

BUSINESS PAPER

ORDINARY MEETING

THURSDAY 25TH JULY 2019

WARREN SHIRE COUNCIL

AGENDA - ORDINARY COUNCIL MEETING

25TH JULY 2019

1. OPEN MEETING

2. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

3. CONFIRMATION OF MINUTES

Ordinary Meeting held on Thursday 27th June 2019.

4. DISCLOSURES OF INTERESTS

5. MAYORAL MINUTE(S)

6. REPORTS OF COMMITTEES

Meeting of the Water Conservation Committee
held on Tuesday, 2nd July 2019 (C14-3.26)

Meeting of the Showground/Racecourse Committee
held on Thursday, 4th July 2019 (C14-3.2)

Meeting of Manex held on Tuesday, 16th July 2019 (C14-3.4)

Meeting of the Ewenmar Waste Depot Sunset Committee
held on Wednesday, 17th July 2019 (TO BE TABLED) (C14-3.23)

Meeting of the Council Chambers Development Sunset Committee
held on Wednesday, 17th July 2019 (TO BE TABLED) (C14-3.25)

7. REPORTS TO COUNCIL

REPORTS OF DELEGATES

Nil.

POLICY

Nil.

REPORTS OF THE GENERAL MANAGER

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REPORTS OF THE DIVISIONAL MANAGER FINANCE AND ADMINISTRATION

Item 1	Réconciliation Certificate – June 2019 (B1-10.16)	Page 1
Item 2	Statement of Rates and Annual Charges as at 30th June 2019 (R1-4)	Page 4

REPORTS OF THE DIVISIONAL MANAGER ENGINEERING SERVICES

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REPORTS OF THE MANAGER HEALTH & DEVELOPMENT

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8. NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

9. CONFIDENTIAL MATTERS

Nil.

10. CONCLUSION OF MEETING

WATER CONSERVATION COMMITTEE MINUTES

Attached are the Minutes of the meeting of the Water Conservation Committee meeting held on Tuesday, 2nd July 2019.

RECOMMENDATION:

That the Minutes of the Meeting of the Water Conservation Committee held on Tuesday, 2nd July 2019 be received and noted.

ITEM 3 GENERAL BUSINESS

That the Divisional Manager Engineering Services to approach Sustainable Soils to ask the implications of using bore water for agriculture chemical spray use.

WARREN SHIRE COUNCIL

Minutes of the Water Conservation Committee
Meeting held in Council Chambers, Administration Building, Warren
on Tuesday, 2nd July 2019 commencing at 3.00 pm

Present: Councillor AJ Brewer (Chairperson)
Councillor BD Williamson
Councillor RJ Higgins
Glenn Wilcox (General Manager)
Rolly Lawford (Divisional Manager Engineering Services)
Kerry Jones (Town Services Manager)

ITEM 1 APOLOGIES

Nil.

ITEM 2 GENERAL DISCUSSIONS

The Divisional Manager Engineering Services (DMES) advised that he would be meeting with the following representatives from the Department of Primary Industries (Water) Brendan Miller, David Swan and Bill Ho. He further advised that he would be seeking information and assistance available for the following items;

1. Lower Weir Replacement

The replacement of the Bryan Egan Weir (Warren bottom weir). The DMES advised that a replacement weir would include a fish pathway and perhaps a regulating gateway. It was also stressed the absolute urgency of this matter as the firefighting needs of Warren were totally dependent on for the water contained in the bounds of this weir.

2. General Water Supply from the Top Weir

The Town Services Manager advised that Water NSW had limited the flow to the Warren Top Weir from the 1st July 2019.

If no significant rain fall, this will leave only river water captured between the top and bottom weir for the Warren town supply, with the expectation that the river water supply will dry up.

3. Emergency Services Meeting

There is concern regarding the ability to fight fires as the Warren town hydrants are connected to the river water system. This is most concerning for the hospital and other infrastructure in Warren. The implications to the Warren Multi-Purpose Health Service (WMPHS) could mean an evacuation, unless a suitable firefighting water supply can be arranged.

Council is currently seeking funding opportunities for a 200,000-litre tank located on the boundary of the WMPHS and Victoria Park, with a dual arrangement of water availability for fire fighting at the hospital if needed and watering Victoria Park.

The Local Emergency Management Committee (LEMC) has been meeting regularly to combat the issue that if no river water is available what do we do?

Presently the LEMC is identifying water storage facilities within the local area and is meeting monthly. It has been purposed from these meetings that two (2) Council tankers full of water will be left at the Depot on standby.

WARREN SHIRE COUNCIL

Minutes of the Water Conservation Committee
Meeting held in Council Chambers, Administration Building, Warren
on Tuesday, 2nd July 2019 commencing at 3.00 pm

ITEM 2 GENERAL DISCUSSIONS

CONTINUED

4. Linking of the Bore Water (potable water) and River Water Supplies

Noted by Committee as to process.

5. Stafford Street Reservoir - WH&S and Existing Condition Concerns

Council is seeking opportunities to provide for the replacement of the Stafford Street Reservoir. Indicative costs are around \$2 million for its replacement. Currently the reservoir doesn't comply with WHS (Internal Access) and is leaking.

6. Water Treatment

Council is investigating the upgrading of its water treatment plant.

7. Access to Hospital for Emergency Situations

LEMC investigating how to limit public access if there is an emergency at the WMPHS to stop any impediment to emergency personnel and equipment.

ITEM 3 GENERAL BUSINESS

Oxley Park Pumps - The Committee was provided with an overview of the Oxley Park pumps and the work to date. Council is currently Investigating a pump well with a vertical pump.

Airport Water Supply - Council is waiting on approval to under bore Gunningbar Creek with bore (potable) water, not river water.

MOVED Brewer/Higgins that the Divisional Manager Engineering Services to approach Sustainable Soils to seek advice on the implications of using bore water for agriculture chemical spray use.

Carried

NEXT MEETING

4.00 pm Tuesday, 16th July 2019

There being no further business the meeting closed at 4.00 pm.

SHOWGROUND/RACECOURSE COMMITTEE

Attached are Minutes of the Meeting of the Warren Shire Showground/Racecourse Committee held on Thursday, 4th July 2019.

RECOMMENDATION:

That the Minutes of the Meeting of the Showground/Racecourse Committee held on Thursday, 4th July 2019 be received and noted.

ITEM 3 FINANCIAL STATEMENT

MOVED Ben Egan/ Paul Quigley that the Council does not charge user fees during this term of Council, giving consideration of the current hard times for all and the level of volunteer commitment expected as part of the overall Showground/Racecourse workings.

ITEM 4 GENERAL BUSINESS – SUB COMMITTEE

PART 1 – SUB COMMITTEE – PROPOSED NEW ARENA

Moved; Ben Egan/Paul Quigley that the proposed horse arena be established approximately 50m south of the existing raised earth and turfed spectator viewing platform and flag poles.

Note – Community Member, Phil Waterford, left the meeting at 5.55pm

PART 2 – SUB COMMITTEE – PROPOSED NEW ARENA

Moved; Ben Egan/Paul Quigley that the design of the proposed new toilet block be accepted with the following minor changes;

- A. That both disabled amenity rooms be signposted as being unisex, and;
- B. That the existing male amenities be amended to provide three male showers.

ITEM 5 GENERAL BUSINESS

Other items discussed;

- **David Cleasby** - Warren Show Society – Proposed new shed. Suggest being established at the rear of the poultry shed (poultry shed western side front corner) – Council to investigate.
- **Paul Quigley** – Inclusion and timing of proposed Campdraft loading ramp, Secretary's Office and canteen – Noted as being included, but the timing was not resolved.

WARREN SHIRE COUNCIL

Minutes of the Showground/Racecourse Committee Meeting
held at the Showground/Racecourse, Warren, on Thursday
4th July 2019 commencing at 5.40 pm

Meeting Opened by the Chairman WSC Councillor, Mr. Mark Beach at 5.40pm.

Attendance:

Present:

Mark Beach	Chair, WSC Councillor,
Ron Higgins	WSC Councillor
Heather Druce	WSC Councillor
Vicky Parker	Warren Rodeo/ Campdraft Committee
Paul Quigley	Camp Draft and Rodeo
Ben Egan	Adult Riding Club
David Cleasby	Warren Show Society
Phil Waterford	Community Member
Ian McKay	Warren Jockey Club
Kevin Noonan	Warren Jockey Club
Maryanne Stephens	WSC Manager Health and Development Services
Rolly Lawford	Divisional Manager Engineering Services (DMES)

ITEM 1 APOLOGIES

Apologies were accepted on behalf of; Rhiannon Gibson Warren Pony Club, David Dwyer Polocrosse Club, and Justin Sanderson Warren Show Society.

ITEM 2a MINUTES OF THE MEETING HELD ON 9th April 2019

MOVED Heather Druce / Kevin Noonan that the Minutes of the Meeting held on Tuesday 9th April 2019 be accepted as a true and correct record of that meeting.

Carried

ITEM 2b BUSINESS ARISING FROM MINUTES OF THE MEETING HELD ON 9th April 2019

Nil

ITEM 3 FINANCIAL STATEMENT

MOVED Heather Druce/Ben Egan that the information in the financial statement be received and noted.

Carried

WARREN SHIRE COUNCIL
Minutes of the Showground/Racecourse Committee Meeting
held at the Showground/Racecourse, Warren, on Thursday
4th July 2019 commencing at 5.30 pm

ITEM 3 FINANCIAL STATEMENT

(CONTINUED)

MOVED Ben Egan/ Paul Quigley that the Council does not charge user fees during this term by Council, giving consideration of the current hard times for all and the level of volunteer commitment expected as part of the overall Showground/Racecourse workings.

Carried

ITEM 4 GENERAL BUSINESS – SUB COMMITTEE

PART 1 – SUB COMMITTEE – PROPOSED NEW ARENA

Moved; Ben Egan/Paul Quigley that the proposed horse arena be established approximately 50m south of the existing raised earth and turfed spectator viewing platform and flag poles.

Carried

Note – Community Member, Phil Waterford, left the meeting at 5.55pm

PART 2 – SUB COMMITTEE – PROPOSED NEW ARENA

Moved; Ben Egan/Paul Quigley that the design of the proposed new toilet block be accepted with the following minor changes;

- C. That both disabled amenity rooms be signposted as being unisex, and;
- D. That the existing male amenities be amended to provide three male showers.

Carried

ITEM 5 GENERAL BUSINESS

Other items discussed;

- **David Cleasby** - Warren Show Society – Proposed new shed. Suggest being established at the rear of the poultry shed (poultry shed western side front corner) – Council to investigate.
 - **Paul Quigley** – Inclusion and timing of proposed Campdraft loading ramp, Secretary's Office and canteen – Noted as being included, but the timing was not resolved.
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ITEM 6 NEXT MEETING DATE AND TIME

The date of the next meeting was not resolved but would be held to coincide.

There being no further business the meeting closed at 6.30pm.

MANEX MINUTES

Attached are the Minutes of the meeting of Manex held on Tuesday, 16th July 2019.

RECOMMENDATION:

That the Minutes of the Meeting of Manex held on Tuesday, 16th July 2019 be received and noted.

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in the Council Chambers, Administration Building, Warren,
on Tuesday 16th July 2019 commencing at 2.42 pm

PRESENT:

Glenn Wilcox	General Manager
Jillian Murray	Acting Divisional Manager Finance & Administration Services (Chair)
Rolly Lawford	Divisional Manager Engineering Services
Rowan Hutchinson	Roads Infrastructure Manager
Kerry Jones	Town Services Manager
Maryanne Stephens	Manager Health & Development Services
Jody Burtenshaw	Executive Assistant

ITEM 1 APOLOGIES

An apology was received from Darren Arthur who was absent due to external commitments and it was **MOVED** Lawford/Jones that a leave of absence be granted for this meeting.

Carried

ITEM 2 BUSINESS ARISING FROM MINUTES

Nil.

ITEM 3 ACTION CHECKLIST

MOVED Lawford/Wilcox that the information be received and noted.

Carried

ITEM 4.1 2018/2019 SPECIFIC WORKS STATUS REPORT

MOVED Lawford/Jones that the information be received and noted.

Carried

ITEM 4.2 PROJECTS AND ASSETS STATUS REPORT

MOVED Lawford/Jones that the information be received and noted.

Carried

ITEM 4.3 EWENMAR WASTE DEPOT STATUS REPORT

MOVED Stephens/Wilcox that the information be received and noted.

Carried

WARREN SHIRE COUNCIL

Minutes of the Manex Committee Meeting
held in the Council Chambers, Administration Building, Warren,
on Tuesday 16th July 2019 commencing at 2.42 pm

ITEM 5.1 NSW GOVERNMENT CIRCULARS

(L5-3)

The following circulars have been received by Council since last Manex.

Office of Local Government Circulars

Date	Circular No.	Description	Comment/Action
18.06.19	GC 148	2019-20 Financial Assistance Grants (FAGS) – Advance Payment and on-going Transition to Implement Improvements to the Existing Allocation Model	Payment received 19/6/19
21.06.19	19-11	Release of IPART Reports into Rating and Compliance Matters for Consultation	Reported to July Council meeting
27.06.19	19-12	Consultation by IPART on Recommended Reforms to Local Government Election Costs and Extension of the Deadline for Councils to make a Decision on the Administration of their Elections	Noted
02.07.19	19-13	The Development of Template Social Media and Councillors/State Interactions Policies – Initial Consultation	Noted
10.07.19	19-14	Recent Amendments to the Local Government Act 1993	Noted

Ministerial Circulars

Date	Circular No.	Description	Comment/Action
Nil			

MOVED Jones/Stephens that the information be received and noted.

Carried

ITEM 5.2 OFFICE OF LOCAL GOVERNMENT STRATEGIC TASKS

(L5-3)

The following is the Office of Local Government's Strategic Tasks Guide for the months of April, May and June 2019.

Strategic Tasks Guide

DATE	TASK	STATUS
JULY		
1	Financial Statements to be audited within four (4) months (s.416(1)).	Auditors scheduled for 26-28 August
	Reminder: lodgment of Pecuniary Interest returns due 30 September for Councillors and designated persons who held office at 30 June (s.449(3)).	Noted

WARREN SHIRE COUNCIL

Minutes of the Manex Committee Meeting
held in the Council Chambers, Administration Building, Warren,
on Tuesday 16th July 2019 commencing at 2.42 pm

ITEM 5.2

OFFICE OF LOCAL GOVERNMENT STRATEGIC TASKS

CONTINUED

DATE	Task	Status
JULY		
5	Proposed loan borrowings return to be submitted to TCORP.	Noted
31	Public Interest Disclosure report due to NSW Ombudsman. (s.6CA of the Public Interest Disclosure Act 1994).	Noted
31	GST Certificate to be submitted to OLG.	Noted
	Last day for making rates (s.533)	Noted
	Six monthly new Council Round 1 Implementation Fund and Stronger Communities Fund reports due.	N/A
AUGUST		
1	Rates Levied by service of rates and charges notice (s.562)	Noted
16	Expected first instalment of 2019-2020 Financial Assistance Grant	Received 19/6/19
31	First quarterly rates instalment due (s.562)	Noted
	Survey of seizures of cats and dogs due	Noted

MOVED Stephens/Hutchinson that the information be received and noted.

Carried

ITEM 6 IMPOUNDING OFFICER'S REPORT

(P4-4)

MOVED Stephens/Wilcox that the information be received and noted.

Carried

ITEM 7 JUNE 2019 MINUTES AND JULY 2019 BUSINESS PAPER

The Committee previewed the July 2019 Business Paper and the June 2019 Minutes and actions required were placed on the Action Checklist in Item 1 of the General Manager's Report.

ITEM 8 COMPLAINTS/ACTION REQUESTS STATUS

The outstanding complaints/actions list was circulated, and it was requested that the responsible officers update the list and return to the Engineering Administration Officer.

ITEM 9 GENERAL BUSINESS WITHOUT NOTICE

- The General Manager requested that a memo go out to all staff, reminding them to wear seat belts and using mobile phones while driving. The Divisional Manager Engineering Services asked if the memo could also include advice of positions available.

WARREN SHIRE COUNCIL
Minutes of the Manex Committee Meeting
held in the Council Chambers, Administration Building, Warren,
on Tuesday 16th July 2019 commencing at 2.42 pm

ITEM 9

GENERAL BUSINESS WITHOUT NOTICE

CONTINUED

- A general discussion was undertaken on the Victoria Park precinct being available to the public while events were being held on the oval. This matter is to be referred to the Warren Sporting Facilities Committee and it was proposed that a procedure should be produced for users.
- The Treasurer welcomed Rowan Hutchinson to his first Manex Meeting. This sentiment was also conveyed by those present.
- The General Manager advised that Alison Ruskin Rowe had commenced in her new role as Project Administrator and wished her well in her new position.

There being no further business the meeting closed 3.45 pm.

DRAFT

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren, on Thursday 25th July 2019

ITEM 1 OUTSTANDING REPORTS CHECKLIST (C14-7.4)

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
General Manager				
*23.5.19	97.5.19	Emergency Service Levy	GM	LGNSW advised of Council's support
Divisional Manager Finance and Administration Services				
*28.3.19	73.3.19	Tiger Bay Wetlands Walking Track	DMFA	Letter has been sent to arrange the signing of the lease agreement with Mr and Mrs Stephens
Divisional Manager Engineering Services				
25.1.17	16.1.17	Proposed new general industrial area	DMES	Costings to be produced for subdivision.
23.8.18 (1)	193.8.18	Lot 36 DP755292 Gunningbar Street Nevertire	DMES	Application in progress for lot to be available for public usage.
23.8.18 (2)	193.8.18	Lot 36 DP755292 Gunningbar Street Nevertire	DMES	Arrangements are in progress for the section currently serving as a portion of Gunningbar Street west of Clyde Street be established as a road reserve becoming part of Gunningbar Street.
23.8.18 (3)	193.8.18	Lot 36 DP755292 Gunningbar Street Nevertire	DMES	This work is progressing with the preparation of a formal subdivision plan which will allow the Council to formally acquire the road portion of the crown land and then re-classify it as public road. The NSW Crown Lands have endorsed this approach. It is expected that this process will take some time, months, to finalise.
6.12.18	284.12.18	Lot 79 & 80 DP 724585 Wambianna Street, Collie.	DMES	Survey has been drafted, a report is to be presented to Council. On hold.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 1

OUTSTANDING REPORTS CHECKLIST

CONTINUED

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
Divisional Manager Engineering Services Continued				
6.12.18 and 28.2.19	285.12.18 and 47.2.19	Tender – Raw Water Pump Station Upgrade Macquarie River, Oxley Park, Warren	DMES	It has been decided that the tender received from the outside consultants will not be accepted. Instead, a meeting will be arranged with local contractors so as to have the work completed by the local contractors and managed by Council. Provide advice to the community that the proposed river pump station will not utilise the existing wharf in the design and that the wharf will remain available to the public.
6.12.18	287.12.18	Mount Foster Quarry Usage Proposal	DMES	A draft Catchment Management Plan has been prepared and if satisfies EPA will be established.
28.2.19	44.2.19	Wonbobbie Bridge	DMES	The advertisement and specification for this project is currently being prepared.
23.5.19	104.5.19	Gunningbar Street Nevertire	DMES	Pursue acquisition in line with resolution.
23.5.19	105.5.19	2019-2024 Roads to Recovery Allocation	DMES	1 Send letters to listed Ministers, 2. Investigate and submit applications under Black Spot Program, the Heavy Vehicle Safety and Productivity Program, Bridges Renewal Program and the Additional Funding under the Heavy Vehicle Safety Initiative Program 3. Prepare/update strategic plan for roads.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 1 OUTSTANDING REPORTS CHECKLIST CONTINUED

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
27.6.19	126.6.19	Regional Procurement Tender No. T471920OROC – Provision of Bitumen Spray Sealing	DMES	Accept tender in line with resolution.
27.6.19	126.9.19	Regional Procurement Tender No. T481920OROC – Supply and Delivery of Bulk Fuel	DMES	Accept tender in line with resolution.
27.6.19	129.6.19	Warren Levee Bank Rehabilitation	DMES	<ol style="list-style-type: none"> 1. Engage a qualified Geotechnical Consulting Engineering Firm; 2. Allocate an appropriate budget to allow completion of the required work as a matter of priority; 3. Seek funding immediately; 4. Arrange a relevant component project team; 5. Arrange an appropriate budget in the annual estimates; 6. Implementation of the recommendations contained within the NSW Public Works Report Number DO/13/02 Visual Audit of the Warren Levees (North and South) dated 6 November 2013 is in progress; 7. Utilise the specific issues detailed within the 6 November 2013 Visual Audit Report be used to form the basis of the next inspection of the Warren Town Levee as required in the Warren Levee Operations and Maintenance Manual.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 1

OUTSTANDING REPORTS CHECKLIST

CONTINUED

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
*27.6.19	130.6.19	2019 IPWEA Local Roads Congress	DMES	Council has supported the Congress Communique.
Manager Health & Development				
*24.1.19	QWN 1 Irving	Swimming Pool Upgrade Project	MHD	Tender issued, no tenderer.
*23.5.19	98.5.19	Establish a Skate Park Committee	MHD	A Skate Park Committee has been established as a Sub Committee of the Sporting Facilities Committee. First meeting held 2/7/19.
*27.6.19	131.6.19	St Mary's P & F Fundraising Event	MHD	Donation particulars have been advertised for 28 days, advise St Mary's of outcome.
*27.6.19	132.6.19	DA P16-19.04 Change of Use Accommodation	MHD	Issue consent.
*27.6.19	136.6.19	Warren War Memorial Swimming Pool Refurbishment Grant	MHD	Negotiations have commenced to separate kids pool and new filtration systems.

RECOMMENDATION:

That the information be received and noted and that the items marked with an asterisk (*) be deleted.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 2 COMMITTEE/DELEGATES MEETINGS

(C14-2)

The following is a listing of various committee/delegates meetings of Council since the last meeting.

MEETINGS HELD

DATE	COMMITTEE / MEETING	LOCATION
24/6/19	Castlereagh Macquarie Country Council	Warren
24/6/19	Port of Newcastle – Industry Round Table	Dubbo
26/6/19	LEMC – Planning Meeting	Warren
1/7/19	RMS Meeting	Parkes
2/7/19	Warren Skate Park / Carter Oval Development Sub Committee	Warren
2/7/19	Water Conservation Committee	Warren
4/7/19	Showground Racecourse Sub Committee	Warren
4/7/19	Showground Racecourse Committee	Warren
15/7/19	Ewenmar Waste Depot Committee	Warren
16/7/19	Water Conservation Committee	Warren
16/7/19	Manex Committee	Warren
17/7/19	Council Chambers Development Committee	Warren
18/5/19	The Daily Telegraph Bush Summit 2019	Dubbo
18-19/19	Outback Arts Board Meeting	Coonamble
19/7/19	JO Leadership Team Meeting	Narromine

FUTURE MEETINGS NOT ON MEETING SCHEDULE

DATE	COMMITTEE / MEETING	LOCATION
7/8/19	NSW Office of Sport Central West and Orana Network Forum	Lake Burrendong

RECOMMENDATION:

That the information be received and noted.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 3

RATING REVIEW

(R1-6.1)

RECOMMENDATION

1. That Council make a submission to the Minister for Local Government advising of its comments in relation to the Rating Review; and
2. Congratulate the Minister for showing faith in local councils to review and provide advice to the government.

PURPOSE

The Minister wrote to Council in May 2019 and requested Council undertake a review of the IPART Documents that relate to Rating.

BACKGROUND

Local Government in NSW has been waiting years to see the report on rating. The new Minister for Local Government has released the report and should be congratulated.

REPORT

IPART has produced its report into the Review into Local Government Rating System dated December 2016.

This is a substantial document and contains recommendations to change rating from the Unimproved Capital Valuation system to a Capital Improved Valuation system for some councils in metropolitan areas.

A summary of the Recommendations is attached to this report with comments.

In principle most of the recommendations can be supported, however other recommendations have been provided with comments to ensure consistency across NSW as to a rating method.

FINANCIAL AND RESOURCE IMPLICATIONS

At this time no changes to finance are proposed.

Changes to rating may increase costs on Council to convert information.

LEGAL IMPLICATIONS

No legal implications are identified.

RISK IMPLICATIONS

No risk implications are identified.

STAKEHOLDER CONSULTATION

This is a publicly available document from the NSW Government.

OPTIONS

Council may or may not make a submission.

WARREN SHIRE COUNCIL
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ITEM 3

RATING REVIEW

CONTINUED

CONCLUSION

A review of the Review of the Local Government Rating System has been undertaken and comments made as to each recommendation as per the attachment.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION /ATTACHMENTS

1. Minister's Letter to General Manager May 2019.
2. List of Recommendations Section 2.4 and comments in bold italics.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 3

RATING REVIEW

CONTINUED



The Honourable Shelley Hancock MP
Minister for Local Government

Dear Mr Wilcox

I am writing to invite your feedback on a series of reviews of the local government system, which were undertaken by the Independent Pricing and Regulatory Tribunal (IPART).

The NSW Government has been considering these reports for some time and a number of the issues raised have now been addressed. However, the full suite of recommendations, if implemented, could substantially change our local government system and impact directly upon communities.

I believe it is important that councils, community members and organisations representing the interests of local government should have the opportunity to fully consider these issues before the Government proceeds with a final response to the reports.

I would value your feedback on these reports and their final recommendations. Your views, together with the feedback of other councils, communities and others, will be taken into account in finalising the Government's response to the reviews.

The reviews were commissioned to support the NSW Government's long term commitment to ensuring a fair and equitable rating system, cutting red tape and reducing costs and delays for business and the community. They address a number of complex issues, including the current structure of the local government rating system, arrangements around rating exemptions and pensioner concessions, and a broad range of matters relating to local government regulation and compliance.

In all, IPART's final reports total approximately 1,000 pages and contain 135 recommendations. The closing dates for submissions have been staggered to allow sufficient time to consider each report individually. They are as follows:

- Local Government Rating System – 13 September 2019;
- Reporting and Compliance Burdens on Local Government – 25 October 2019;
- Local Government Compliance and Enforcement – 15 November 2019.

To help guide consultation, the Office of Local Government has placed a copy of each IPART final report, together with a short Consultation Guide for each report on its website at <https://www.olg.nsw.gov.au/strengthening-local-government/ipart-local-government-reports-consultation-2019>. This page also features an online feedback form for each review report.

A number of recommendations in the IPART reports have already been implemented through other reform programs, or are currently the subject of separate consultation.

WARREN SHIRE COUNCIL
Report of the General Manager
to the Ordinary Meeting of Council to be held in the
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ITEM 3

RATING REVIEW

CONTINUED

There are also a number of recommendations that the Government has ruled out, because they may have adverse impacts on vulnerable members of the community, affect regional jobs and economies, or substantially increase costs for taxpayers and the broader community. Further consultation is not being undertaken on these recommendations, as indicated in the online feedback form.

Questions on the consultation process or other submissions about IPART's recommendations for each report may be directed to the relevant report email address listed on the website or referred to OLG's Policy Team on 02 4428 4100.

I look forward to continuing to work closely with you to strengthen local government across NSW.

Yours sincerely



Shelley Hancock MP
Minister for Local Government

2.4 List of our recommendations

Use the CIV Valuation Method to Levy Local Council Rates

1. The *Local Government Act 1993* (NSW) should be amended to mandate Capital Improved Value (CIV) as the basis for setting ad valorem rates in the metropolitan council areas defined in Box 3.1. 25

Disagree, not with the CIV method, but that it only applies to metropolitan council areas. It should apply to NSW if a Council wants to adopt this method of rates calculation.

2. The *Local Government Act 1993* (NSW) should be amended to allow non-metropolitan councils to choose between the Capital Improved Value and Unimproved Value (UV) methods as the basis for setting ad valorem rates at the rating category level.

Agree. The valuation of rural land and high-rise developments cannot be adequately compared, and a Council should determine the method to calculate rates. This will be dependent on the removal of rate capping.

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RATING REVIEW

CONTINUED

3. The *Local Government Act 1993 (NSW)* should be amended to facilitate a gradual transition of rates to a Capital Improved Value method.
- The amount of rates that any ratepayer is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of a council adopting a Capital Improved Value method for setting rates. Councils could apply to IPART to exceed this 10% limit.

Agree. A transition process needs to be applied. The new rate should allow for the rate peg level to be increased by 10% per year as well to ensure that the cost of living increases for wages, materials and services are included in the transition. Alternatively, the ICV method should rate multiple tenancies on one land parcel (multi story residential or commercial tenants) as a separate rate. This would allow a general increase in rates for higher density areas and fund the council's services based on occupancy rather than the UCV method, (bed tax).

4. Section 497 of the *Local Government Act 1993 (NSW)* should be amended to remove minimum amounts from the structure of a rate, and section 548 of the *Local Government Act 1993 (NSW)* should be removed.

Allow councils' general income to grow as the communities they serve grow

A minimum rate should be established by the Council that reflects the basic work required to meet service needs, administration and functions of Council. The Council should establish this rate which could make up 50% of the overall rates payable e.g. base rate 50% plus ICV Rate 50% for the properties that receive the minimum rate.

This will ensure that Council operational costs are being paid.

5. The *Local Government Act 1993 (NSW)* should be amended so that the growth in rates revenue outside the rate peg is calculated using the formula based on changes in CIV, defined in Box 4.1. 50
- For non-metropolitan councils, this formula would be independent of the valuation method chosen as the basis for setting ad valorem rates.

No comment on recommendation.

It should be noted that higher intensity use of land has been occurring over many years and that the demands on the Councils by multi story residential and commercial developments or even coastal tourism is impacting on Councils ability to undertake works and services.

Rate pegging is supported, but if increased densities are to continue, then land needs to be rated as to individual tenancies on the land rather than as a total land holding. The individual tenancies should then add to the rate base of the Council rather than restrict the Council to the historic rate peg base. This allows the Council to grow in financial resources and to be able to remain self-sustaining without greater need for Government funding. Rural based Councils will not benefit from this increased rates funding, but may be able to benefit from additional grant funding that is redirected from larger metropolitan Councils.

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RATING REVIEW

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6. The NSW Government fund the NSW Valuer General for the upfront cost of establishing the database to determine Capital Improved Values.

Agree.

7. The NSW Government fund the cost for a non-metropolitan council to set up a Capital Improved Value database for the purposes of implementing our recommended formula for calculating growth in rates revenue outside the rate peg, where the Unimproved Value method for setting rates is maintained.

Agree. There needs to be a consistent method of rating across NSW. It should either be ICV or UCV. Public confusion will result otherwise.

8. The *Local Government Act 1993* (NSW) should be amended to allow councils to levy a new type of special rate for new infrastructure jointly funded with other levels of Government. This special rate should be permitted for services or infrastructure that benefit the community, and funds raised under this special rate should not:
- form part of a council's general income permitted under the rate peg, nor
 - require councils to receive regulatory approval from IPART.

Disagree. It is considered that a Council should have control on the way it can use these clause changes to only reflect what is contained in its IP&R documents and that the Council must ensure that it has advertised publicly and to each rate payer the amount of funding required from the rates to provide the infrastructure or service being requested.

A review process should be applied through IPART to determine if the infrastructure or service does meet community expectations, but also to ensure that the funding required is justified by good project management.

Council are currently using similar clauses to raise money for environmental works or stormwater levies. A review of the current process should be undertaken as it appears that the money being raised by smaller Councils cannot meet the expectations of the planned improvements.

9. Section 511 of the *Local Government Act 1993* (NSW) should be amended to reflect that, where a council does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a year, within the following 10-year period, the council can set rates in a subsequent year to return it to the original rating trajectory for that subsequent year.

Give councils greater flexibility when setting residential rates

Agree.

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RATING REVIEW

CONTINUED

10. The *Local Government Act 1993* (NSW) should be amended to remove the requirement to equalise residential rates by 'centre of population'. Instead, the *Local Government Act 1993* (NSW) should allow councils to determine a residential subcategory, and set a residential rate, by:
- separate town or village, or
 - residential area.

Agree. In remote areas, villages may not receive the same services as a town and should not have a base rate established that brings down the whole residential rate across a Shire. In areas of high intensity residential development as occurs in city areas, residential rating should be based on land use planning zones and the rates set for that land use zone should allow a base rate for that subcategory. This will ensure that the rates being paid can match the services a Council is required to provide by that residential group of people.

11. The *Local Government Act 1993* (NSW) should outline that: 73
- A 'residential area' is an area within a contiguous urban locality that has, on average, different access to, demand for, or costs of providing council services or infrastructure (relative to other areas in that locality). 73
 - Councils could use geographic markers to define the boundaries for a residential area, including postcode boundaries, suburb boundaries, geographic features (eg, waterways, bushland) and/or the location of major infrastructure (eg, arterial roads, railway lines).

Councils should be required to develop locational maps. A street may be split by residential uses (high intensity) and commercial use. Geographic boundaries will not allow the land uses to be adequately mapped. Mapping and rating should align to LEP maps. Rating can then be determined on the highest use of the land. This will allow ICV to work for land use developments.

12. The *Local Government Act 1993* (NSW) should be amended so, where a council uses different residential rates within a contiguous urban locality, it should be required to:
- ensure the highest rate structure is no more than 1.5 times the average rate structure across all residential subcategories (ie, so the maximum difference between the highest and average ad valorem rates and base amounts is 50%), or obtain approval from IPART to exceed this maximum difference, and
 - publish the different rates (along with the reasons for the different rates) on its website and in the rates notice received by ratepayers.

Agree. It is considered that differential rating should be applied across similar land use areas based on the locality e.g. a residential development above a commercial development should allow for rating differentials to apply. In the UK, Councils have varying rating of similar use based on locational factors to allow for cost variations to provide services such as parking, or purchase of land for recreational use etc.

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RATING REVIEW

CONTINUED

13. At the end of the 4-year rate path freeze, new councils determine whether any pre-merger areas are separate towns or villages, or different residential areas. 90
- In the event that a new council determines they are separate towns or villages, or different residential areas, it should be able to continue the existing rates or set different rates for these pre-merger areas, subject to metropolitan councils seeking IPART approval if they exceed the 50% maximum differential. It could also choose to equalise rates across the pre-merger areas, using the gradual equalisation process outlined below.
 - In the event that a new council determines they are not separate towns or villages, or different residential areas, or it chooses to equalise rates, it should undertake a gradual equalisation of residential rates. The amount of rates a resident is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of this equalisation. The *Local Government Act 1993* (NSW) should be amended to facilitate this gradual equalisation.

Better target rate exemption eligibility.

Warren is not a merged Council.

14. Sections 555 and 556 of the *Local Government Act 1993* NSW should be amended to: 98
- exempt land on the basis of use rather than ownership, and to directly link the exemption to the use of the land, and
 - ensure land used for residential and commercial purposes is rateable unless explicitly exempted.

Agree. Land is zoned for a use. This land zoning should be the basis for rating and regardless of its use or vacancy, rates should be applied on the potential land use zone.

15. Land that is used for residential care as defined in Section 41-3(1) of the *Aged Care Act 1997* (Cth) be proportionally rateable according to the share of places whose maximum Refundable Accommodation Deposit is above the level set by the Minister for Health and Aged Care (currently \$550,000). 107

Disagree. These are profit based businesses and rates are a cost of doing business. Rates are also tax deductible.

16. Section 556(1)(i) of the *Local Government Act 1993* (NSW) should be amended to include land owned by a private hospital and used for that purpose. 109

Disagree. These are profit based businesses and rates are a cost of doing business. Rates are also tax deductible.

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RATING REVIEW

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17. The following exemptions be removed: 112

- land that is vested in, owned by, or within a special or controlled area for, the Hunter Water Corporation, Water NSW or the Sydney Water Corporation (*Local Government Act 1993* (NSW) section 555(1)(c) and section 555(1)(d))
- land that is below the high water mark and is used for the cultivation of oysters (*Local Government Act 1993* (NSW) section 555(1)(h))
- land that is held under a lease from the Crown for private purposes and is the subject of a mineral claim (*Local Government Act 1993* (NSW) section 556(1)(g)), and
- land that is managed by the Teacher Housing Authority and on which a house is erected (*Local Government Act 1993* (NSW) section 556(1)(p)).

Agree.

18. Section 555(1)(b1) of the *Local Government Act 1993* (NSW) should be amended to remove the current rating exemption for land that is the subject of a conservation agreement and instead require it to be rated using the Environmental Land category. 112

Agree, see comment at 29 below

19. The following exemptions not be funded by local councils and hence should be removed from the Local Government Act and Regulation: 116

- land that is vested in the Sydney Cricket and Sports Ground Trust (*Local Government Act 1993* (NSW) section 556(1)(m))
- land that is leased by the Royal Agricultural Society in the Homebush Bay area (*Local Government (General) Regulation 2005* reg 123(a))
- land that is occupied by the Museum of Contemporary Art Limited (*Local Government (General) Regulation 2005* reg 123(b)), and
- land comprising the site known as Museum of Sydney (*Local Government (General) Regulation 2005* reg 123(c)).

The NSW Government should consider whether to fund these local rates through State taxes.

Agree in principle as this may allow other crown lands to be considered for rating.

20. Where a portion of land is used for an exempt purpose and the remainder for a non-exempt activity, only the former portion should be exempt, and the remainder should be rateable. 117

Disagree. All land has a use and as most exempt land is held by the crown or religious organisations; some rating should be payable to the council. Councils are requested by the public to attend to such exempt lands from time to time.

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RATING REVIEW

CONTINUED

21. Where land is used for an exempt purpose only part of the time, a self-assessment process should be used to determine the proportion of rates payable for the non-exempt use. 117

Disagree. The land use should remain as categorised and rates paid on the determined land use regardless of the amount of use the land attracts.

22. A council's maximum general income not be modified as a result of any changes to exemptions from implementing our recommendations. 121

Disagree. The only benefits in changing from an UCV to an ICV system is to attract more rates income from premises that have multiple residential buildings, commercial buildings or other land uses.

These changes will generally not benefit remote area Councils, however, the costs to any community are increasing and the changes to planning legislation are ensuring that more people are being housed or accommodated in small areas increasing the cost of Council service for parking, parks and gardens, playing fields and social service needs.

This change to rating should address multi story buildings and occupancy levels. This will ensure that Councils with high density developments can increase their rates base overall and start to meet the growing need for services in their community.

23. A council may apply to IPART for a Special Variation to take account of the changes in exemptions using a streamlined process in the year that our recommended exemption changes come into force. The council would need to demonstrate: 121

- It satisfies the first criteria for Special Variation applications in the OLG guidelines relating to the need for and purpose of a different revenue path for the council's General Fund, and
- that any subcategory rating structure applied to previously exempt properties is no greater than the average rate structure across the relevant rating category.

Agree.

24. The *Local Government Act 1993* (NSW) should be amended to remove the current exemptions from water and sewerage special charges in section 555 and instead allow councils discretion to exempt these properties from water and sewerage special rates in a similar manner as occurs under section 558(1). 124

Agree. Note that water and sewer are user charges not a rate.

25. At the start of each rating period, councils calculate the estimated value of rating exemptions within the council area. This information should be published in the council's annual report or otherwise made available to the public. 124

Improve assistance for pensioners.

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RATING REVIEW

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This is more red tape. Very few residents read the annual report, and this is obviously a request of Bureaucracy rather than the man and woman in the street. The State already knows the estimated rate exemptions across NSW and can publish this through the Auditor General's Office if this is such a high demand call from the public.

26. For new and existing eligible pensioners, introduce a rate deferral scheme operated by the NSW Government, where: 128
- Eligible pensioners would be allowed to defer payment of ordinary council rates up to \$1,000 per annum and indexed to CPI, or any other amount as determined by the NSW Government.

Agree, but this should also apply to self funded retirees.

27. Give existing eligible pensioners the option to access, either: 128
- the current pensioner concession, or
 - the rate deferral scheme, as defined in Recommendation 26

Agree subject to a time frame being applied for all persons over the age of 65 years. Many self-funded retirees will struggle to keep pace with the cost of living into the future. This option should be available to all seniors. A time limit should be applied to recover some rates from all seniors until they become fully dependant on pension payments or part payments. (see 26 above)

28. Funding pensioner assistance: 128
- The current pensioner concession funding arrangements would continue.
 - The rate deferral scheme (defined in Recommendation 26) would be funded by the NSW Government. The loan should be charged interest at the NSW Government's 10-year borrowing rate, and could become due when property ownership changes.

Agree.

Provide More Rating Categories

29. Section 493 of the *Local Government Act 1993* (NSW) should be amended to add a new environmental land category and a definition of 'environmental land' should be included in the *Local Government Act 1993* (NSW). 136
- Land subject to a state conservation agreement is categorised as 'environmental land' for the purposes of setting rates.

Agree, but environmental land should only be permitted where a long term contract exists with the NSW Government that requires an environmental offset. Large areas of environmental offsets require Councils to chase owners to undertake weed control, maintenance works and comply with the terms of the offset agreement. This land if categorised should not be discounted, as this would cost shift rates back to other rate payers.

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RATING REVIEW

CONTINUED

30. Section 529(2)(d) of the *Local Government Act 1993* (NSW) should be amended to allow business land to be subcategorised as 'industrial' and or 'commercial' in addition to centre of activity. 138

Agree. However, a break down of the commercial or industrial use should also occur to allow for the intensity of the development on the land especially if the UCV method remains.

31. Sections 493, 519 and 529 of the *Local Government Act 1993* (NSW) should be amended to add an optional vacant land subcategory for residential, business and mining land. 139

Disagree with this recommendation. If rating remains as UCV, then the value of the land determines the rates payable. If the Rating changes to ICV then the benefit of a vacant lot will be reflected in the rates set for this land. Council is required to provide services across the Shire area, regardless of the use of the land. The question needs to be asked, if a land owner does not build on the land, but maintains the land to be clean and not over grown, is the land vacant. In residential areas, Council remains responsible to ensure that vacant land does not become over grown or filled with rubbish. It is agreed that once legal action is taken, some cost recovery can occur, but legal action remain very low especially in rural areas.

32. Section 529 (2)(a) of the *Local Government Act 1993* (NSW) should be replaced to allow farmland subcategories to be determined based on geographic location. 142

Agree. As changes occur to agriculture or types of agriculture production, sub categories of land use need to be made. The intensity of the land use must be taken into account eg changing grazing to grape production.

33. Section 518 of the *Local Government Act 1993* (NSW) should be amended to reflect that a council may determine by resolution which rating category will act as the residual category. 143

- The residual category that is determined should not be subject to change for a 4-year period.
- If a council does not determine a residual category, the business category should act as the default residual rating category.

Agree.

34. Any difference in the rate charged by a council to a mining category compared to its average business rate should primarily reflect differences in the council's costs of providing services to the mining properties. 145

It is considered that this recommendation is correct, and that Councils should not use Rating Categories to gouge mining for costs that are not attributable to the cost of access or services that other businesses could and do access.

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It is considered that the number of mining categories needs to be expanded to ensure that the various types of metalliferous mines can be accommodated without impacting mining types and rating values e.g. a Shire with a gold mine and a lead /zinc /silver mine can not adequately differentiate between the two types of mines however, the value of resource is widely different and one mine maybe paying under the rating required, whilst the other is paying over. With the new high-tech mineral mines starting to be developed e.g. cobalt, mineral sands, nickel cobalt etc, a Council should be able to develop categories that reflect the mine type not just a very broad traditional category of metalliferous (above ground or underground).

It is considered that Councils through the EP&A Legislation have an ability to develop contribution plans that relate to the types of mining in their area, noting that a single contribution plan may not be able to reflect all mine types and community upgrades required, and IPART may wish to review a two tiered contribution system, being one plan for what could be described as day to day community development and one plan that takes in the cumulative impacts of mining developments, general production periods and close down.

Councils also have an ability to work with the mining company to develop a Voluntary Planning Agreement (VPA). The basis of this agreement should allow a Council and the company to look at the initial start-up costs for a community, the costs to a community and benefits of attracting additional residents; the close down costs and Council's long term asset costs from infrastructure development that in remote communities maybe substantial. The VPA process also allows contributions to roads, bridges etc that are directly related to the mine and will require long term maintenance or upgrades. This may not be captured under a contributions plan, as the final mine location, resource and staff management practices will not be known.

New major project areas such as wind and solar farms require rating classifications to allow Councils to move these from a rural or business rate to a rate that better reflects the land use, the impacts on the land for resources and potentially base the rates on the energy being produced or CIV.

Recovery of Council Rates

35. Councils have the option to engage the State Debt Recovery Office to recover outstanding council rates and charges. 149

This is supported as an option. Councils currently use other debt collection agencies and this flexibility is required to ensure that market forces remain.

36. The existing legal and administrative process to recover outstanding rates be streamlined by reducing the period of time before a property can be sold to recover rates from five years to three years. 150

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RATING REVIEW

CONTINUED

This is supported once all avenues of rate recovery have been undertaken. Councils need to retain flexibility to ensure that periods of drought or family circumstances can be accommodated before a sale for rates is undertaken.

37. All councils adopt an internal review policy, to assist those who are late in paying rates, before commencing legal proceedings to recover unpaid rates. 151

This is supported. Some Councils issue late payment notices via debt collectors after 3 days late payment. This is considered to be unreasonable and the OLG may wish to issue a statewide procedure to guide Councils.

38. The *Local Government Act 1993* (NSW) should be amended or the Office of Local Government should issue guidelines to clarify that councils can offer flexible payment options to ratepayers. 152

An OLG guideline could assist Councils, although most Councils will have a Hardship Policy to allow payment options to occur.

39. The *Local Government Act 1993* (NSW) should be amended to allow councils to offer a discount to ratepayers who elect to receive rates notices in electronic formats, eg, via email. 153

This is becoming a standard form of bill paying to encourage people to take advantage of the discount if they pay on time and by electronic means. This change if made only by the Council is supported. Warren Shire Council has a very high level of rates paid and may never use this allowance, but the recommendation is supported to allow Local Government to use this encouragement.

40. The *Local Government Act 1993* (NSW) should be amended to remove section 585 and section 595, so that ratepayers are not permitted to postpone rates as a result of land rezoning, and councils are not required to write-off postponed rates after five years. 155

Agree to this Recommendation. Although it rarely occurs in remote Council areas, the delays in the State Planning Process can unreasonably extend rezoning changes and impact on Councils rate base.

Other Recommendations

41. The valuation base date for the Emergency Services Property Levy and council rates be aligned. 158
- The NSW Government should levy the Emergency Services Property Levy on a Capital Improved Value basis when Capital Improved Value data becomes available state-wide. 158

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It is considered that a consistent valuation data base should be established across NSW. The Emergency Services Levy however should have a locational factor to increase or reduce the cost based on the expected level of real service that a property can be expected to receive. E.g. a city high rise will have fire services within 10 minutes and remote rural property can not expect the RFS to attend to the fire at all as volunteers' man the service and distance will only allow for fire mop up, not fight fighting or reduction in damage. Similar is expected from SES services, a storm event in a city will have immediate response, whereas a storm event in remote rural NSW will have nil response. A rural town with town Fire Services will have a rapid response, but it may be limited due to fire units or at best allow for the control of fire spread. A village without retained fire fighting staff can not expect to control a fire until RFS volunteers are available.

It is acknowledged that training and other safety equipment is required, and a proportion of the Emergency Service Levy should apply to these areas.

It is recommended that a sliding scale of levy should be applied based on distance from Sydney, regional cities and Villages with retained Fire fighters, to remote villages and properties e.g. 5km radius, 20km radius, 50km radius, 100km radius, over 200km radius.

42. After the NSW Valuer General has established the database to determine Capital Improved Values for rating purposes (see Recommendation 3), councils be given the choice to directly buy valuation services from private valuers that have been certified by the NSW Valuer General. 161

To ensure consistency of valuations across NSW, the NSW Audit Office should contract all valuers to perform this task and supply valuers to Councils as they do with Audit staff. Councils will have to pay the cost of valuations from UCV to ICV, but this should be a recoverable fee in the first rate period after the valuation and be shared proportionally across all rateable properties.

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ITEM 1 RECONCILIATION CERTIFICATE – JUNE 2019

(B1-10.16)

RECOMMENDATION

That the Statements of Bank and Investments Balances as at 30th June 2019 be received and noted.

PURPOSE

To certify that the internal and external cash and investments position of Council is reconciled each month.

BACKGROUND

Clause 212 of the Local Government (General) Regulation 2005 requires the Responsible Accounting Officer to provide a written report setting out details of all money that the council has invested under Section 625 of the Local Government Act.

REPORT

Following is the reconciled internal funds of Council that have been reconciled with the Bank Statements as at 30th June 2019.

INTERNAL LEDGER ACCOUNT RECONCILIATION

	Balance		Balance
	31-May-19	Transactions	30-Jun-19
General	8,287,494.37	398,584.05	8,686,078.42
Water Fund	703,725.06	(24,954.11)	678,770.95
Sewerage Fund	2,531,675.12	(51,285.46)	2,480,389.66
North Western Library	29,685.21	(24,387.37)	5,297.84
Trust Fund	131,619.00	800.00	132,419.00
Investment Bank Account	(9,412,631.67)	(2,000,409.80)	(11,413,041.47)

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ITEM 1 RECONCILIATION CERTIFICATE – JUNE 2019

CONTINUED

BANK STATEMENT RECONCILIATION

Balance as per Bank Statement =	837,547.68
Add: Outstanding Deposits for the Month	0.00
Less: Outstanding Cheques & Autopays	(261,560.14)
Less: Interest on Loan 250 deducted 1st July 2019	(6,073.14)
Balance as per Ledger Accounts less Investments =	569,914.40

INVESTMENTS RECONCILIATION

Investments as at 30th June 2019

No.	Institution	Amount	Term & Rate	Maturity Date
	National Australia Bank	413,041.47	Variable	On Call A/c
23	National Australia Bank	1,000,000.00	91 days @ 2.41%	15-Jul-19
24	National Australia Bank	1,500,000.00	90 days @ 2.41%	15-Jul-19
25	National Australia Bank	1,500,000.00	91 Days @ 2.30%	20-Aug-19
26	National Australia Bank	1,500,000.00	91 Days @ 2.25%	26-Aug-19
27	National Australia Bank	1,500,000.00	91 days @ 2.22%	2-Sep-19
28	National Australia Bank	2,000,000.00	90 days @ 2.12%	9-Sep-19
29	National Australia Bank	2,000,000.00	90 days @ 2.03%	18-Sep-19

TOTAL INVESTMENTS = **11,413,041.47**

BANK AND INVESTMENT ACCOUNTS BREAKDOWN

Externally Restricted Funds Invested	6,654,500.00
Internally Restricted Funds Invested	4,856,320.21
2018/19 General Fund Operating Income & Grants	472,135.66
TOTAL BANK & INVESTMENTS ACCOUNTS BALANCE =	11,982,955.87

As Councils Responsible Accounting Officer I certify that the above listed investments are in accordance with Council Policy and the Local Government Act and Regulations.

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ITEM 1 RECONCILIATION CERTIFICATE – JUNE 2019

CONTINUED

FINANCIAL AND RESOURCE IMPLICATIONS

N/A

LEGAL IMPLICATIONS

N/A

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A

OPTIONS

N/A

CONCLUSION

This report is provided to advise Council of its financial position.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION / ATTACHMENTS

N/A

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ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES

(R1-4)

RECOMMENDATION

That the information be received and noted.

PURPOSE

To advise Council of the rates and annual charges levied, collected and currently outstanding as at the report date.

BACKGROUND

A major source of revenue council receives each year is through the levying of rates and annual charges on property owners in the Warren Shire Council local government area to provide and maintain services to the Warren Shire community.

REPORT

Attached to this report is the statement of rates and annual charges as at 30th June 2019 including comparisons over the last three years.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A

OPTIONS

N/A

CONCLUSION

This report is provided to advise Council of its financial position.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION / ATTACHMENTS

Statement of Rates and Annual Charges as at 30th June 2019.

WARREN SHIRE COUNCIL

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council
to be held in the Council Chambers, Warren, on Thursday 27th June 2019

ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES

CONTINUED

30TH JUNE 2019

Name of Rate				COLLECTIONS FOR YEAR		NETT ARREARS	
	NETT ARREARS 1st JULY \$	NETT LEVY \$	TOTAL RECEIVABLE \$	AMOUNT COLLECTED \$	COLLECT AS % AGE OF TOTAL REC'ABLE	ARREARS AMOUNT \$	ARREARS AS % AGE OF TOTAL REC'ABLE
General Fund Rates	76,753	4,744,257	4,821,010	4,710,664	97.71%	110,346	2.29%
Warren Water Fund	23,240	401,631	424,871	394,593	92.87%	30,278	7.13%
Warren Sewerage Fund	28,301	471,506	499,807	461,699	92.38%	38,108	7.62%
TOTAL 2018/2019	128,294	5,617,394	5,745,688	5,566,956	96.89%	178,732	3.11%
TOTAL 2017/2018	125,675	5,437,935	5,563,610	5,435,316	97.69%	128,294	2.31%
TOTAL 2016/2017	137,085	5,353,509	5,490,594	5,362,693	97.67%	127,901	2.33%
TOTAL 2015/2016	124,281	5,217,173	5,341,454	5,217,173	97.67%	124,281	2.33%
		30-Jun-16	30-Jun-17	30-Jun-18		30-Jun-19	
COLLECTION FIGURES AS \$		5,217,173	5,362,693	5,435,316		5,566,956	
COLLECTION FIGURE AS %		97.67%	97.67%	97.69%		96.89%	

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held at
Council Chambers, Warren, on Thursday 25th July, 2019

ITEM 1

MACQUARIE RIVER – WARREN LOWER WEIR

(W5-2.6)

RECOMMENDATION:

That the payment of the \$1,000 fine relating to the infringement notice issued by the *NSW Department of Primary Industries – Fisheries* for the reclamation work completed on the upper side of the Warren Lower Weir without prior notice and/or permit be acknowledged.

PURPOSE

The purpose of this report is to update the Council on the penalty imposed on the Council by the Department of Primary Industries – Fisheries because of the reclamation works undertaken at the Warren Lower Weir (Bryan Egan Weir) on Friday 26th April 2019, without prior notice.

BACKGROUND

As previously notified and informally discussed improvement works were completed on the upper side of the Warren Lower Weir on Friday 26th April 2019 due to the appalling condition of the weir wall. The Department of Primary Industries – Fisheries (Fisheries) were not notified until Monday 29th April 2019 and issued with a formal report and photographs of the works on Wednesday 1st May 2019.

REPORT

Council is aware of the works completed on the upper side of the weir and that the works were undertaken because of the suitable, ideal working conditions (very low water level in the river) and the concern for the lasting ability of the Weir.

Because of the post notice issued to the Fisheries, two (2) of their representatives conducted a visit to the site and completed a formal interview with Council's General Manager and Divisional Manager Engineering Services on the riverbank immediately adjacent to the Lower Weir. The interview was recorded. After the interview, the Fisheries representatives indicated that a report would be prepared and issued to a board. It was also indicated that Council may be issued with an infringement notice.

Accordingly, on the 27th June 2019 the Fisheries issued one (1) written warning and one (1) infringement notice for the reclamation works carried out without a permit. The value of the fine was \$1,000. The fine has been paid.

FINANCIAL AND RESOURCE IMPLICATIONS

It is considered that the payment of the Fisheries fine is relatively low, however was not provided for within the 2018/19 budget.

LEGAL IMPLICATIONS

It is the view the actions undertaken were not legal but, because the fine has been paid there will be no further actions or implications to be pursued by the fisheries.

RISK IMPLICATIONS

It is the view that the works undertaken at the Warren Lower Weir substantially reduced the risk of worsening the weirs' existing condition or the total destruction of the weir.

WARREN SHIRE COUNCIL
Report of the Divisional Manager Engineering Services
to the Ordinary Meeting of Council to be held at
Council Chambers, Warren, on Thursday 25th July 2019

ITEM 1

MACQUARIE RIVER – WARREN LOWER WEIR

CONTINUED

STAKEHOLDER CONSULTATION

Government agencies such as the Fisheries will be advised and consulted with if any future works are to be implemented.

OPTIONS

There are no options. However, in the future all state authorities should be consulted with prior to any workings being implemented.

CONCLUSION

The task of limiting the risk of losing the lower weir has been marginally reduced.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.3.2 - Provide Warren and villages of Collie and Nevertire with an adequate and safe water supply that is appropriately priced for all consumers

SUPPORTING INFORMATION

There is no additional supporting information.

ATTACHMENTS

There are no attachments.

WARREN SHIRE COUNCIL
Report of the Manager Health and Development Services
to the Ordinary Meeting of Council to be held in
Council Chambers, Warren, on Thursday 25th July 2019

**ITEM 1 REQUEST TO SUPPORT WARREN PASTORAL & AGRICULTURAL ASSOCIATION
(D8-1)**

RECOMMENDATION:

1. That Council make a donation in the form of a reduction in fees to hire the Warren Showground for the 2019 Warren Show, being a total reduction of \$3,560.00, subject to this donation being advertised in the local newspaper for a period of 28 days;
2. Subject to no substantial disagreement being received from the public a hire fee of \$500 be issued to the Warren Pastoral & Agricultural Association for the 2019 Warren Show.

PURPOSE

This report has been generated due to a request to make a donation as attached.

BACKGROUND

Council receives requests to make donations to charities, sporting or community organisations.

Council records regular donations within its Operational Plan and Revenue documents for consideration by the community and adoption by Council. Other requests received by staff are referred to Council for consideration.

REPORT

Council has received a request from Warren Pastoral and Agricultural Association for a donation in the form of a reduction in fees to hire the Warren Showground for the 2019 Warren Show.

In accordance with Section 356 Local Government Act 1993, Council may determine to approve the donation and seek public comment before approval of the donation.

Council does not have any policy on the type and value of donations and this approval cannot be delegated (section 377 Local Government Act 1993).

A reduction in fees from \$4,060 to \$500 is recommended as Council does incur expenses in preparing for the annual show as well as the show stalls using electricity, cleaning prior and post the event.

The recommendation supports the donation as the request has come from a local organisation that is supportive of locally based outcomes for the Shire community.

FINANCIAL AND RESOURCE IMPLICATIONS

All donations have an impact on the Council's finances and a resolution of Council must be made followed by a period of public comment.

The donation being applied for may be funded from Council's section 356 expenses vote of the budget.

WARREN SHIRE COUNCIL

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held in Council Chambers, Warren, on Thursday 25th July 2019

ITEM 1 REQUEST TO SUPPORT WARREN PASTORAL & AGRICULTURAL ASSOCIATION CONTINUED

LEGAL IMPLICATIONS

The Local Government Act 1993 section 356 states:

356 Can a council financially assist others?

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if:
 - (a) the financial assistance is part of a specific program, and*
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.**
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

Council is required to comply with the Act prior to donating.

RISK IMPLICATIONS

Risks are reduced if Council follows the Act and reports donations to the community.

STAKEHOLDER CONSULTATION

As stated above, Council is required to advertise all donations to the community for comment.

OPTIONS

Council may approve the donation or alternatively Council may refuse this donation.

CONCLUSION

Donations are regularly requested of Council by various organisations. It is considered that this request supports the Warren Shire Community and the donation will provide a benefit to education and social wellbeing locally.

WARREN SHIRE COUNCIL

Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in
Council Chambers, Warren, on Thursday 25th July 2019

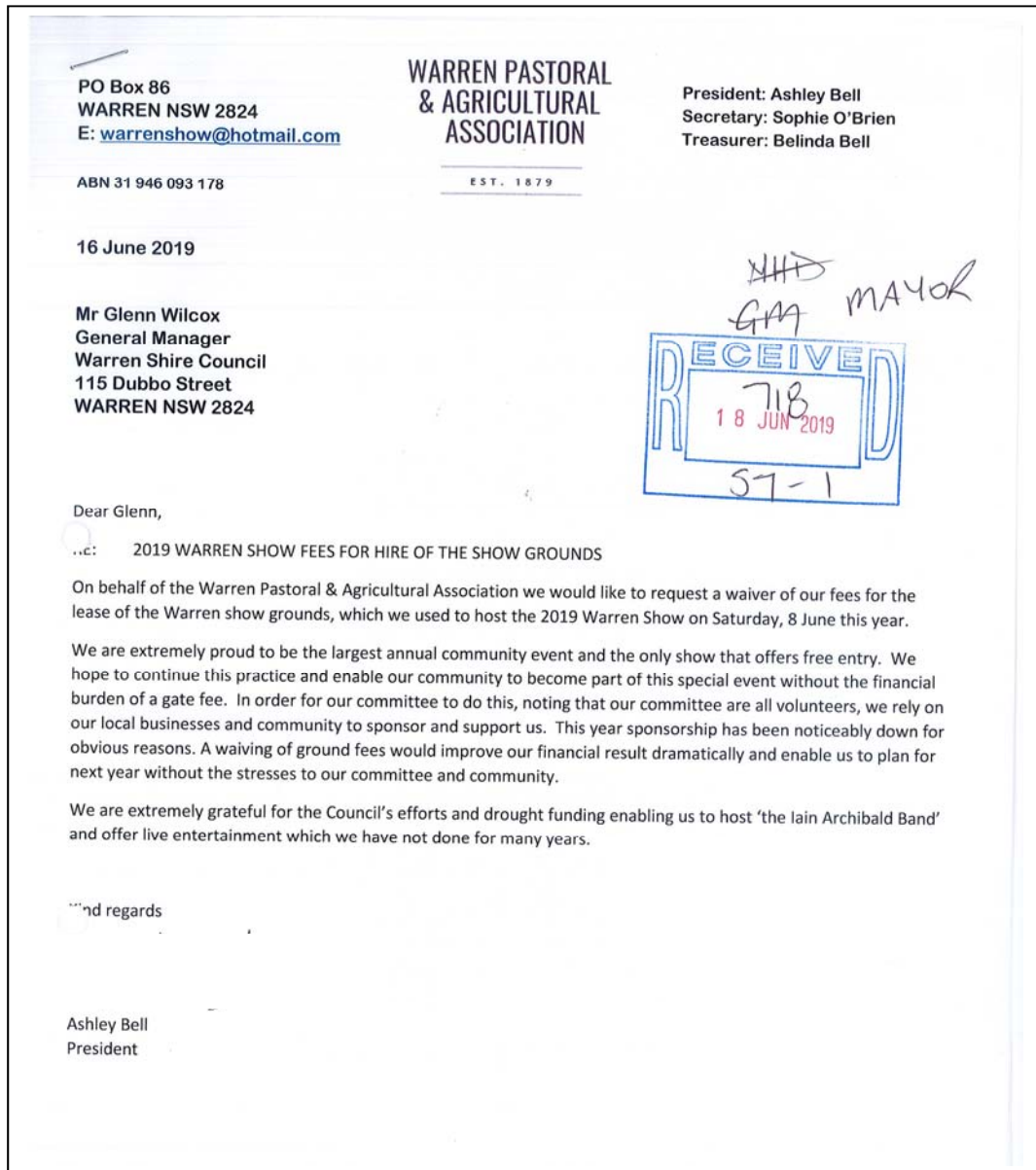
ITEM 1 REQUEST TO SUPPORT WARREN PASTORAL & AGRICULTURAL ASSOCIATION CONTINUED

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and Accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION /ATTACHMENTS

Request letter attached



WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 25th July 2019

ITEM 2 DEVELOPMENT APPLICATION APPROVALS

(B4-9)

RECOMMENDATION:

That the information be received and noted.

PURPOSE

To advise Council of the Development Applications that have been approved under delegated authority.

BACKGROUND

Council received Development Applications from residents in the Warren Shire Area to seek approval.

REPORT

The following Development Applications were approved for .June 2019

FILE	LOCATION	WORKS
P16-19.05	17/746672 Arthur Butler Drive Warren	Subdivision of land
P16-19.08	5/758766 Narromine St Nevertire	Erection of Patio
P16-19.04	Lot 2 and 3, DP999018, 9-13 Clyde Street Nevertire	Use of building for accommodation purposes

LEGAL IMPLICATIONS

Council is required under the Environmental Planning and Assessment Act to assess and determine applications within established timeframes.

RISK IMPLICATIONS

The Environmental Planning and Assessment Act provides appeal mechanisms for applicants who believe that their application requires review.

STAKEHOLDER CONSULTATION OPTIONS

Council issues a Section 4.59 Environmental Planning and Assessment Act list of approvals monthly for the community to review.

CONCLUSION

This report is provided to allow Council and the community to see the applications determined each month.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.4.4 Help ensure safe and sustainable development.
- 5.2.1 Quality customer service focus by Council staff.
- 5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION/ ATTACHMENTS

Nil.

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 25th July 2019

ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

(C12-3.2)

RECOMMENDATION

1. Information be received and noted; and
2. Council enter into a 5 year agreement with the Central West Councils Environment and Waterways Alliance.
3. Council nominates a minimum of two Council representatives as primary contacts for the agreement.

PURPOSE

To advise Council of the opportunity available to enter into an agreement with the Central West Councils Environment and Waterways Alliance

BACKGROUND

The Central West Councils Environment & Waterways Alliance (Alliance) is an organisation representing the Councils of Central West NSW in order to share resources, attract grant funding, and build capacity in regards to managing the environment within our region. The Alliance has a proud history dating back to 2000 when a group of Councils came together to combat the emerging threat of salinity across the region, with the current format having been in place since 2015.

From their inception in 2014, both Central Tablelands and Central West Local Land Services provided financial and logistical support for the Alliance. This arrangement ceased at the conclusion of the 2017-18 financial year. However, the Alliance continues to improve local environmental outcomes and are currently in the process of restructuring the organisation in order to provide more of an emphasis on core Council requirements in regards to environmental management.

REPORT

Council received a letter dated 1 July 2019 from David Waddell (Chair) of Central West Councils Environment and Waterways Alliance. This letter outlined terms of the industry membership agreement including:

1. Structure;
2. Annual contribution requirement (\$2,000.00 pa);
3. Management;
4. Insurances; and
5. Agreement.

FINANCIAL AND RESOURCE IMPLICATIONS

Council would be required to pay an annual fee of \$2,000.00 for a period of 5 years, bringing the total contribution over the 5 years to \$10,000.00.

LEGAL IMPLICATIONS

Nil.

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
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ITEM 3 ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT CONTINUED

RISK IMPLICATIONS

Nil.

STAKEHOLDER CONSULTATION

Nil

OPTIONS

Council may approve the renewal of membership or alternatively Council may refuse this renewal of membership.

CONCLUSION

The information provided is to update the Council on the status of agreement with Central West Councils Environment & Waterways Alliance.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

4.1.2 Actively participate in the Environment and Waterways Alliance

SUPPORTING INFORMATION/ATTACHMENTS

Letter and proposed agreement.

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 25th July 2019

ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

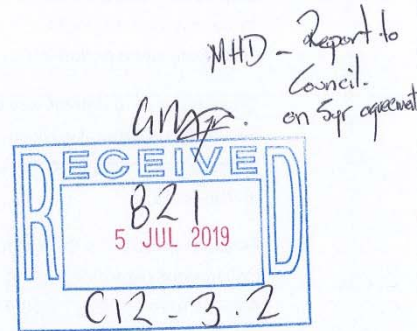
CONTINUED



1 July 2019

Central West Councils Environment & Waterways Alliance
C/- Neophema Environmental
97 Rocket Street
BATHURST NSW 2795

Mr Glenn Wilcox
General Manager
Warren Shire Council
PO Box 6
WARREN NSW 2824



Dear Mr Wilcox

Central West Councils Environment & Waterways Alliance Membership 2019-2022

The Central West Councils Environment & Waterways Alliance (Alliance) is an organisation representing the Councils of Central West NSW in order to share resources, attract grant funding, and build capacity in regards to managing the environment within our region. The Alliance has a proud history dating back to 2000 when a group of Councils came together to combat the emerging threat of salinity across the region. As the focus of the group has changed, so has the name and operational region, with the current format having been in place since 2015.

From their inception in 2014, both Central Tablelands and Central West Local Land Services provided financial and logistical support for the Alliance. This arrangement ceased at the conclusion of the 2017-18 financial year. However, the Alliance continues to improve local environmental outcomes and we are currently in the process of restructuring the organisation in order to provide more of an emphasis on core Council requirements in regards to environmental management.

The new structure will see the Alliance stand independently of any state government agencies, which will lead to greater autonomy and a key benefit of being able to attract grant funding in our own right. We see this as being of huge benefit to our future operations and how we are able to deliver on-ground outcomes and capacity building events to our membership base. This new governance structure has been considered most appropriate for our operations, and has been reviewed and approved by the legal team at Orange City Council.

Additionally, our operational structure has moved from having a full-time employee in the Project Support Officer role, with an Alliance vehicle, to that of a consultant operating in this position. This has significantly reduced our operational costs which is reflected in our reduced membership rates for the ensuing three-year membership period for all Councils.

97 Rocket Street | Bathurst NSW 2795 T: 0438 580 342 | www.cwcewa.com.au



WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
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ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

CONTINUED



Over the past 18 months we have directly contributed over \$150,000 to projects being delivered by our member Councils, as well as co-hosting the Conservation in Action conference in Bathurst during the same period which attracted 150 delegates from across Australia.

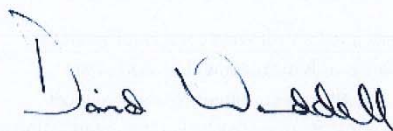
These types of initiatives work to improve the capacity of the staff within our region, as well as delivering on-ground environmental outcomes. We are proud of these achievements and look forward to continuing to work with your Council over the ensuing three-year term to further build on this work.

Please find attached the Terms of Reference including your membership agreement with relevant instructions regarding signing and return of the agreement. In order to fully benefit from the Alliance membership, I would encourage you to nominate relevant staff members who would be able to attend Alliance meetings and be a point of contact for your Council. Typically, Councils have nominated staff from Engineering, Parks & Gardens, Planning & Environment sections/departments with participants ranging from Director level through to senior field staff. However, your nominees would, of course, be at your discretion.

In the interim, I would encourage you to familiarise yourself with the Environment & Waterways Alliance website in order to appreciate the type of work that we participate in and the value that we can offer to your Council. The website address is: www.cwcewa.com.au

I look forward to continuing to work with Warren Shire Council over the next three years.

Yours sincerely



David Waddell
Chair
Central West Councils Environment & Waterways Alliance



WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 25th July 2019

ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

CONTINUED



Environment & Waterways Alliance Representatives 2019

Please nominate a minimum of two Council representatives, including position title and contact details, as primary contacts for the Alliance. Return this form with your membership agreement via email to:

David Waddell
Chair
Environment & Waterways Alliance
dwaddell@orange.nsw.gov.au



Name:

Name:

Position Title:

Position Title:

Phone:

Phone:

Mobile

Mobile

Email:

Email:



97 Rocket Street | Bathurst NSW 2795 T: 0438 580 342 | www.cwcewa.com.au



WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
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ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

CONTINUED

Central West Councils Environment and Waterways
Alliance



Terms of Reference & Membership Agreement

Start Date:	1 July 2019	End Date:	30 June 2021
Alliance Structure:	Chair:	David Waddell	Orange City Council
	Deputy Chair:	Belinda Barlow	Orana Joint Organisation of Councils
	Project Support Officer:	Mick Callan as Neophema Environmental	Environment & Waterways Alliance
Budget:			
Member Councils Contributions	\$55,000 p.a. goal	Alliance Member Council Contributions: (aggregate over member Councils – currently 19 members)	\$55,000 p.a. (see contribution breakdown below)

Objective: To be an active alliance of Councils in the NSW Central West Region, engaging collectively with all tiers of Government and our Communities, contributing to the protection and enhancement of the environmental, social, economic and cultural condition of our part of the world.

Membership: The Central West Councils Environment and Waterways Alliance (CWCEWA) has a current membership base of 19 Councils. These Councils being: Bathurst Regional Council, Blayney Shire Council, Bogan Shire Council, Bourke Shire Council, Cabonne Shire Council, Coonamble Shire Council, Cowra Council, Dubbo Regional Council, Gilgandra Shire Council, Forbes Shire Council, Lachlan Shire Council, Lithgow City Council, Mid-Western Regional Council, Narromine Shire Council, Oberon Council, Orange City Council, Parkes Shire Council, Warren Shire Council and Warrumbungle Shire Council.

The member Councils of the Alliance provide a financial contribution to the Alliance which supports the engagement of a consultant to act as the Project Support Officer (PSO), allowing the Alliance to maintain a consistent resource. This provides the Alliance with a critical resource, increasing its effectiveness in reaching the aims and objectives identified in forward planning documents which include the 5 Year Plan and Council Community Strategic Plans. The PSO is not an employee of the Alliance or any of the member Councils, but an independent consultant engaged by Gilgandra Shire Council (who manage the Alliance finances) for the purposes of facilitating the management and operation of the Alliance. The consultant arrangements will be reviewed annually at the conclusion of each financial year.

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
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ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

CONTINUED

Structure: The CWCEWA Council members hold equal standing in terms of management direction. The CWCEWA member Councils will elect a Chair and Deputy Chair on a two-yearly basis. The current Chair, in conjunction with the Project Support Officer (PSO) will seek nominations for candidates for the following two years. Nominations will take place prior to the first Alliance meeting of the new financial year, unless the current Chair or Deputy Chair resigns prior to this. The current Chair and Deputy Chair will be allowed to re-nominate. If the nominee declines the nomination, the Chair and Project Support Officer will seek alternate nominees. Once the nominee has accepted the nomination, the membership will be informed two weeks prior to the first CWCEWA meeting of the financial year.

The nomination will be put to an anonymous ballot, adjudicated by an independent officer, at the first Alliance meeting of the new financial year. Member Councils will only have one vote per Council. Councils unable to be represented at the meeting may submit a proxy vote to the PSO in the two weeks leading up to this meeting. Councils who do not submit a vote prior to, or at this meeting, will be assumed to agree with the majority vote. The CWCEWA Chair will be elected to the position if they receive a majority vote. Failure to reach a majority vote will result in an alternative nominee being selected by the current Chair at the meeting, with input and advice from the membership. Voting will continue on this basis until a Chair and Deputy Chair are elected.

Contribution: The Councils of the CWCEWA will receive a letter of contribution every year, defining their financial commitment to CWCEWA. This letter will be distributed in conjunction with the CWCEWA Terms of Reference, signing of the Terms of Reference will confirm each Council's financial membership of the Alliance.

Gilgandra Shire Council will invoice and collect contributions from member Councils on an annual basis at the start of the financial year and manage all financial contributions on behalf of CWCEWA. Contributions for the 2019/20 F.Y. have been agreed to as follows:

LGA Population	LGA	Annual Contribution
<7,500	Bogan Blayney Bourke Coonamble Gilgandra Lachlan Narromine Oberon Warren Weddin	\$2,000
7,500 – 40,000	Cabonne Cowra Forbes Lithgow Mid-Western Parkes Warrumbungle	\$3,000
>40,000	Bathurst Dubbo Orange	\$5,000

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
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ITEM 3

ENVIRONMENT AND WATERWAYS ALLIANCE AGREEMENT

CONTINUED

Management: The day to day operations of the CWCEWA fall to the Project Support Officer (PSO), currently held by Mick Callan as Neophema Consulting. The PSO reports to the CWCEWA Members and Chair.

The activities of the Alliance are outlined in the CWCEWA 5 Year Plan. The activities will be defined and approved by the member Councils. Major decisions will be made by majority decision of Member Councils represented at the meeting, with the opportunity for proxies to be brought to the meeting for Member Councils unable to provide a representative. Member Councils agree to abide by the majority decisions of the CWCEWA.

The Alliance 5 Year Plan will be reviewed on an annual basis.

In the event of a conflict within the CWCEWA, the Central West Joint Organisation Executive officer will fulfil the role of mediator.

Insurances: By signing these Terms of Reference and Membership Agreement each Member Council agrees to use best endeavours to meet the targets outlined in the 5 Year Plan. Member Councils agree to work in partnership with each other to achieve these targets. Each member Council accepts its own liability in respect of its involvement in the Alliance.

Agreement: By signing these Terms of Reference and Membership Agreement each Member Council agrees to the terms and the targets outlined in the 5 Year Plan. Member Councils agree to work in partnership with each other.

CWCEWA Chair: David Waddell	CWCEWA Deputy Chair: Belinda Barlow	Warren Shire Council General Manager: Mr Glenn Wilcox	Annual Financial Contribution
Signature:	Signature:	Signature:	\$2,000 + GST To be invoiced annually at the beginning of each financial year for the period of this agreement.
Date:	Date:	Date:	

The signed agreement should be returned to:

David Waddell
 Chair
 Environment & Waterways Alliance
dwaddell@orange.nsw.gov.au

The agreement will be counter-signed by the Chair of the Environment & Waterways Alliance with a copy returned to your Council for your records.

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
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**ITEM 4 KEEPING OF STOCK IN RESIDENTIAL AREAS POLICY 2018 EXEMPTION REQUEST
(L3-7.1)**

RECOMMENDATION

1. Information be received and noted; and
2. Council approve the exemption to the Policy of Keeping of Stock in residential areas for a period of 12 months subject to the following conditions;
 1. That the exemption only applies to the keeping of SHEEP ONLY and no other species of stock is permitted on the land, and
 2. That the exemption only applies to Lots 41 and 46 DP 752570 Wonbobbie Street Collie, and
 3. All sheep are to be identified with an National Livestock Identification System ear tag printed with the Property Identification Code of the subject land, and
 4. The exemption can be cancelled at any time if the surrounding residents are adversely impacted upon or if the sheep become a public safety issue.

PURPOSE

To advise Council of the request for an exemption to the Keeping of Stock in Residential areas Policy 2018, within the village of Collie.

BACKGROUND

A request was received by Council on 20th June 2019 for an exemption to the Keeping of Stock in Residential areas Policy 2018.

The Keeping of Stock in Residential areas Policy 2018 states the following;

“That stock shall be prohibited from being kept within the residential areas of the Warren Shire Council.”

However, Council may grant an exemption if considered suitable.

REPORT

The applicant has requested an exemption to the policy and states he owns 11 blocks. It is proposed to grant the exemption to apply to only 2 allotments. The applicant owns the land to the east and to the south of the subject lots that is proposed to have an exemption granted upon. These lots will act as a buffer between the stock and the surrounding residential land. The lot to the north is zoned RU1 Primary Production and is owned by others.

If Council does grant an exemption, Council may receive requests for an exemption from surrounding residents that have previously been requested to remove their stock.

The Keeping of Stock in Residential areas Policy 2018 states the following;

“A person may apply to the Local Land Services (LLS) to obtain a temporary grazing permit subject to Council’s written approval. This is to permit stock to de-vegetate a nominated area within the residential area, to reduce the bush fire hazard loading upon that land.

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
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ITEM 4 KEEPING OF STOCK IN RESIDENTIAL AREAS POLICY 2018 EXEMPTION REQUEST
CONTINUED

This clause was included to cater for the times of high bush fire risk, particularly in the summer months when slashing can pose a risk. This clause has been used in practice successfully in the past, however it is only granted for a short period of time (hours/days).

Keeping of Stock on land zoned Village within the Village of Collie has been a regulatory matter in the past that Council's Ranger has addressed on many occasions. These instances have all been reported due to the policy being in place rather than the stock impacting upon the surrounding residents.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Granting an exemption may be seen as setting a precedent and may result in the policy being reviewed.

RISK IMPLICATIONS

There is a risk to Council that granting an exemption to the Keeping of Stock in Residential areas Policy 2018 may result in an abundance of applications.

STAKEHOLDER CONSULTATION

Nil

OPTIONS

Council may grant the exemption to the Keeping of Stock in Residential areas Policy 2018 or alternatively Council may refuse this application.

CONCLUSION

Taking into consideration the implementation of a buffer zone and the restrictions upon the applicant in relation to the exemption, it is recommended that the exemption be granted with the conditions placed upon the applicant.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

1.4.7 Provide animal control services to meet the demands of the community

SUPPORTING INFORMATION/ATTACHMENTS

Email from the applicant and the Keeping of Stock in Residential Areas Policy 2018

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
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ITEM 4 KEEPING OF STOCK IN RESIDENTIAL AREAS POLICY 2018 EXEMPTION REQUEST

CONTINUED



WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 25th July 2019

ITEM 4

**KEEPING OF STOCK IN RESIDENTIAL AREAS POLICY 2018 EXEMPTION REQUEST
CONTINUED**

Staff Calendar

From:
Sent: Wednesday, 19 June 2019 1:41 PM
To: Staff Calendar
Subject: Glenn Wilcox

Rodney Mifsud
45 Wonbobbie st
Collie NSW 2827

To Glenn Wilcox (General Manager)

I Rodney Mifsud am writing this letter asking for consideration on a exemption on keeping of livestock on residential land Due to when I purchased this land there was livestock already on there and has been for at least 2 years prior

I hope you consider that I am on the outskirts of the RU5 village. Owning 11 adjoining blocks consisting of more than 20 acres and my fencing joins agriculture land with a small portion of my property also being agriculture

I'm hoping you also consider that there has been no impact nore will there be any impact to the community or environment by the livestock I own

Thank you
Rodney Mifsud



POLICY REGISTER

KEEPING OF STOCK IN RESIDENTIAL AREAS POLICY

Policy adopted: 9th December 1999 (Minute No 363.12.99)

Reviewed: 6th December 2018 (Minute No. 274.12.18)
 23rd June 2016 (Minute No 142.6.16)
 28th February 2013 (Minute No 41.2.13)
 21st May 2009 (Minute No 152.5.09)

File Ref: L3-7.1, P13-1

WARREN SHIRE COUNCIL
Report of the Manager Health & Development Services
to the Ordinary Meeting of Council to be held in the
Council Chambers, Warren on Thursday 25th July 2019

**ITEM 4 KEEPING OF STOCK IN RESIDENTIAL AREAS POLICY 2018 EXEMPTION REQUEST
CONTINUED**

Warren Shire Council – Keeping of Stock in Residential Areas Policy

DOCUMENT CONTROL

Issue	Prepared/Revised By and Date	Action/Amendment Description	Approved By and Date
1.0	Maryanne Stephens		Council Minute No. 274.12.18 (6th December 2018)

I:\Policies and Procedures - File P13\Policies\Currently Adopted\Keeping of Stock in Residential Areas Policy 2018.docx

WARREN SHIRE COUNCIL
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CONTINUED**

Warren Shire Council – Keeping of Stock in Residential Areas Policy

POLICY AIMS

- A. To recognise the potential public health, safety and convenience issues caused by the keeping of stock in residential areas.
- B. To provide guidelines for the public and Council employees or agents where the keeping of stock in residential areas is concerned.

DEFINITION

Residential Area Definition -

- | | | |
|------------------|---|--|
| Warren | - | R1 General Residential zone coloured pink within Warren Shire LEP Map. |
| Nevertire | - | RU5 Village zone coloured dark pink within Warren Shire LEP Map. |
| Collie | - | RU5 Village zone coloured dark pink within Warren Shire LEP Map. |

POLICY STATEMENT

That stock shall be prohibited from being kept within the residential areas of the Warren Shire Council.

BUSH FIRE HAZARD REDUCTION

A person may apply to the Local Land Services (LLS) to obtain a temporary grazing permit subject to Council's written approval. This is to permit stock to de-vegetate a nominated area within the residential area, to reduce the bush fire hazard loading upon that land.

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