000 additional expense**

Following is a listing of the capital expenditure variances (the responsible officer is shown in brackets):

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- Irrigation Tank (DInf): \$25,000 additional expense. The remainder of this project has cost more than anticipated to complete. As a result, an additional \$25,000 is required.
- IT Infrastructure Upgrades (DCorp): \$150,000 additional expense. It is expected that Councils server network will need to be renewed this financial year with \$150,000 required to do the job. Funds are set aside from all operations of Council for this purpose and, as a result, the additional cost is offset by a transfer from reserves on page 10.
- CBD Stage 2 (DCorp): \$200,000 additional expense. Council has been successful in obtaining grant funding of \$500,000 for this project. As a result, the additional \$200,000 is required to increase the project allocation from \$300,000 to \$500,000. This is offset by the additional capital income on page 11.

**Note 2905 (page 11 QBR)**

**Loan Income**

**\$300,000 less income**

**Responsible Officer: Director Corporate Services**

As a result of the funding that has been received for the CBD Stage 2 project, the estimated borrowings of \$300,000 is no longer required. This is offset by the increased capital income on page 11.

The loan position of General Fund as at 31 December 2017 is:

- Loan Balance Outstanding: \$3,215,852
- Loan Repayments: \$617,301
- Debt Cover Ratio: 4.49%

**Note 3000 (page 14 QBR)**

**WATER SUPPLY**

**Responsible Officer: Director Infrastructure**

No changes.

**Note 4000 (page 15 QBR)**

**SEWERAGE SERVICES**

**\$140,000 less expense**

**Responsible Officer: Director Infrastructure**

The pump station installation on Warren Road (pump station no.8) is now complete with some roadworks still remaining. The end result is that the project will achieve a \$140,000 savings on the estimated final cost. The roadworks will be completed under the Roads to Recovery program through savings achieved in that area.

**Note 5000 (page 16 QBR)**

**ORANA LIVING**

**Responsible Officer: Director Community Services**

No changes.

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**Note 6000 (page 17 QBR)**

**CARLGINDA ENTERPRISES**

**Responsible Officer: Director Community Services**

No changes.

**Note 7000 (page 18 QBR)**

**COOEE VILLA UNITS**

**Responsible Officer: Director Community Services**

No changes.

**Note 7500 (page 19 QBR)**

**HOME CARE PACKAGES**

**Responsible Officer: Director Community Services**

No changes.

**Note 8000 (page 20 QBR)**

**COOEE LODGE**

**Responsible Officer: Director Community Services**

At the end of the previous financial year, Cooee Lodge received an additional \$258,230 in contract funding. This amount was subsequently transferred to reserves as an over payment. Funding for 2017/18 has since been reduced by the same amount which has resulted in a reduction in funding income which is offset by an increase in the transfers from reserves.

**Note 8500 (page 21 QBR)**

**JACK TOWNEY HOSTEL**

**Responsible Officer: Director Community Services**

No change.

**Treasurer's Comments / Recommendations**

**General Fund**

The original budget estimate for General Fund was an end of year result of a \$293,092 deficit (depreciation not included). This review indicates an estimated result of a \$134,896 deficit (depreciation not included) which is an improvement of \$158,196. This result should be viewed as being satisfactory compared to the original budget.

**Water Fund**

The original budget estimate for Water Fund was an end of year result of a \$120,484 deficit (depreciation not included). This review indicates an estimated result of a \$101,119 deficit (depreciation not included) which is an improvement of \$19,362. This result should be viewed as being satisfactory compared to the original budget.

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### **Sewer Fund**

The original estimate for Sewer Fund was an end of year result of a \$429,881 deficit (depreciation not included). This review indicates an estimated result of a \$278,967 deficit (depreciation not included) which is an improvement \$150,914. This result should be viewed as being satisfactory compared to the original budget.

### **Orana Living**

The original budget estimate for Orana Living was an end of year result of a \$55,190 surplus (depreciation not included). This review indicates no change to the estimate. This result should be viewed as being satisfactory compared to the original budget.

### **Carlginda Enterprises**

The original budget estimate for Carlginda Enterprises was an end of year result of a \$1,279 surplus (depreciation not included). This review indicates no change to the estimate. This result should be viewed as being satisfactory compared to the original budget.

### **Cooee Villa Units**

The original estimate for Cooee Villa Units was an end of year result of a \$90,816 surplus (depreciation not included). This review indicates an estimated result of an \$87,542 surplus (depreciation not included) which is a worsening of \$3,274. This result should be viewed as being unsatisfactory compared to the original budget.

It is recommended that no remedial action is necessary as the change is relatively minor and the estimated result is still a surplus.

### **Home Care Packages**

The original estimate for Home Care Packages was an end of year result of a \$35,944 surplus (depreciation not included). This review indicates no change to the estimate. This result should be viewed as being satisfactory compared to the original budget.

### **Cooee Lodge**

The original budget estimate for Cooee Lodge was an end of year result of a \$109,695 surplus (depreciation not included). This review indicates an estimated result of a \$177,675 surplus (depreciation not included) which is an improvement of \$67,980. This result should be viewed as being satisfactory compared to the original budget.

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### Jack Towney Hostel

The original budget estimate for Jack Towney Hostel was an end of year result of a \$14,508 surplus (depreciation not included). This review indicates no change to the estimate. This result should be viewed as being satisfactory compared to the original budget.

### Overall Position

The original budget estimate for Gilgandra Shire Council was an end of year result of a \$536,025 deficit (depreciation not included). This review indicates an estimated result of a \$142,844 deficit (depreciation not included) which is an improvement of \$393,181. This result should be viewed as being satisfactory compared to the original budget.

### Estimated Financial Performance Indicators

The ratios for 2015/16 and 2016/17 are actual ratios for Council's information while those for 2017/18 are an estimate only to the end of the year and may be subject to change.

	<b>Benchmark</b>	<b>2017/18</b>	<b>2016/17</b>	<b>2015/16</b>
Operating Performance Ratio	> 0.00%	8.00%	19.35%	9.64%
Own Source Revenue Ratio	> 60.00%	69.55%	63.50%	70.78%
Unrestricted Current Ratio	> 2.00:1	4.89:1	4.32:1	3.49:1
Debt Service Cover Ratio	> 3.00 x	19.74 x	18.36 x	11.91 x
Rates & Charges Outstanding	< 10.00%	5.91%	6.51%	5.76%
Cash Expense Cover Ratio	> 6.00 x	10.41 x	9.74 x	8.50 x
Building & Infrastructure Renewal Ratio	> 100.00%	105.00%	192.90%	131.13%
Renewal Backlog Ratio	< 2.00%	2.50%	2.33%	1.39%
Required Maintenance Ratio	> 1.00	1.00	1.02	0.88
Capital Expenditure Ratio	> 1.00	1.00	1.72	1.03

Principal Activity

Strategic Leadership

Policy Implications

Nil

Budget Implications

Actions delivered in line with 2017/18 budget.

Delivery Program Actions

**4.2.2.1**

Provide financial planning and reporting to ensure Council maintains accurate and timely financial records that facilitate sound decision making

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**4.2.1.1**

Develop and maintain and regularly review strategic plans in line with Integrated Planning requirements

**RECOMMENDATION**

That subject to any decisions on the recommendations as reported, the Quarterly Budget Review document and report as at 31 December 2017 be adopted.

N J Alchin  
Director Corporate Services

**DRAFT CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW**

**SUMMARY**

To endorse a submission on the draft Model Code of Meeting Practice for Local Councils in NSW.

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Council, at its December 2017 meeting, determined to form a working group comprising the Mayor, Deputy Mayor and Cr Mocker to prepare a submission on the draft Model Code of Meeting Practice for Local Councils in NSW. The working group has examined the documentation and present the following proposed non-mandatory provisions which they deem should be mandated:

- **QUORUM**

Meeting can be cancelled in advance if Council knows there will not be a quorum available.

- **MOTIONS REQUIRING THE EXPENDITURE OF FUNDS**

If outside of current operational plan/budget, must identify a source for the funding or be deferred pending a report from the General Manager.

- **RECOMMITTING RESOLUTIONS TO CORRECT AN ERROR**

A Councillor, with the leave of the Chairperson, can move to recommit a resolution adopted at the same meeting to correct an error, ambiguity or imprecision in a resolution.

The following suggestions have also been offered in relation to the proposed non-mandatory changes of Pre-Meeting Briefing Sessions and Public Forums:

- **PRE-MEETING BRIEFING SESSIONS**

It is suggested Council oppose the entire provisions of this clause. Firstly, it makes it compulsory and secondly, it is considered contrary to openness and transparency. Whilst it is understood it works for some Councils, it is considered that the workshop format is more appropriate and effective. In addition, it is hard to discern why a pre-briefing session is needed and why that excludes the GM's executive team/directors.

- **PUBLIC FORUMS**

Suggest change to Clause 4.7, to read: "The general manager or their delegate may refuse grant or refuse an application to speak at a public forum."

Suggest as a pre-requisite to Clause 4.1: "A public forum will be held prior to each meeting referred to if an application to speak is granted as per Clause 4.7"

<u>Principal Activity</u>	Strategic Leadership
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>4.1.1.1</b> Support Councillors in their role by providing information regularly and training as required

#### RECOMMENDATION

1. That Council endorse the non-mandatory provisions of Quorum; Motions requiring the Expenditure of funds and Recommitting resolutions to correct an error (as listed in the report and the draft Model Code of Meeting Practice for Local Councils in NSW) as provisions deemed mandatory.
2. That Council oppose the proposed non-mandatory provision of Pre-Meeting Briefing Sessions and Public Forums.
3. That a submission be made to the Office of Local Government by 16 March 2018 outlining Council's determination.

N J Alchin  
Director Corporate Services

**DA 2018/237**

**SUMMARY**

To present Development Application 2018/237 for determination.

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A detailed development assessment report has been carried out in relation to this development. Separately attached is a copy of the Statement of Environmental Effects and a copy of all submissions received in relation to this development application. The development assessment report is reproduced below:

Applicant: Gregory John Collison  
C/- Doherty Smith & Associates  
Dubbo NSW 2830

Description of Development: Proposed Landscaping Material Supply Business and Rural Industry at Lot 12 DP 753382 – 7 Quealeys Road Gilgandra NSW 2827. The proposal intends to provide landscaping materials supplies to the local area with some processing of logs, branches and stumps

BCA Class: Not applicable

Landowner(s): Gregory John Collison  
77 Wrigley Street  
GILGANDRA NSW 2827

Landowners consent provided:  Yes  No  
(All Landowners must give consent to the proposed development)

Date application received: 12 January 2018

**Property Description:**

Street/Road No: 7  
Street/Road: Quealeys Road  
Suburb: Gilgandra  
Lot & DP: Lot 12, DP753382

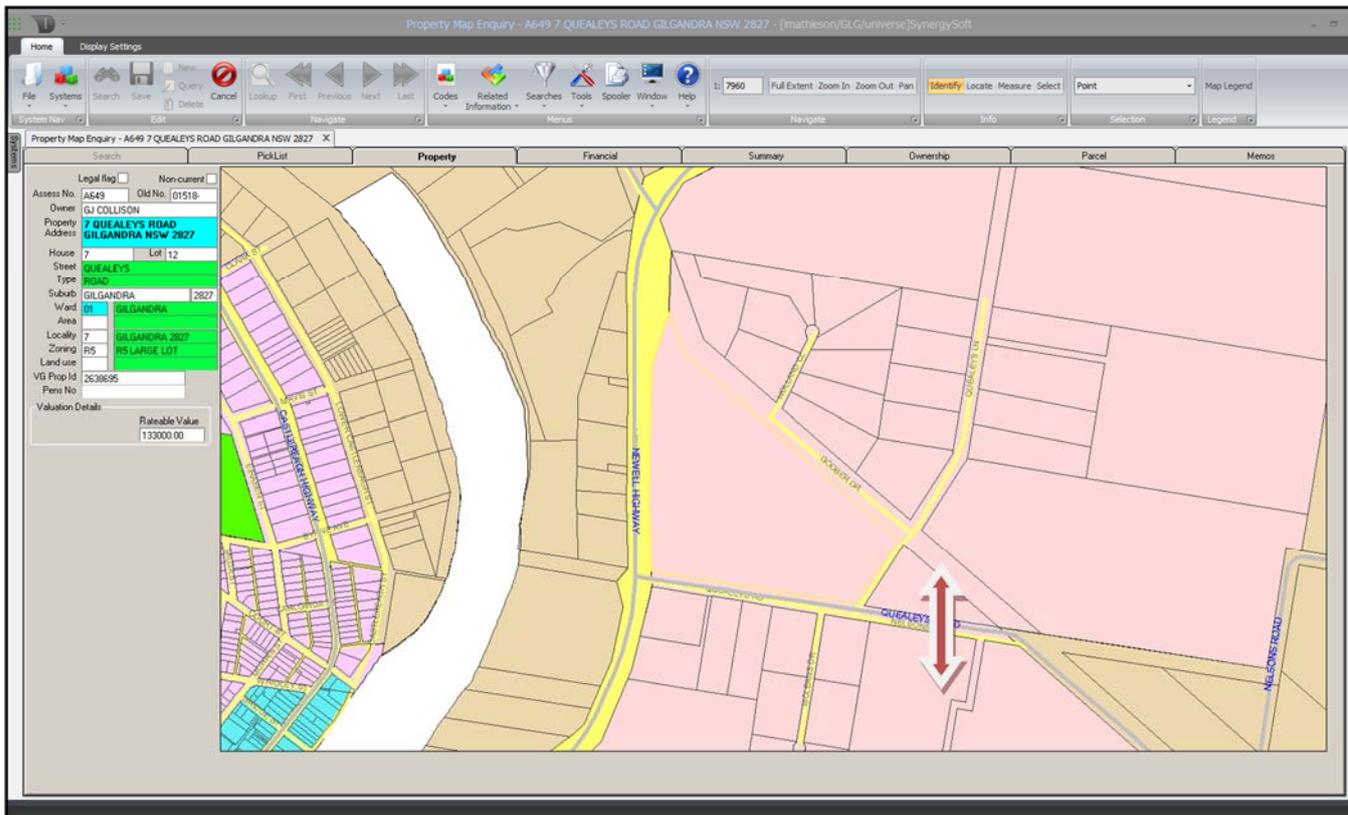


Correct dimensions on plan:  Yes  No  N/A

Existing Use:  Yes  No  N/A

Current land-use: Agriculture

**Site Zone and permissibility:** Under Gilgandra LEP 2011 the site is zoned R5 Large Lot Residential. Rural Industry is listed as prohibited within the zone. Landscaping Materials Supplies falls under the heading of Commercial Premises which is also prohibited within the zone.



**Designated/integrated/  
advertised development:**

The proposal is not designated development pursuant to the Environmental Planning and Assessment Act 1979.

Due to its proximity to the Newell Highway, the application has been referred to RMS for comment.

It is advertised development pursuant to Council's DCP (section 3). The application has been advertised.

**Site Description:**

The subject site comprises one lot with an area of approximately 26.05ha. It has frontage to Quealeys Road, Quealeys Lane and Godber Drive. The Western boundary joins the Newell Hwy (SP2 Zone) but has no access to the Newell Hwy.

The site is generally flat with a depression towards the middle of the subject site. The depression slopes towards the North to an unnamed water course that traverses from the Northern boundary and exits the subject site on the Western boundary and flows into the Castlereagh River.

There is a number of free standing sheds and an old timber dwelling located on the site. The site is fully fenced with rural type fencing.

**Site History:**

Councils records and local knowledge indicate the site has been consistently used for agricultural purposes.

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**Additional Information:**

Additional information requested:  Yes  No

Date: N/A

Received on: N/A

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**Public Notification:**

Advertised in newspaper:  Yes  No

Start Date: 17/01/2018

End Date: 5/02/2018

Notified to neighbours:  Yes  No

Start Date: 27/01/2018

End Date: 5/02/2018

Submissions received:  Yes  No

(refer to S 79C(1)(d) 'Any Submissions' for consideration of submissions received by Council)

Three submissions were received which are attached to the business paper.

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**Assessment:**

The application has been assessed in accordance with Section 79(c) of the Environmental Planning and Assessment Act 1979. The main issues are addressed below:

Section 79C(I) Evaluation Matters

**S 79c(1)(a)(i) provisions of any environmental planning instrument(s)**

**(i) Gilgandra Local Environmental Plan (LEP) 2011**

The proposed development is a:

- Prohibited use within the R5 Large lot Residential Zone  
 existing use

Both rural industry and landscaping material supplies are prohibited in the R5 Large Lot Residential zone.

**Objectives of R5 Zone**

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

**Comment:** The proposed development is not consistent with any of the objectives of the R5 Large Lot Residential Zone. The R5 zone is designed for large lot residential housing in a rural setting that allows residents a relaxed lifestyle, with appropriate buffer distances to neighbouring properties. Existing residents surrounding the subject site have bought their properties with an expectation that only land uses permitted in the zone and consistent with the objectives of the zone would be approved. This zone has not been constructed as a Primary Production zone with its broad range of uses. .

The SEE has failed to provide justification that the proposed development meets the objectives of the R5 Zone. The SEE acknowledges that both rural industry and landscaping material supplies are prohibited in the R5 Large Lot Residential zone.

Special clauses of the Gilgandra LEP 2011 relevant to the application:

- none apply  
 Special Clause(s) of the Gilgandra LEP 2011 apply (refer to comments below)
-

## 1.2 Aims of Plan

The proposed development is consistent with the following aims of Gilgandra LEP 2011:

- (2) (f) to increase employment opportunities within the Gilgandra local government area through the efficient use of resources,

The following other clauses of the LEP apply to the development:

## 1.4 Definitions

The proposed development is defined as partly a rural industry and partly a landscaping material supplies:

*rural industry* means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

*landscaping material supplies* means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

Note: Landscaping material supplies are a type of retail premises

## 5.14 Siding Spring Observatory—maintaining dark sky

The subject land is located approximately 65 km from the Siding Spring Observatory, in a straight line. The development is generally consistent with the objective to “*protect observing conditions at the Siding Spring Observatory by promoting lighting practices that minimise light pollution*” as follows:

- (2) Light emissions (and dust)

**Comment:** The proposed development nominates operating hours that will be restricted to daylight hours. No illuminated signage is proposed as part of the SEE. The SEE has identified that 3000lts of bore water will be used for dust suppression per day.

- (7) Development on land 18 kilometres or more from observatory
-

**Comment:** Concurrence of the Secretary is not required as the development will not result in the emission of light of 1,000,000 lumens or more. Consultation with the observatory director is not required because the development does not involve a dwelling house, secondary dwelling or dual occupancy. Consultation with the observatory director is not required because the development will not exceed 50,000 lumens.

### 5.3 Development near zone boundaries

- (1) *The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.*
- (2) *This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 100 metres.*
- (3) *This clause does not apply to:*
  - (a) *land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or*
  - (b) *land within the coastal zone, or*
  - (c) *land proposed to be developed for the purpose of sex services or restricted premises.*
- (4) *Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:*
  - (a) *the development is not inconsistent with the objectives for development in both zones, and*
  - (b) *the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.*
- (5) *This clause does not prescribe a development standard that may be varied under this Plan.*

#### **Comment:**

The applicant has lodged the application based on the nearby RU1 Zone allowing the proposed development to be permitted with Council's consent. However the adjoining zone is SP2 infrastructure which separates the R5 and RU1 Zones. The SP2 zone does not permit either rural industry or landscape material supplies. The NSW Department of Planning and Environment Circular (PN 11-001) issued in March 2011 states on the application of clause 5.3:

*"This clause provides flexibility to allow a use that is permitted on one side of a zone boundary to occur on the **immediate other side** if this would enable a more logical and appropriate development of the site."*

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In this case it is clear that the SP2 zone is on the immediate other side of the R5 zone boundary and it does not permit the uses nominated in this application.

The intent of Clause 5.3 is to allow some flexibility for development on either side of a zone boundary where it can be shown that a development meets the objectives of both adjoining zones and is a “logical and appropriate development of the site”

In 2011 Council invested substantial time and money in developing a Western Land Use Strategy. The purpose of the land use strategy is to identify appropriate land use for each of the nominated zones in the Gilgandra Local Environmental Plan 2011. By identifying land use zones, Council has the ability to place development in the appropriate zone to prevent and minimise land use conflict.

The Newell High Way which is zoned SP2 Infrastructure, provides a (natural/built) buffer distance between the RU1 Primary Production and the R5 Large Lot Residential zone, therefore reducing land use conflict.

Not only is the proposed development prohibited within the R5 Zone, it is prohibited in the SP2 zone as well. The Statement of Environmental Effects hasn't demonstrated how the proposed development meets the objectives of the R5 Zone or the SP2 zone. It has not demonstrated that it is a logical and appropriate use of the site and it is not a proper application of clause 5.3 of the LEP.

### **State Environmental Planning Policy (Infrastructure) 2007**

#### ***Section 101 Development with frontage to classified road***

(1) The objectives of this clause are:

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

**Comment:** No additional access points are proposed in this development. The existing driveway off Quealeys Road (non classified road) is the entry/exit for the proposed development. The proposed development was referred to RMS for comment.

#### ***Section 104 Traffic-generating development***

The access egress to the site is within 90m of the Newell Highway

As the nominated area in the SEE for the proposed development is under the size nominated in schedule 3.

It is not clear that the proposed development will expand over time, however given the proximity to the Newell Highway and nature of the proposal, the matter has been referred to RMS in any case. RMS has not recommended any specific conditions.

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### **State Environmental Planning Policy No 64—Advertising and Signage**

The relevant aims of this Policy are:

- (a) *to ensure that signage (including advertising):*
- (i) *is compatible with the desired amenity and visual character of an area, and*
  - (ii) *provides effective communication in suitable locations, and*
  - (iii) *is of high quality design and finish*

*A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:*

- (a) *that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1*

**Comment:** No illuminated signage is proposed. One new billboard sign is proposed on the site plan.

#### **S 79C(1)(a)(ii) provisions of any draft Environmental Planning Instrument(s)**

Yes                       No

Comments: Nil.

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#### **S 79C(1)(a)(iii) provisions of any Development Control Plan(s)**

The Gilgandra Shire Development Control Plan 2011 chapters which are relevant to the application are as follows:

##### **Chapter 14 Parking**

**Comments:** The proposed site provides a car parking plan that meets the requirements of the DCP 2011.

##### **Chapter 15 – Advertising**

**Comments:** There is an existing billboard sign is approximately 2.4 x 1.2 metres in size and is located inside the North Western boundary of the site. The sign is not illuminated and there is one proposed new sign. Therefore meets the requirements of the DCP 2011.

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## **Chapter 22 – Waste Minimisation and Management**

### **22.5 Commercial, retail and industrial premises**

**Comments:** The SEE nominates a small skip to be located on site to be emptied by the business or a contractor.

## **Chapter 23 - On Site Sewage Management**

**Comments:** The SEE nominates the proposed development will utilise an existing septic system that services an existing dwelling located on site.

Council has a number of concerns with this as outlined below:

1. The existing Septic system is registered with Council, however it is not approved by Council due to the age of system.
2. Due to the age of the system it would not comply with current standards. The applicant would need to demonstrate that the existing system was suitable and able to cope with any additional loading from the proposed development.

## **Chapter 24. Utility services**

**Comments:** The subject site has power and telecommunications connected. There is no reticulated town water or sewer connected to the site. The SEE has identified the use of rainwater tanks and bores to meet the provisions of the DCP

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*S 79C(1)(a)(iv) any matters prescribed by the regulations*

Yes  No

Comments: Nil

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## **S 79C(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality**

### **Site Requirements:**

Boundary Clearance(s):  Complies  Does not comply  N/A  
Front Building setback:  Complies  Does not comply  N/A

**Comments:** Usually with commercial premises there is a 9m set back distance to any structure. There are no proposed structure within the 9m from the property boundary.

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**Site Coverage:**             **Satisfactory**     Unsatisfactory     N/A

(NOTE: Site coverage is generally determined having regard to the level of compliance with Council's standards in relevant DCP's (eg: carparking, internal vehicle manoeuvring, setbacks, landscaping, etc)

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**Easement(s):**

Existing Easement(s)             **Clear of easement(s)**  
    Encroaches easement(s)  
    N/A

Proposed Easement(s)             **Easement(s) required**  
    Easement(s) not required  
    N/A

Comments: Nil.

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**Consolidation of Lot(s):**             Required     **Not required**     N/A

**Drainage:**

Sewer Main:  **Work(s) clear of main**     Work(s) within 1m of main     N/A  
Likely Gradient:  **Satisfactory**             Unsatisfactory             N/A

**Roof Water:**     to street gutter                             to rainwater tank  
                          to absorption trench                     3000mm from the building  
                          N/A     Other  
                          No change to existing

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**The following relevant matters have also been assessed in accordance with S 79C1(b):-**

Context and Setting

The development site is an existing rural parcel that is zoned R5 large Lot Residential. It is considered that the proposed development being prohibited within the zone will generally not fit in with the character of the locality and will have a detrimental impact on any surrounding land uses. The development site itself has subdivision potential under the R5 zone (2 hectare minimum lot size) and a future application could place lots and houses closer to the proposed landscape material supplies land use exacerbating any conflict issues.

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Access, transport and traffic

The proposed site plan indicates an area outside the 100 metre off set area to have a two coat bitumen seal and proposed stock piles also outside the nominated area of the proposed development. This indicates that the applicant intends for the business to grow outside the nominated area, which has the potential to generate more traffic and provide more impacts for surrounding land uses.

The application was referred to the RMS for comment. RMS has not recommended any specific conditions.

Public Domain

It is considered that the proposed development will have a minimal negative impact on the public domain. The surrounding residential properties will have the most impact from the proposed development.

Utilities

It is considered that the proposed development will not have a negative impact on existing utilities. It does not require additional reticulated water or sewerage or electricity.

Heritage

No Impacts. The site does not contain any listed European heritage items. An AHIMS search indicates there are no Aboriginal sites on or surrounding the subject land.

Water

The SEE has indicated the use of rainwater tanks and the use of an existing bore located on site. If the business was to expand it has the potential to impact on ground water vulnerability. It should be noted that during times of long dry spells, the water table drops in the surrounding area.

Soils

Minimal soil disturbance is likely as a result of this development.

Air & Microclimate

Due to the nature of the proposed development, daily operations on site would require some form of dust suppression. Failure to suppress dust will result in land use conflicts and complaints to Council.

Flora and Fauna

The subject land does not contain any significant vegetation.

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Waste

It is considered that the proposed development will not significantly increase the generation of solid and liquid waste. Refuse from construction will be taken to a licensed landfill periodically.

Energy

It is considered that the proposed development will not have significant impact on energy demand.

Noise & Vibration

The acoustic environment of the locality is likely to be impacted by the proposed development. It is considered that the proposed development will increase the levels of noise and vibration as to impact on neighbouring properties, particularly the neighbouring motel.

Technological Hazards / Potentially Contaminated land

The site is not known to be contaminated by past land use or natural hazards.

Safety, Security & Crime Prevention

It is not considered that any special considerations are required for safety, security or crime prevention with this development.

Social impact on the locality

The proposed development will be socially disruptive and will change the large lot residential character for the area to a more commercial character. Roads will be busier with trucks and trailers as well as noise and dust generated at the site.

Economic impact on the locality

It is considered that the most likely negative economic impacts from this development will be on the nearby motel and potentially the value of nearby large lot residential property. There will be some positive impacts by generating employment associated with a new business in town and this will have positive impacts on the Gilgandra community.

Cumulative impacts

It is considered that the proposed development has the potential to have cumulative impacts by setting a precedent in the R5 zone which would allow other developers to pursue other prohibited uses in the R5 zone. It is also based on an inappropriate use of Clause 5.3 and this also creates a bad precedent for it to be used this way again.

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**S 79C(1)(c) the suitability of the site for the development**

(NOTE: Assessment requires referral to the specific considerations for each primary matter listed below, as specified in 'the Act')

Does the proposal fit in with the locality?  Yes  No

Are the attributes of the site conducive to the proposed development?

Yes  No

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**S 79C(1)(d) any submissions made in accordance with the Regulation(s)**

**Public Submissions:**

Development Advertised:  Yes  No

Development Notified:  Yes  No

Public submissions received:  Yes  No

Three submissions were received from surrounding neighbours. The following concerns were raised:

**Water usage**

**Comment:** The SEE nominates the use of rainwater tanks and a bore for the operations on site. The proposed development has the potential to have an impact on ground water as the water table has been known to drop in that area during extended periods of hot weather.

**Hours of operation**

**Comment:** The SEE nominates hours of operation to be during daylight hours. This would have a negative impact on the neighbouring motel particularly through the daylight savings period.

**Dust suppression**

**Comment:** The SEE states that the bore will be used to provide 3000lts daily for dust suppression on site.

**Noise**

**Comment:** The SEE is silent on any noise issue. Due to the nature of the proposal it is expected there will be a negative impact from noise generated on site with the most affected being the neighbouring motel.

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### **Rural Industry**

**Comment:** A concern has been raised as to the scope of what a rural industry entails. If approval is given then the applicant has the advantage of developing the site with any development that fits the definition of a rural industry. The issue of appropriate land use to minimise land use conflict is very clear and Council should consider why Rural Industry is prohibited within the R5 Zone

### **Protection of Rural Life Style**

**Comment:** As mentioned earlier in the report existing residents purchased their land based on the protection that the Gilgandra LEP2011 provides for the R5 Zone and a relaxed residential rural lifestyle.

### **Commercial scale concrete mixing dispatch operation**

**Comment:** Currently there is a number of road construction plant and equipment stored on site in addition to a concrete truck. A concern has been raised as to whether this site would be used as a depot for road construction or a concrete batching plant. The application and SEE is silent on these issues.

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### **Submissions from Public Authorities:**

Is the proposed development 'State Significant Development'?:  Yes  No

Is the proposed development 'Designated Development'?:  Yes  No

Is the proposed development 'Integrated Development'?:  Yes  No

Was the proposed development referred to any Public Authorities?:  Yes  No

Were any submissions made by Public Authorities?:  Yes  No

Referrals were forwarded to the following Public Authorities:

- Office of Environment and Heritage (OEH)
- Environment Protection Authority (EPA)
- Land & Water Conservation (DLWC)
- Roads and Maritime Services (RMS) (see comments below)
- Heritage Council of NSW
- NSW Police Service
- NSW Agriculture
- NSW Fisheries
- Country Energy
- AGL/Agility
- Telstra
- Other: \_\_\_\_\_ (see comments below)

RMS: The RMS do not object to the development.

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S 79C(1)(e) the public interest

Are there any Federal, State or Local Government and/or Community Interests?:

Yes  No

State government comments (RMS) are outlined in the previous section. No Federal authority has made a submission and no Commonwealth land is located in the vicinity of the development. Community consultation has not generated any submissions.

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### **Council officers' assessments:**

#### **Building Assessment**

Comments: There are no structures as part of the proposal.

#### **Environmental and Health Assessment**

Comments: Nil

#### **Summary**

Issues of non-compliance/inconsistency with Council's Policies, the Act or Regulation(s):

**Comment:** The proposed development is prohibited within the R5 Large Lot Residential Zone. In addition the SEE has not demonstrated it meets the objectives of the zone or the adjacent SP2 zone. The application is based on an inappropriate use of Clause 5.3 of the LEP.

The application is inconsistent with Council policies and planning controls. In addition Council would need to consider the following:

- a) The applicant has not demonstrated that the proposed development is a logical and appropriate development of the site
  - b) The proposed On Site Sewage Management system is old and inadequate
  - c) The proposed development will be socially disruptive and will change the large lot residential character for the area to a more commercial character.
-

## Conclusion

The subject proposal is inconsistent with respect to the relevant provisions of the applicable Environmental Planning Instruments, Development Control Plans and Council policies, by virtue of being prohibited within the zone and inadequately addressing the objectives of the R5 zone or SP2 zone. The application is based on an inappropriate use of Clause 5.3 of the LEP. The proposal is considered likely to have a negative impact upon the environment and upon the amenity of the locality and is not supported

## Recommendation

- Consent be granted unconditionally; or  
 Consent be granted subject to condition(s) (detailed in Annexure 'A' *attached*);  
or  
 Consent be refused

<u>Principal Activity</u>	Legislation & Bylaws
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>7.1.1.1</b> Provide assessments of development and subdivision approvals in a timely manner

## RECOMMENDATION

That Development Application 2018/237, for Proposed Landscaping Material Supply Business and Rural Industry at Lot 12 DP 753382, be refused for the following reasons:

- a) The intended use is prohibited in the R5 Large Lot Residential Zone.
- b) The proposed development does not comply with the objectives of the R5 Zone (or the SP2 zone)
- c) The R5 zone adjoins the SP2 Zone (not the RU1 zone), therefore the use of Clause 5.3 of the Gilgandra LEP 2011 as suggested in the application is invalid
- d) A precedent would be set with the inappropriate use of Clause 5.3 of the Gilgandra LEP 2011.

Lindsay Mathieson  
Director Planning & Environment

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**REQUEST FOR DEPARTURE FROM COUNCIL'S DEVELOPMENT CONTROL PLAN 2011**

**SUMMARY**

To consider a request from Ms Dianne Eaton to vary the minimum lot size of 2,000m<sup>2</sup> required for on-site sewage management systems within unsewered areas at her property at 13 Aimee Street, Tooraweenah.

.....

Ms Eaton owns No.13 Aimee Street (Lots 9 and 10 of DP7129) in Tooraweenah. The amalgamation of both lots would result in a total land area of 1,530m<sup>2</sup>.

Under the Gilgandra LEP 2011, the minimum lot size for dwelling permissibility in RU5 Village zoning is 2,000m<sup>2</sup>. With the amalgamation of both parcels the total land area would still be significantly under the minimum lot size for dwelling permissibility. Being that the land is classed as urban and designed for the purpose intended, it is considered that the land has dwelling permissibility under current planning guidelines



Council's Development Control Plan (DCP) 2011 requires a minimum land size of 2,000m<sup>2</sup> in which to establish a dwelling as stated below:

**7.2.2 Minimum lot size**

The minimum size for lots for a dwelling house purpose must not be less than:

- a. mid block lots in sewerred areas 700 m<sup>2</sup>
- b. corner lots in sewerred areas 1000m<sup>2</sup>
- c. all lots in unsewerred areas 2000 m<sup>2</sup>

Council would be aware that the Tooraweenah village does not have a reticulated sewer system and therefore an on-site sewage management system is required as part of a residential development. Tooraweenah has a relatively high water table in the Village area, which means the threat of contaminating this natural water source is a real concern.

With any proposed septic system, particularly in Tooraweenah, a large disposal area is required and is normally determined by a Site and Soil Assessment for On-Site Effluent Management System Report, which includes a Water Balance Report, prepared by a Geotechnical Engineer. This report is submitted to Council to assess as part of the application process.

A Site and Soil Assessment for On-Site Effluent Management System Report, including a Water Balance Report, has been prepared for the Owner by Barnson (Dubbo), with the recommendation of a conventional septic tank system with 2 absorption beds.

The system designed allows for a total absorption area of 24.43m x 30.48m (width of the 2 lots) to disperse the treated wastewater into the subsoil on site. The total designed absorption area is 744.63m<sup>2</sup>, which is essentially half of the total area of the lots (1530m<sup>2</sup>)

In assessing this request, Council should consider the advantages of urban development of land in the Tooraweenah Village and the attached broader benefits to the community. The applicant will still need to demonstrate at application time that a suitable on-site sewage management system is achievable on the site.

<u>Principal Activity</u>	Thriving Environment
<u>Policy Implications</u>	Departure from Council's planning instrument
<u>Budget Implications</u>	Nil
<u>Management Plan Implications</u>	<b>7.1.1.2</b> Provide efficient service to prospective home builders and developers to ensure building standards are maintained.

### RECOMMENDATION

1. That Council support in principal the request for variation from the Gilgandra Development Control Plan 2011 to vary the minimum size of a residential dwelling lot from 2,000m<sup>2</sup> to 1,530m<sup>2</sup> at 13 Aimee Street, Tooraweenah, to allow for the installation of a suitable on-site sewage management system.
2. That a future condition of consent requires the amalgamation Lots 4 and 5, Sec 3 of DP7129, Bridge Street, Tooraweenah, to allow for safe disposal of effluent.
3. That, in accordance with section 375A of the Local Government and Planning Legislation Amendment (Political Donations Act) 2008, the names of Councillors who support and oppose the decision be recorded.

Lindsay Mathieson  
Director Planning & Development

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**DANGEROUS DOG COURT MATTER**

**SUMMARY**

To advise the outcome of a court matter concerning Declared Dangerous Dogs.

.....

This dog attack matter, from the time of the incident until the final conclusion, spanned a period of 20 months. During this period, Council engaged a firm of solicitors and three barristers to defend (the civil matter) and then to prosecute (the criminal matter).

Council employees were involved with all aspects of this case including the investigation, evidence collection, compiling legal briefs, statements and reports, liaising with witnesses and solicitors, mediation and attending court dates.

It is a credit to all staff involved that the level of professionalism and expertise was recognised by the Courts.

On 4 May 2016, two Bullmastiffs entered private property and attacked a Jack Russell Terrier that was tethered to the verandah of its house. The homeowner heard the attack and was able to disengage the dogs. The Ranger was called and the Bullmastiffs were seized and taken to the pound. The victim dog suffered substantial injuries including four fractured ribs, multiple punctures and lacerations.

The owner of the Bullmastiffs (referred to as "MM") was located and the dogs were released (with conditions).

On 9 May 2016, MM was issued with two penalty infringement notices for the dog attack and two Notices of Intention to declare the dogs as Dangerous Dogs. The Notices of Intention provided that representations could be made to Council objecting to the Declarations.

On 18 May 2016, a representation was received contesting the Dangerous Dog Declarations. In accordance with *Isbester v Knox City Council* [2015] HCA 20, an independent panel was convened to consider the representation. On 8 June 2016 the panel determined to proceed with declaring the dogs as Dangerous Dogs. Two Declarations were issued to MM. These Declarations provided that an appeal could be lodged with the Local Court.

**Dangerous Dog Appeals (Civil Litigation)**

On 28 June 2016, Council was served with a notice that an appeal had been lodged with Gilgandra Local Court contesting the decision to declare the dogs as Dangerous Dogs.

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The following is a time-line of these events:

- 5 Aug 2016: First mention in Gilgandra Local Court.  
Briefs to be served by both parties. Matter re-listed on 9 Sept 2016.
- 9 Sept 2016: Second mention in Gilgandra Local Court.  
MM not ready and had not served her evidence-in-chief. The Magistrate suggested mediation in an effort to resolve the matter. Hearing listed for 7 Oct 2016.
- 21 Sept 2016: MM made a settlement offer. Conditions not acceptable to GSC.
- 23 Sept 2016: GSC made counter-offer to MM. Rejected by MM.
- 7 Oct 2016: Hearing at Gilgandra Local Court.  
MM requested adjournment. Hearing rescheduled for 10 Feb 2017.
- 16 Nov 2016: Mediation at Community Justice Centre between MM and GSC.  
No acceptable result obtained.
- 10 Feb 2017: Hearing at Gilgandra Local Court.  
Hearing conducted over 3 hours with a number of witnesses called to give testimony.  
Magistrate upheld Council's decision to declare the dogs as Dangerous Dogs.
- 13 Mar 2017: MM lodged appeal against Local Court decision to District Court.  
Mention date set for 3 April 2017.
- 22 Mar 2017: District Court date changed to 4 April 2017.
- 4 April 2017: Dubbo District Court mention. Hearing date set for 2 May 2017.
- 2 May 2017: Dubbo District Court hearing. MM requested adjournment. Costs Order made against MM. Hearing date set for 7 July 2017.
- 28 June 2017: Dubbo District Court Judge changed hearing date to 4 Aug 2017.
- 4 Aug 2017: Dubbo District Court hearing.  
Judge dismissed appeal for jurisdiction (District Court had no jurisdiction to hear the matter). Costs Order made against MM.  
MM had 28 days to lodge a fresh application with the correct court.

### **Final result of the Dangerous Dog Appeals**

No new application was made to appeal the decision of the Gilgandra Local Court. The two Bullmastiffs are declared as Dangerous Dogs and MM must comply with the control requirements as set out in the Companion Animals Act 1998.

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### **Penalty Notice Appeals (Criminal Litigation)**

During the Dangerous Dog appeals, MM also exercised her right of appeal against the penalty infringement notices (PINs). The following is a time-line of these events:

- 31 May 2016: MM applied to SDRO (State Debt Recovery Office) to seek a review of the PINs. SDRO advised that the penalties were to stand.
- 18 July 2016: MM applied to SDRO to have the PINs heard in Local Court. SDRO advised that the PINs had proceeded to enforcement and could not be heard in Local Court.
- 16 Jan 2017: SDRO granted MM an annulment order for both PINs. First mention in Gilgandra Local Court set for 7 April 2017.
- 7 April 2017: Gilgandra Local Court. MM entered a plea of not-guilty. Briefs of evidence to be served. Second mention date set for 9 June 2017.
- 9 June 2017: Gilgandra Local Court. MM affirmed her plea of not guilty. Hearing date set for 11 August 2017.
- 11 Aug 2017: Gilgandra Local Court. Matter adjourned to 6 October 2017 by Magistrate (not enough time to hear the matter).
- 6 Oct 2017: Gilgandra Local Court. Magistrate adjourned matter as no time to hear case. Recommended case be heard in Dubbo Local Court.
- 11 Oct 2017: Dubbo Local Court. Hearing date set for 21 Nov 2017.
- 21 Nov 2017: Dubbo Local Court. Magistrate adjourned matter to 11 Jan 2018 (no time to hear matter).
- 11 Jan 2018: Dubbo Local Court.  
MM changed her plea to guilty. No conviction recorded.  
Magistrate imposed 8 month good behaviour bond. No costs awarded to either party.

### **Final result of Penalty Notice Appeals**

MM pleaded guilty to two offences of dog attack. The Magistrate imposed a good behaviour bond as the attack was considered serious. There is no appeal period for a guilty plea.

<u>Principal Activity</u>	Thriving Environment
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	The cost of the case to Council was \$53,580.59.

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Delivery Program Actions

**7.1.1.6**

Respond to community requests on matters relevant to regulatory functions

RECOMMENDATION

That the report be noted.

Lindsay Mathieson  
Director Planning & Development

**SECTION 94 CONTRIBUTIONS**

**SUMMARY**

To seek a resolution from Council to investigate a Section 94 Contributions plan suitable for extractive industries.

.....

As Council would be aware the current Section 94A Contributions Plan allows Council to charge a contributions fee on development applications. This levy is paid to Council which is applied towards meeting the cost of provisions or augmentation of new public facilities.

In light of the recent Quarry development it was identified that Council's current Section 94A Plan didn't accommodate for extractive industries in relation to charging a levy for the maintenance of Council's road network

Road pavement deterioration associated with quarries is caused largely by the passage of heavy vehicles. Extractive industries typically cause and exacerbate the deterioration of the road surfaces which then requires the need for considerable expenditure to maintain, repair and, where necessary, reconstruct the roads. Road maintenance can be funded via Section 94 only for quarry and mining operations.

Therefore, a section 94 contributions is reasonable for new quarries or quarries that expand production to cover the increased level of road deterioration. Such a levy is appropriate for new construction, maintenance and rebuilding of any road that is used by quarry traffic.

As future development of quarries is unknown until the time of expansion/development, all that can be provided at this stage is a formula for the calculation of the levy. The formula for road upgrading and maintenance would be developed in line with Council's road hierarchy system and input from Council's Engineer.

The current legislation only allows one Section 94 Contributions plan per Council. Council's current plan covers development across the LGA. The legislation is complex and doesn't permit a S94 and S94A Plan to run side by side. Staff are seeking a direction from Council to investigate options available with Section 94 Contributions Plans to best suit the needs of Council.

Principal Activity

Legislation and Bylaws

Policy Implications

Current policy to be reviewed

Budget Implications

Nil

MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 20 FEBRUARY 2018

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Delivery Program Actions

4.2.1.1

Develop, maintain and regularly review strategic plans in line with Integrated Planning requirements

RECOMMENDATION

1. That Council staff investigate the options available for Section 94 plans to best suit the needs of the Gilgandra Local Government area, including extractive industries.
2. That a further report be presented to Council.

Lindsay Mathieson  
Director Planning & Development

**MINUTES – COMMITTEE MEETINGS FOR ADOPTION**

SUMMARY

To present the following minutes of Committee meetings for consideration and adoption.

.....

Aged Care Committee

1 February 2018

Disability Services Committee

8 February 2018

**Please note:** The Aged Care Committee has recommended an addition to the policy relating to the Cooee Lodge Retirement Village under the heading “Villa to Hostel Transfer/Fee Waiver”

Principal Activity

Respected Leadership

Policy Implications

Additional section to be added to the Cooee Lodge Retirement Village policy

Budget Implications

Nil

Delivery Program Actions

**3.1.1.2**

Recognise the importance of and encourage community members on to Council committees

**3.4.1.1**

Offer opportunities for community members and groups to have input into strategic planning to ensure the community are informed and empowered

**AGED CARE**

1 February 2018

**PRESENT**

Cr D Batten (Mayor)  
Cr G Peart (Chairman)  
Cr N Mudford  
Cr N Wrigley  
Mr P Morris

**IN ATTENDANCE**

Mr D Neeves (General Manager)  
Mr M Wilson (Director of Community Services)  
Mrs A Thompson (Manager Aged Care Services)  
Mrs J Blackman (Manager Community Services)  
Mr N Valiullin (Hostel Supervisor)  
Mrs J Weir (Administration)  
Mrs S Temple (Administration)  
Ms G Bennett (Marketing Officer)

**ABSENT**

Mr P Mann  
Mrs A Bunter

Proceedings of the meeting commenced at 5.00pm

**APOLOGIES**

Mrs R Frost  
Mr M Cain

<b>COMMITTEE'S RECOMMENDATION 1/18</b>	Cr Batten/Mr P Morris
That the apologies submitted be accepted.	

**DECLARATIONS OF INTEREST**

Nil

**CONFIRMATION OF MINUTES**

<b>COMMITTEE'S RECOMMENDATION 2/18</b>	Cr Batten/Cr N Mudford
That the minutes of the meeting held on 9 November 2017 be confirmed.	

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### MATTERS OF INTEREST

- Cr Peart welcomed Ms Gillian Bennett who is employed as our Marketing Officer for Community Services. Gilgandra Shire Council has recognised the need to increase the marketing for NDIS and Cooee Lodge and have employed Ms Bennett for a 6 month contract at this stage. Ms Bennett brings with her some valuable knowledge and experience.
- It was noted that Mrs Jill Blackman, who was a nominee for Citizen of the Year this year, will be retiring in March. Advertising for this role will commence next week.
- The Committee welcomed Mr Nargiz Valiullin, Hostel Supervisor of Cooee Lodge. Mr Valiullin gave the Committee a background of his experience.
- Mrs Angelena Thompson advised the Committee that we were engaging a Physiotherapist at Cooee Lodge for one day per week commencing in February. The cost of this will be far outweighed by the increase in funding we receive through ACFI and also will be of great benefit to the residents.
- Ms Gillian Bennett left the meeting at 5.20pm.

### REPORTS

#### **2016/2017 QUARTERLY OPERATIONAL PLAN REVIEW 1 OCTOBER 2017 TO 30 DECEMBER 2017**

##### SUMMARY

To consider progress for the quarter with Aged Care Operational actions.

<b>COMMITTEE'S RECOMMENDATION 3/18</b>	Cr Wrigley/ Cr Batten
That the progress of the operational plan be noted.	

#### **QUARTERLY BUDGET REVIEW DECEMBER 2017**

##### SUMMARY

To present the Quarterly Budget Review for Aged Care facilities for the December 2017 quarter.

##### Proceedings in Brief

It was noted that two Villa Units are now to be built, following acceptance of a late submission.

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<b>COMMITTEE'S RECOMMENDATION 4/18</b>	Cr Batten/ Mr P Morris
That the December 2017 quarterly budget review be adopted for consideration by Council.	

### COMMUNITY CARE REPORTS

#### **CENTRALISED TRIP ALLOCATION BOOKING SYSTEM (CTABS)**

##### SUMMARY

To outline the progress towards the implementation of the Centralised Trip Allocation Booking system (CTABS) for Community Transport Services.

<b>COMMITTEE'S RECOMMENDATION 5/18</b>	Mr P Morris/ Cr Mudford
That a further report will be provided once the final dates for implementation are received and that the information be noted. Arrangements to view the demonstration will be arranged for the next Committee Meeting.	

#### **REGIONAL AUTOMATED VEHICLE TRIALS – COLLABORATION**

##### SUMMARY

Transport for NSW is seeking industry and local partners to bring automated vehicle trials to Regional NSW.

<b>COMMITTEE'S RECOMMENDATION 6/18</b>	Cr Wrigley/ Cr Mudford
That the information be noted and that a further report be provided to the Committee after attendance at the collaboration event.	

#### **TRANSITION FROM CCSP/CHSP SERVICES AND NDIS**

##### SUMMARY

To advise of changes to service delivery for existing clients currently accessing the Community Care Supports Program (CCSP) and the Commonwealth Home Support Program (CHSP) services who have been deemed ineligible for the National Disability Insurance Scheme (NDIS)

##### Proceedings in Brief

Matthew Wilson entered meeting at 5.33pm

<b>COMMITTEE'S RECOMMENDATION 7/18</b>	Mr P Morris/ Cr Batten
That the report be noted and following discussions the outcome for clients will be reported to the next meeting of the Committee.	

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Proceedings in Brief

Mrs Jill Blackman advised the Committee that Community Care has been invited by Candice Golding from Western NSW Local Health District to be involved in a 'pilot trial'. This trial will involve volunteers assisting and supporting people in a palliative capacity which will be a wonderful opportunity for our community.

**MENU/ JACK TOWNEY MEAL REQUEST**

SUMMARY

To advise of changes to our meal service menu from the Gilgandra Multi-Purpose Service and a request to provide meals for Jack Towney Home Care package clients during the Hostel kitchen refurbishment.

<b>COMMITTEE'S RECOMMENDATION 8/18</b>	Cr Mudford/ Cr Wrigley
That the report be noted.	

**IMPACT OF FINANCIAL REFORMS FOR COOEE LODGE HOSTEL**

SUMMARY

To provide an update of the financial figures which allow for ongoing monitoring of the Aged Care Living Longer Living Better (LLL) reforms.

<b>COMMITTEE'S RECOMMENDATION 9/18</b>	Mr P Morris/ Cr Mudford
That the report be noted.	

**VILLA TO HOSTEL TRANSFER/ FEE WAIVER**

SUMMARY

To outline specific policy content for the Committee to consider.

<b>COMMITTEE'S RECOMMENDATION 10/18</b>	Cr Batten/ Cr Wrigley
That the policy, as set out in the report, be endorsed.	

**SIGNIFICANT REFURBISHMENT AT COOEE LODGE**

SUMMARY

To provide a report on the rationale and processes of undertaking a significant refurbishment at Cooee Lodge in 2018.

Proceedings in Brief

A general discussion took place regarding the outcomes this project would provide to the facility.

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<b>COMMITTEE'S RECOMMENDATION 11/18</b>	Cr Batten/ Mr P Morris
A report the next meeting regarding funding options. Hargraves money versus borrowing the funds. Submit necessary applications for pre-approval to proceed with a significant refurbishment.	

### **PET FRIENDLY PRECINCT AT COOEE VILLA 11/18**

#### **SUMMARY**

To provide a report on the possibility of designating McCarthy Cres as a pet friendly area for small dog breeds within the village and including provision of an enclosed dog area on the southern side of McCarthy Cres.

#### **Proceedings in Brief**

A general discussion took place and the following was noted:

- Other Retirement Villages are pet friendly.
- Village residents would have to be surveyed and a 75% positive vote is required to change the rules.

<b>COMMITTEE'S RECOMMENDATION 12/18</b>	Cr Batten/ Mr P Morris
That a survey be conducted among Villa residents to see if there is an interest in introducing small dog breeds to the whole of the village in accordance with village rules.	

### **AGED CARE MANAGER'S REPORT**

#### **SUMMARY**

To provide an update to the Aged Care Committee on hostel activity.

#### **Proceedings in Brief**

A general discussion took place on the recent 'break in's at Cooee Lodge. A meeting was held with residents today with 75% of residents in attendance. Local police attended the meeting giving residents some reassurance and reminding residents to make sure windows are closed and locked each night as each break in has been through a window that has been left open.

We will be putting together a procedure for Villa Unit Residents on what to do in the case of a 'break in'.

<b>COMMITTEE'S RECOMMENDATION 13/18</b>	Cr Wrigley/ Cr Mudford
That the report be noted.	

**MATTERS FROM PREVIOUS MEETINGS / MATTERS FOR NOTATION**

**SUMMARY**

To provide an update on actions taken since the last meeting.

**Proceedings in Brief**

- Solar has not progressed any further with OROC and no further developments from our end at this stage. The cost of the solar system needs to go into next year's budget.
- Payroll tax – we are still waiting to hear back in relation to our objection submission for the remainder of the funds. They have 90 days to respond which will be the 9<sup>th</sup> April.

<b>COMMITTEE'S RECOMMENDATION 14/18</b>	Cr Mudford/ Mr P Morris
That the report be noted.	

**GENERAL BUSINESS**

**Budget Meeting** - A special budget meeting will be held prior to the May meeting, figures for the solar system to be available for this budget meeting.

**Women's Health Day** – An invitation has been extended by the CWA to attend the International Women's Health Day at Tooraweenah Memorial Hall on 8 March to set up an advertising display to promote the Cooee Lodge Retirement Village.

**Jack Towney refurbishment** – It was noted a suitable function would be arranged to celebrate the completion of the refurbishment and promote the facility.

**Visit by Australia Day Ambassador** - Cr Batten noted that he made an unannounced visit to Cooee Lodge on Australia Day with Australia Day Ambassador, Professor Sanchia Aranda, and even though it was a busy time of the day for staff Sharon Cardwell took the time to show them around the facility. Cr Batten particularly thanked Sharon Cardwell for her time.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 6.42 PM.

Cr G Peart  
Chairperson

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MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 20 FEBRUARY 2018

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**DISABILITY SERVICES COMMITTEE**

8 February 2018

**PRESENT**

Cr D Batten (Mayor - Chair)  
Mr P Mann (Community Representative)  
Ms L Townsend (Community Representative)

**IN ATTENDANCE**

Ms K Gibson (Carlginda Policy and Training Officer)  
Mr M Wilson (Director Community Services)  
Mrs J Lummis (Manager Orana Living)  
Mr D Neeves (General Manager)

The Mayor noted that a quorum was not reached and proceedings of the meeting commenced at 4.00pm with notes being taken.

**APOLOGIES**

Ms T Stevenson (Community Representative)  
Ms G Stevens (Community Representative)  
Mr B Chapman (Carlginda Operations Manager)

**ABSENT**

Cr S Baker  
Cr G Johnson  
Cr D Naden  
Mr D Bouchier (Client Representative)  
Mr S Skelly (Client Representative)

<b>NOTED</b>	
That the apologies submitted be accepted.	

**DECLARATIONS OF INTEREST**

Nil

**CONFIRMATION OF MINUTES**

<b>NOTED</b>	
That the minutes of the meeting held on 14 November 2017 be confirmed.	

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REPORTS

**CLIENT REPRESENTATIVE BOARD OF MANAGEMENT REPORT –  
FEBRUARY 2018**

SUMMARY

To present the report from Client Representative.

<b>NOTED</b>	
That the report be noted.	

**DISABILITY SERVICES INTEGRATED PLANNING & REPORTING 2017**

SUMMARY

To present the Integrated Planning and Reporting for Disability Services.

<b>NOTED</b>	
That the report be noted.	

**QUARTERLY BUDGET REVIEW DECEMBER 2017**

SUMMARY

To present the quarterly budget review for December 2017 and associated commentary.

Proceedings in Brief

If possible, action should be taken to reduce current stock levels of recyclable product recognising the current market volatility.

<b>NOTED</b>	
That the 2017/18 December budget review reports be noted.	

**BUSINESS PLAN UPDATE AND FURTHER CONSULTATION**

SUMMARY

To provide an update on the progress of the business plan for Carlinda and consider wider consultation.

Proceedings in Brief

The meeting noted that the Mayor would consider inviting community consultation through his regular column in the The Gilgandra Weekly and would involve the Community Engagement Officer.

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<b>NOTED</b>	
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That the report be noted.	
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**ENSURING A STRONG FUTURE FOR SUPPORTED EMPLOYMENT**

SUMMARY

To advise the Committee that the Government has announced a consultation on the development of the Governments supported employment policy; 'Ensuring a Strong Future for Supported Employment'. Submissions are being taken until Friday 9th March, 2018.

<b>NOTED</b>	
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That a submission not be prepared.	
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Proceedings in Brief

It was noted that individual could prepare submissions independently if desired.

**SAFEGUARDING FOR BOARDS**

SUMMARY

To present or note the receipt of a booklet published by the NDS entitled "Safeguarding for Boards - a practical guide for Boards of Management about preventing and responding to abuse and neglect of people with disability."

Proceedings in Brief

This booklet was provided following discussion with the NSW Ombudsman and will be used in future assessment of information to be provided to the Boards following any incidents.

<b>NOTED</b>	
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That the report and associated booklet be noted.	
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**CONSULTATION: PROVIDING RESIDENTS OF SUPPORTED GROUP ACCOMMODATION WITH RESIDENT RIGHTS**

SUMMARY

To advise the Committee that the NSW Government has announced a consultation on providing Residents of Supported Group Accommodation with Resident Rights. The consultation will be open until Friday, 2 March 2018.

Proceedings in Brief

The Mayor, Paul Mann and Lou Townsend agreed to complete the survey and the Director Community Services will distribute the link to the survey to all committee members.

<b>NOTED</b>	
That the report be noted.	

**NDIS UPDATE**

SUMMARY

To consider outstanding action items as part of the NDIS transition.

Proceedings in Brief

The Mayor suggested a specific amount be set aside in the 18/19 budget for preliminary works associated with the proposed expansion of 59 Waugan Street in 2019/20.

<b>NOTED</b>	
That the report be noted.	

**FAMILY PERSON RESPONSIBLE SURVEY 2017 RESULTS – COMMENTS**

SUMMARY

To present the 2017 Family Person Responsible Survey comment results to the Committee.

<b>NOTED</b>	
That the report be noted.	

**CLIENT SURVEY 2017 RESULTS – COMMENTS**

SUMMARY

To present the 2017 Client Survey comment results to the Committee.

<b>NOTED</b>	
That the report be noted.	

GENERAL BUSINESS

Potential New Clients

The Manager Orana Living noted a recent enquiry from a new high support client and further noted a separate existing enquiry from a Warren resident. In both cases, NDIS plans need to be updated to provide funding before Orana Living can proceed.

Funeral of Mr Irving

The Mayor, Manager Orana Living and Manager Carlinda attended the funeral of Douglas Irving's father in Warren and Mrs Irving rang to thank everyone for their attendance.

Physio

It was noted physiotherapy will be available one day per week at Cooee Lodge and queried whether Orana Living clients might be able to access these services. The Director Community Services agreed to follow up.

Quorum

The Mayor will discuss the issue of lack of a quorum with the General Manager.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.19PM.

Cr D Batten  
Chairperson

RECOMMENDATION

That the above listed Committee minutes be adopted.

David Neeves  
General Manager

**MINUTES – COMMITTEE MEETINGS FOR NOTATION**

**SUMMARY**

To present the following minutes of Committee meetings for notation.

.....

<u>Consultative Committee</u>	6 February 2018
<u>Health &amp; Safety Committee</u>	1 February 2018
<u>Interagency</u>	1 February 2018

<u>Principal Activity</u>	Respected Leadership
<u>Policy Implications</u>	Nil
<u>Budget Implications</u>	Nil
<u>Delivery Program Actions</u>	<b>3.1.2.1</b> Conduct the business of Council in an open and transparent manner
	<b>3.1.2.5</b> Meet all statutory requirements in a timely manner

MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 20 FEBRUARY 2018

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**CONSULTATIVE COMMITTEE**

6 February 2018

**PRESENT**

Mr G McAnally-Elwin, Indoor Staff Representative (Chairman)  
Mr M Wilson, Management Representative  
Mr N Alchin, Management Representative  
Mrs M Welsh, HR Manager  
Mr C Marchant, USU Outdoor Staff Representative  
Ms K Fisher, Indoor Staff Representative  
Mr L Mathieson, Management Representative

**IN ATTENDANCE**

Ms J Campbell, Administration Assistant

Proceedings of the meeting commenced at 10.06am

**APOLOGIES**

Mr D Walton, Outdoor Staff Representative  
Mrs A Wieland, USU Carlinda Staff Representative  
Mr M McLaughlin, USU Staff Representative

<b>COMMITTEE'S RECOMMENDATION – 1/18</b>	K Fisher/C Marchant
That the apologies submitted be accepted.	

**ABSENT**

Nil

**DECLARATIONS OF INTEREST**

Nil

**BUSINESS ARISING**

Nil

**CONFIRMATION OF MINUTES**

<b>COMMITTEE'S RECOMMENDATION – 2/18</b>	C Marchant/K Fisher
That the Minutes of the meeting held 28 September 2017 be confirmed as a true and correct record.	

**BUSINESS ARISING**

Mr Marchant advised the Committee that the new Parks and Garden truck only requires a car licence.

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HR MANAGER'S REPORT

**ITEMS FOR NOTATION**

SUMMARY

To provide the Committee with information on the following issues.

Proceedings in Brief

The HR Manager spoke to her report on recent recruitment and training that has taken place.

<b>COMMITTEE'S RECOMMENDATION – 3/18</b>	N Alchin/M Wilson
That report be noted.	

GENERAL BUSINESS

Meeting Schedule

The Committee discussed the option of moving the Consultative Committee meeting to quarterly sittings.

<b>COMMITTEE'S RECOMMENDATION – 4/18</b>	M Wilson/K Fisher
That the Consultative Committee meet every quarter.	

NEXT MEETING

The next meeting of the Consultative Committee will be held 1 May 2018.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 10.13AM

G McAnally-Elwin  
Chairman

MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 20 FEBRUARY 2018

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**HEALTH & SAFETY COMMITTEE**

1 February 2018

**PRESENT**

M Hodge – Outdoor – Chairman	K Gibson – Carlinda
J Watling – Cooee Lodge	M Wilson – Management
S Doherty – Orana Living	C Horan – RMO
L Mathieson - Management	D Bouchier – Supported Worker Rep
T Melville – Indoor	H Kryzstoforski – Jack Towney
V Nargiz – Cooee Lodge	

Proceedings of the meeting commenced 2.35pm

**IN ATTENDANCE**

J Campbell – Administration Assistant

**APOLOGIES**

R Ryan – Outdoor  
C Marchant – Outdoor  
J Lummis - Management  
J Quayle – Orana Living  
M Welsh – HR Manager

<b>COMMITTEE'S RECOMMENDATION – 1/18</b>	M Hodge/M Wilson
That the apologies submitted be accepted.	

**ABSENT**

Nil

**DECLARATIONS OF INTEREST**

Nil

**CONFIRMATION OF MINUTES**

<b>COMMITTEE'S RECOMMENDATION – 2/18</b>	K Gibson/M Wilson
That the minutes of the meeting held on 25 October 2017 be confirmed.	

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BUSINESS ARISING

Nil

RISK MANAGEMENT OFFICER'S REPORT

(CM.ME.1)

ITEMS FOR NOTATION

SUMMARY

To present information for the Committee's notation.

Proceedings in Brief

Mrs Horan welcomed Julie Watling as a new Committee member for Cooee Lodge, replacing Sharon Cardwell who has resigned.

**Health & Safety Risk Management Training**

40 Employees attended this training with one negative response. The training also covered know your Supervisor Responsibilities.

**Risk Assessment for Emergency Call Outs**

Conduct a toolbox meeting and risk assessment and follow the Safe Work Method Statement for Emergency Call Outs.

**Safety Improvement Program**

Mrs Horan noted that the Health and Safety Committee will be more involved this year. An external auditor will be appointed to come in and look at Council's procedures.

**Beanies**

It was recommended by Outdoor staff that one woollen beanie be supplied by Council with logo. Mrs Horan will (within a timeframe) offer suggestions for the Outdoor staff to select.

**Photos**

Mrs Horan photographed individuals of the Committee so that their pictures could be displayed in their place of work.

**Review of UV Exposure and Sun Protection Policy**

Mrs Horan wanted the Committee to look over the policies and come back to the next meeting with their suggestions.

<b>COMMITTEE'S RECOMMENDATION – 3/18</b>	K Gibson/M Wilson
That the report be noted.	

GENERAL BUSINESS

**Training**

Mr Mathieson advised that there was training on 28 February for track loading and that plant operators would be targeted.

Ms Gibson added that there had been two Supported Workers profiles had been published in the Gilgandra Weekly with more to follow.

Mrs Doherty advised that Emma Small has finished the manual handling training and that Orana Living have purchased new items to help move clients with more ease.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 3.12PM.

Inspections were then carried out at:

- 14 Wamboin Street – Chris Horan and Julie Watling
- Orana Living Administration building – Helena K and Sue Doherty
- Jack Towney Hostel – unavailable due to building works

Michael Hodge  
Chairman

MEETING OF: GILGANDRA SHIRE COUNCIL  
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**INTERAGENCY**

1 February 2018

**PRESENT**

Barnardos – Gina Johnson - Chair  
Barnardos – Lisa Fairey  
Camilla Cullenward – Dept PM&C  
Gilgandra Community Care – Jill Blackman  
Gilgandra Public School – Tricia Howard  
Gilgandra Shire Council Aged Care – Angelena Thompson  
Gilgandra Youth Services – Susan Brisbane, Kiaya Leonard  
NSW Health (Gilgandra MPS) – Sarah Cruickshank  
St Vincent de Paul – Neil Rabbett  
Sureway – Sheralee Player  
TAFE – Gail Simpson, Trish Henry

**IN ATTENDANCE**

Matthew Wilson (Director Community Development & Services)  
Julie Prout (Executive Assistant)

Proceedings of the meeting commenced at 12.05pm

**APOLOGIES**

Carers NSW - Robyn Howard  
Centacare - Kodi Brady  
Department of Human Services – Tracey Burns  
Gilgandra Housing & Homelessness Support – Helen Naef  
Gilgandra Preschool – Kristy Hyndes  
Gilgandra Shire Council – Cr Doug Batten  
Gilgandra Shire Library – Liz McCutcheon  
Joblink Plus – Tracey Stevenson  
Lyndall and Jinnaya – WACHS

<b>COMMITTEE'S RECOMMENDATION 1/18</b>	S Brisbane/K Leonard
That the apologies be accepted.	

**CONFIRMATION OF MINUTES**

<b>COMMITTEE'S RECOMMENDATION 2/18</b>	N Rabbett/S Brisbane
That the proceedings of the previous Interagency meeting held on 28 September 2017 be confirmed.	

**BUSINESS ARISING**

Nil

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MEETING OF: GILGANDRA SHIRE COUNCIL  
 HELD ON: 20 FEBRUARY 2018

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**SERVICE STATISTICS FORM - 1 OCTOBER TO 31 DECEMBER 2017**

	Joblink Plus	Sureway	Barnardos (Brighter Futures & Reconnect)	Community Care	St Vincent de Paul	Carers NSW
Number of individuals supported:	Gulargambone: 71 Gilgandra: 104	152	27	138 active, 125 receiving services	128 (22 new)	Gilgandra: 6 Gulargambone: 2
Nature of Support:	Employment Services	Employment & Training	Case management	Meals, Transport, Social, Disadvantage, NDIA	Food and electricity vouchers, clothing	Older parent carer program, support to plan for the future for older parents with children with a disability
Additional information	Both employment agencies working with AES (Aboriginal Employment Strategy) on Rail Industry Employment program					

## SERVICE UPDATES

### Breakfast Club

Has been operating now for about 10 years during school terms with Barnardos assistance more recently. The service is funded by grants or donations and therefore is always on the lookout for suitable grant opportunities. There are an average of 25 attendees (Kindergarten to High School). In conjunction with breakfast, Cate Corcoran assists with a dental program and the children are expected to clean their teeth after breakfast.

### Housing & Homelessness

There remains a steady stream of clients and the service is always on the lookout for household items.

### Gilgandra Youth Service Holiday Program

Numbers down slightly this year over Christmas although full numbers for an overnight stay in Orange. A bike safety program was conducted with 5 young people and will run again. Staff are currently working on after school programs and are open to any suggestions or ideas. There is a Youth week trip planned for October.

### Department of Prime Minister & Cabinet

Camilla Cullenward advised she is getting to know Gilgandra and is open to suggestions.

### Gilgandra Public School

Numbers are slightly increased for 2018.

### St Vincent de Paul

7 members have now completed financial literacy training and a total of 11 conference members are now providing service. A new wellbeing program is proposed. The service will shortly commence in Coonamble on day per month. The shop has been revamped with a new look and feel.

### Health

Assisting the Tooraweenah CWA with their International Women's Day function to be held on 8 March 2018 with a bus available to transport people from Gilgandra to Tooraweenah and return.

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### TAFE

A 12 week building course will comment on Fridays from 16 March. The course is fully subsidised and will commence with bush furniture

An open Day was held on 18 January in the Plaza and 5 new enrolments were taken.

Gail Simpson advised will move to different region from March.

Publicity about TAFE conducting cyber security courses was noted and it was queried whether Gilgandra could provide the course. Trish Henry agreed to check and advise.

### Sureway

Internships available for ages 15-24 (4 weeks-12 weeks); incentives for businesses; some wage subsidies available; work experience/placement. Cleaning operations skillset to occur shortly and Rail work coming up.

### Aged Care

Accreditation – updates as a spin off – new medication system; free training for softer skills; actively involved in marketing; Physio to commence one day per week from February.

### Community Care

It was noted that Jill Blackman has submitted her resignation and will finish up with Community Care in March.

Jill noted a big change coming with transport with the implementation of CTABS, a centralised booking system.

A regional automated vehicle trial being investigated.

New menu choices for meals on wheels, plus Community Care has now taken on Jack Towney Community Aged Care Packages clients whilst their kitchen and administration area is being refurbished.

### Barnardos

No real changes this year to services

Supported playgroups start next Monday & Fri at Booris centre in Gilgandra, every 2<sup>nd</sup> wed at the Curban Hall and every Tuesday at Gular from 10-12noon.

There will be a training aspect this year, with training for the parents.

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MEETING OF: GILGANDRA SHIRE COUNCIL  
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### GENERAL BUSINESS

#### Cooee Lodge Retirement Village

Matthew Wilson advised he had just come from a community meeting with Police and residents at the Cooee Lodge Retirement Village in relation to security issues following a recent spate of theft.

#### Palliative Care Volunteer Program

Jill gave notice of a possible program using volunteers to support palliative care patients, advising that Candice Golding, the Palliative Care Volunteer Co-ordinator from Western Health District in Dubbo is the contact.

### NEXT MEETING

Thursday, 29 March 2018 – 12 noon

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 12.45PM.

G Johnson  
Chair

### RECOMMENDATION

That the above listed Committee minutes be noted.

David Neeves  
General Manager

**REPORTS FOR INFORMATION AND NOTATION**

**SUMMARY**

To present reports for information and notation.

.....

- Statement of Bank Balances (Local Government (Financial Management) Regulation No. 93) and Investment Balances
- Matters Outstanding from Previous Council Meetings
- Development Applications

Any questions which Councillors may have in relation to these reports and/or issues to be raised, should be brought forward at this time.

**STATEMENT OF BANK BALANCES AND INVESTMENT BALANCES**

**SUMMARY**

To present the following information relative to the above report headings:

.....

1. Statement of Bank Balances (Local Government Financial Management Regulation No. 19) - Month of January 2018.
2. Certificate of Bank Reconciliation – Month of January 2018.
3. Details of investments as at 31 January 2018 (Local Government Financial Management Regulation No. 19).

<b>CASH BOOK BALANCE AS AT</b>	<b>31-Dec-17</b>	<b>\$1,992,533.36</b>
Plus: Receipts		\$1,223,165.11
Less: Payments		\$2,300,901.35
<b>CASH BOOK BALANCE AS AT</b>	<b>31-Jan-18</b>	<b>\$914,797.12</b>

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<b>STATEMENT BALANCE AS AT</b>	<b>31-Dec-17</b>	<b>\$1,995,374.98</b>
Plus: Receipts		\$1,183,808.40
Less: Payments		\$2,263,482.31
<b>STATEMENT BALANCE AS AT</b>	<b>31-Jan-18</b>	<b>\$915,701.07</b>

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Plus: Unpresented Receipts		\$1,037.12
Less: Unpresented Payments		\$1,941.07
<b>RECONCILED BALANCE AS AT</b>	<b>31-Jan-18</b>	<b>\$914,797.12</b>

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Cashbook balance as at 31 January 2018:	\$914,797.12
Investments held as at 31 January 2018:	\$20,024,346.06
<b>Total Cash &amp; Investments Held as at 31 January 2018:</b>	<b>\$20,939,143.18</b>

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The bank balances in each of the funds as at 31 January 2018 are:

General Fund	\$7,906,123.15
Water Fund	\$2,310,070.14
Sewer Fund	\$877,018.39
Orana Lifestyle Directions	\$2,157,043.32
Carlinda Enterprises	\$352,351.84
Cooee Villa Units	\$1,152,077.94
Cooee Lodge	\$4,721,189.06
Jack Towney Hostel	\$950,618.41
Trust Fund	\$512,650.93

**Balance as per Total Cash & Investments Held: \$20,939,143.18**

Details of Council's investments are as follows:

(a)	\$1,000,000.00	For 182 days @	2.60%	Due on 12-Mar-18	With AMP Bank
(b)	\$1,000,000.00	For 273 days @	2.60%	Due on 01-Mar-18	With AMP Bank
(c)	\$500,000.00	For 182 days @	2.60%	Due on 05-Apr-18	With AMP Bank
(d)	\$1,500,000.00	For 182 days @	2.55%	Due on 26-Feb-18	With AMP Bank
(e)	\$500,000.00	For 184 days @	2.50%	Due on 10-Jan-18	With Bankwest
(f)	\$1,000,000.00	For 150 days @	2.55%	Due on 01-Jun-18	With Bankwest
(g)	\$500,000.00	For 91 days @	2.45%	Due on 05-Mar-18	With Bankwest
(h)	\$500,000.00	For 273 days @	2.50%	Due on 03-Mar-18	With Bendigo
(i)	\$1,000,000.00	For 365 days @	2.65%	Due on 06-Aug-18	With Bendigo
(j)	\$1,000,000.00	For 181 days @	2.40%	Due on 04-Jul-18	With Bendigo
(k)	\$500,000.00	For 365 days @	2.55%	Due on 04-Oct-18	With Bendigo
(l)	\$500,000.00	For 181 days @	2.40%	Due on 11-Jul-18	With Bendigo
(m)	\$1,000,000.00	For 181 days @	2.55%	Due on 22-Mar-18	With BoQ
(n)	\$1,000,000.00	For 181 days @	2.55%	Due on 10-Jul-18	With BoQ
(o)	\$500,000.00	For 182 days @	2.50%	Due on 07-May-18	With IMB
(p)	\$1,000,000.00	For 182 days @	2.50%	Due on 28-May-18	With IMB
(q)	\$1,000,000.00	For 150 days @	2.50%	Due on 17-May-18	With ME Bank
(r)	\$1,500,000.00	For 182 days @	2.50%	Due on 26-Feb-18	With ME Bank
(s)	\$500,000.00	For 365 days @	2.53%	Due on 02-Aug-18	With NAB
(t)	\$1,000,000.00	For 365 days @	2.60%	Due on 05-Apr-18	With NAB
(u)	\$1,000,000.00	For 181 days @	2.55%	Due on 07-Mar-18	With NAB
(v)	\$1,000,000.00	For 181 days @	2.55%	Due on 07-Mar-18	With NAB
(w)	\$1,024,346.06		2.21%	At Call	With TCorp
Total Investments:					
<b>\$20,024,346.06</b>					

## **OUTSTANDING MATTERS FROM PREVIOUS MEETINGS**

### SUMMARY

To provide an update in relation to matters previously resolved at Council Meetings requiring further action to be taken.

<u>Res. No.</u>	<u>Subject</u>	<u>Action</u>
<u>August 2014</u>		
233/14	Aero Park Shed Lease	Being followed up
<u>July 2015</u>		
165/15	SES Accommodation	Awaiting feedback from SES Report to future meeting with plans, funding options and timing.
<u>February 2016</u>		
26/16	Industrial Subdivision Stormwater - Pines Industrial Subdivision	In progress – with solicitor
<u>December 2016</u>		
347/16 289/16	Land purchase, additional cemetery land	Purchase has settled.
<u>June 2017</u>		
154/17 121/17	Purchase of land Chelmsford Ave	Contracts exchanged
155/17	Land purchase, Miller Street	One parcel outstanding
<u>September 2017</u>		
246/17 88/17	Proposed development	Development approval process continuing
260/17	Vacation Care	Options being investigated
264/17	Mudfords Road	Awaiting response from the Minister

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287/17	Flora Reserve	Report to March meeting regarding service level requirements and associated budget. Council to gauge interest from local residents and service clubs in assisting with ongoing maintenance.
291/17	Ernie Knight Oval Bore	Report to future meeting on upgrade options and detailed costings
<u>November</u>		
308/17	Centenary WWI Armistice	Submissions to be called
314/17	Skate Park	Repairs undertaken and media release to be issued 18/12
317/17	Replacement of Prime Mover	Auction process being pursued
318/17	Road Train routes	Submission forwarded to RMS
<u>December</u>		
328/17	Possible sale of land	Contracts being arranged
337/17	Cultural Action Plan	Cultural Officer has commenced work on this plan, however the workshop is on hold due to a funding issue with the position within LGNSW
338/17	Economic Development Action Plan and Goals Statement	Workshop held 13 February to progress
339/17	Building Better Regions Fund Application	Application lodged for inland rail project - \$20,000
340/17	Removal of median strip – Myrtle & Wamboin St intersection	Listed on works program
344/17 230/17	CBD Stage 2	Cultural Heritage Plan being completed. Work rescheduled. Work to be advertised and businesses advised accordingly
345/17	No. 10 pump station	Report to future meeting.

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MEETING OF: GILGANDRA SHIRE COUNCIL  
HELD ON: 20 FEBRUARY 2018

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### **DEVELOPMENT APPLICATIONS**

The following applications were received from 1 December 2017 – 31 January 2018.

DA Number	Received	Applicants Name	Application Description of Work	Property Address	Decision	Decision Date
2017/236	13/12/2017	SHEDS OUT WEST	ERECT DOUBLE GARAGE/SHED	37B FARRAR STREET GILGANDRA	APPROVED	21/12/2017
<b>DECEMBER 2017</b>	<b>\$19,870.00</b>					
<b>TOTAL 2017</b>	<b>\$5,402,934.00</b>					

### **January 2018**

DA Number	Received	Applicants Name	Application Description of Work	Property Address	Decision	Decision Date
2018/237	12/01/2018	GREGORY COLLISON	PROPOSED LANDSCAPING MATERIAL SUPPLY BUSINESS AND RURAL INDUSTRY	7 QUEALEYS ROAD GILGANDRA		
2018/238	09/01/2018	HUGH BEVERIDGE	CONSOLIDATION AND BOUNDARY ADJUSTMENT - SUBDIVISION	2276 BERIDA BULLAGREEN ROAD CURBAN		
2018/239	23/01/2018	GLEN COPELIN	SCREENED ENCLOSURE	27 FARRAR STREET GILGANDRA		
<b>TOTAL JANUARY</b>	<b>\$74,332.00</b>					

### **RECOMMENDATION**

That the reports be noted.

David Neeves  
General Manager

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**PRECIS OF CATEGORY B CORRESPONDENCE**

**SUMMARY**

To pass on relevant information from correspondence received.

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Documents mentioned are available upon request for any interested Councillors.

1. **INGRID WILSON**

Email correspondence complimenting Council on the presentation of the town and amenities for those travelling on each occasion they have passed through in 2017.

*“On behalf of my family I would like you to pass on to your maintenance staff our congratulations on the way they are keeping your town **a welcoming and clean place for visitors.**”*

2. **ST JOSEPH’S SCHOOL**

Thanking Council for the donation towards Presentation Day and advising the 2017 Gilgandra Shire Council Citizenship Award was presented to Kelsey Hutchison.

**RECOMMENDATION**

That receipt of the Category B correspondence be noted.

David Neeves  
General Manager