

ORDINARY MEETING

MINUTES

THURSDAY 3RD DECEMBER 2020

Minutes of the Ordinary Meeting of Council held in Council Chambers, 115 Dubbo Street Warren on Thursday 3rd December 2020 commencing at 8:30 am

| COUNCILLORS | MJ Quigley | Chair |
|---------------|----------------|--|
| | MJ Beach | |
| | HJ Druce | |
| | KW Taylor | |
| | RJ Higgins | |
| | KL Walker | |
| | AJ Brewer | |
| | P Serdity | |
| STAFF MEMBERS | S Glen | General Manager (GM) |
| | D Arthur | Divisional Manager Finance & Administration (DMFA) |
| | R Lawford | Divisional Manager Engineering Services (DMES) |
| | M Stephens | Manager Health & Development Services (MHD) |
| | J Burtenshaw | Executive Assistant (EA) |
| | Cassy Mitchell | Administration Officer (AO) |

APOLOGIES

Apologies were tendered on behalf of Councillor Derrett, Councillor Williamson and Councillor Irving who were absent due to external commitments, and it was **MOVED** Serdity/Walker that the apologies be accepted and a leave of absence for the members concerned be granted.

Carried 233.12.20

CONFIRMATION OF MINUTES

MOVED Beach/Druce that the Minutes of the Ordinary Meeting of Council held on Thursday, 22nd October 2020 be adopted as a true and correct record of that Meeting.

Carried 234.12.20

DISCLOSURES OF INTERESTS

Nil.

MAYORAL MINUTE(S)

Item 1 Delegation of Authority to the General Manager

(S12-25.1)

MOVED Quigley/Taylor that in accordance with the provisions of Section 377 of the Local Government Act, 1993 Council hereby delegates to the Interim General Manager, Stephen Glen delegated authority to exercise or perform on behalf of Council the following powers, authorities, duties and functions:-

A. Council Meeting and Operations

- 1. To determine matters which are included in the Business Papers of Council and its Committees, subject to the inclusion of the following items when they arise, namely:
 - (i) reports on matters which cannot be determined under delegated authority;
 - (ii) reports required to be submitted under any Act or Regulation;
 - (iii) matters requiring a determination of Policy;
 - (iv) reports directed by the Council to be submitted;
 - (v) matters essential for the Council's information;
 - (vi) matters requested by the Mayor.
- 2. To invite a group or individual to address any Council Committee.
- 3. To lay information, to make application for search warrants, to make complaints, to initiate and carry on any proceedings and to represent Council in any Court on any matter.
- 4. To affix the Council's Common Seal to documents provided that an attestation is still provided with each affixation of the Seal by the signatures of at least one (1) member of the Council's staff and the Mayor or Deputy Mayor.
- 5. To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.

B. General Administration

- 1. To approve recommendations of the Joint Consultative Committee.
- 2. To disclose Council records in line with the Government Information (Public Access) Act 2009 (GIPA Act) Warren Shire Council Publication Guide in consultation with Council's Public Officer.
- 3. To enter into Pipeline Agreements with the State Rail Authority or its successor.
- 4. To exercise the power of entry and to authorise other employees of Council to have that power of entry under:
 - (a) The provisions of the Local Government Act, 1993 Section 191, 191A, 192 and 193.
 - (b) The provisions of Section 119E of the Environmental Planning and Assessment Act, 1979.

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MAYORAL MINUTE(S)

CONTINUED

Item 1 Delegation of Authority to the General Manager

Continued

- (c) The provisions of Section 28 of the Swimming Pools Act, 1992.
- (d) The provisions of Section 66 of the Rural Fires Act, 1997 (in line with Service Level Agreement).
- (e) The provisions of Section 37 of the Food Act, 2003.
- (f) The provisions of Sections 47 and 72 of the Public Health Act, 1991.
- (g) The provisions of Section 164 of the Roads Act, 1993.
- (h) The provisions of Section 42 of the Impounding Act, 1993.
- (i) The provisions of Sections 111 and 196 of the Protection of the Environment Operations Act, 1997
- (j) The provisions of Sections 43, 44 and 50 of the Noxious Weeds Act, 1993.
- (k) The provisions of the Companion Animals Act, 1998.
- 5. To exercise the powers of an authorised officer/person and appoint such persons under:
 - (a) The Local Government Act, 1993;
 - (b) The Impounding Act, 1993;
 - (c) The Roads Act, 1993;
 - (d) The Food Act, 2003;
 - (e) The provisions of the Protection of the Environment Operations Act, 1997
 - (f) The Swimming Pools Act, 1992;
 - (g) The Public Health Act, 1991;
 - (h) The Rural Fires Act, 1997 (in line with Service Level Agreement);
 - (i) The Noxious Weeds Act, 1993;
 - (j) The Mines Inspection Act, 1901;
 - (k) The provisions of the Companion Animals Act, 1998;
 - (I) The Environmental Planning and Assessment Act 1979.
- 6. To give approval to "approved forms" as defined by the Local Government Act, 1993.
- 7. To issue references under Council letterhead.
- 8. To authorise and undertake any necessary arrangements for the attendance of practical, technical and professional staff at any relevant course, seminar, congress meeting and conference but such approved attendance must be within budget limitations.
- 9. To approve annual, sick, long service, special leave and leave without pay for Council employees.

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MAYORAL MINUTE(S)

CONTINUED

Item 1 Delegation of Authority to the General Manager

Continued

C. Finance

- 1. To designate an employee of Council as the responsible accounting officer in accordance with Part 9 of the Local Government (General) Regulation, 2005.
- 2. To declare each parcel of rateable land in the Warren Shire Council area to be within one or other of the following categories:-
 - farm land
 - residential
 - mining
 - business
- 3. To accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person and to write off or reduce interest accrued on rates or charges if the person complies with the agreement.
- 4. To write off accrued interest on rates or charges payable by a person if the person is unable to pay the accrued interest for reasons beyond the person's control or where payment of the accrued interest would cause that person extreme hardship.
- 5. To invest money in accordance with Section 625 of the Local Government Act, 1993.
- 6. To approve reimbursement for shortages in the Cashier's tray up to \$500 in any one case.
- 7. To approve the submission of tenders, quotations and estimates for private works.
- 8. To authorise the refund of fees in total or in part in respect of applications either refused by Council or withdrawn by the applicant.
- 9. To authorise the release of any bond or bank guarantee where the required works or services have been completed in accordance with approvals granted by Council.
- 10. To require the lodgement of a cleaning deposit for the hiring of Council's parks, ovals, sporting facilities or buildings.
- 11. To prepare and lodge applications for the payment of a Library Subsidy in accordance with Section 13 of the Library Act, 1939.
- 12. To authorise expenditure of Council for works and services required in accordance with the adopted annual budget of Council up to a maximum of \$150,000.
- 13. To initiate, negotiate and authorise royalty agreements on Council's behalf with local landholders for the acquisition of resources in the performance of Council's works programme.

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MAYORAL MINUTE(S)

CONTINUED

Continued

Item 1 Delegation of Authority to the General Manager

14. To engage (or dismiss) contractors on an hourly, daily, weekly or monthly basis for works in accordance with Council's Work Programme.

- 15. To authorise the hire of Council's plant and resources for private works at comprehensive hire rates or at suitably negotiated rates.
- 16. To write off accrued interest on rates and charges payable by a ratepayer who is paying by instalments in accordance with the provisions relating to the annual rate levy, Council's policy.
- 17. To destroy Council records in accordance with the provisions of the State Records Act 1998 (NSW).
- 18. To expend Council's maintenance votes in accordance with, and subject to the limits as adopted by Council in the annual budget.

D. Roads

- 1. To close roads and bridges temporarily or impose load limits subject to the provisions of the Roads Act, 1993, for repair or construction when necessary.
- 2. To approve applications for permission to open streets, subject to the proviso that applications received from private individuals (other than from State and Commonwealth authorities) shall not be approved until the cost of reinstatement has been paid in full.
- 3. To deal with all matters relating to the alteration or deletion of easements or restrictions as to use pursuant to Section 88 (B) of the Conveyancing Act.
- 4. To issue approvals for structures on footways pursuant to Sections 125 and 126 of the Roads Act, 1993.
- 5. To give direction to remove obstructions or encroachments on public road pursuant to Section 107 of the Roads Act, 1993.
- 6. To approve ramp and gate installations in accordance with Council policy.
- 7. To approve the movement of stock, machinery or any other materials along or across any Council controlled road or through any built up area of the Shire, subject to any provisions of the Roads Act, 1993.

E. Town Planning/Building Control

1. To determine the amount of any bond required to be lodged by developers as security for completion of works.

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MAYORAL MINUTE(S)

CONTINUED

Item 1 Delegation of Authority to the General Manager

Continued

- 2. To exercise Council's power under Section 54 of the Environmental Planning Assessment Act to commence the preparation of a draft Local Environmental Plan and a Draft Development Control Plan.
- 3. To issue or serve approvals and orders under the provisions of Chapter 7 of the Local Government Act, 1993 and regulations thereunder including the extension, renewal, modification and revocation of any approval granted.
- 4. To implement Regulation 157c of the Construction Safety Act relating to Amusement Devices.
- 5. To implement the provisions of the Environmental Restoration and Rehabilitation Trust Act, 1990 as an authorised delegate under such Act.
- 6. To consider and determine objections and seek the concurrence of the Director-General of the Division of Local Government in relation to such objections under Section 82 of the Local Government Act, 1993.
- 7. To approve the re-location and re-positioning of buildings.
- 8. To approve the classification or re-classification of buildings under the provisions of the Local Government (General) Regulations, 2005 and the issue of appropriate certificates and statements.
- 9. To approve or refuse the issue of Building Certificates pursuant to Section 149D of the Environmental Planning and Assessment Act, 1979 as amended.
- 10. To authorise the service of orders on owners, builders or other persons to correct any breach of any approval or defects in buildings and structures.
- 11. To approve unconditionally or subject to conditions or refuse applications received in respect to the construction of fences, advertising signs and street banners.
- 12. To approve, subject to the payment of fees fixed by Council from time to time and pursuant to Section 68 of the Local Government Act, 1993 the erection of hoardings on footpaths.
- 13. To consider the applications and to issue unconditionally or subject to conditions or refuse applications for the occupation of caravans or other temporary accommodation on building sites.
- 14. To grant or refuse the extension/renewal of building approvals issued by Council.
- 15. To approve the variation of building lines where such variation is of a minor significance.
- 16. To accept or reject certifications submitted under Section 93 of the Local Government Act, 1993.

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MAYORAL MINUTE(S)

CONTINUED

Continued

Item 1 Delegation of Authority to the General Manager

- 17. To approve Development Applications for all developments/classes of buildings where no substantial community objection is registered.
- 18. To refuse Development Applications that do not comply with legislation, Council's LEP or DCP.
- 19. To authorise, where appropriate, the determination of Land and Environment Court matters by an Assessor of the Court.
- 20. To grant a departure from a development standard pursuant to the various Development Control Plans where that provision is available and where such departure is considered to be in accordance with the overall aims and objectives of the relevant plan.
- 21. To serve any notices or orders or intention of any notice or order under the provisions of the Local Government Act and Regulations, Environmental Offences and Penalties Act and Regulations, Public Health Act and Regulations, Food Act and Regulations, Protection of the Environment Act, 1997 and regulations.
- 22. Pursuant to any delegation from the Director-General of the Department of Health to issue clean up notices under Section 51 of the Food Act, 1989.
- 23. Pursuant to any delegation from the Director-General of the Department of Health to serve Orders for Closure under Section 52 of the Food Act, 1989.
- 24. To approve or refuse applications for the installation of waste treatment devices and human waste storage facilities under Section 68 of the Local Government Act, 1993.
- 25. To issue Undertaker and Mortuary approvals pursuant to Section 68 of the Local Government Act, 1993.
- 26. To authorise the carrying out of work by Council pursuant to Section 678 of the Local Government Act, 1993.
- 27. To reject applications for approval pursuant to Section 85 of the Local Government Act, 1993.

F. BUSHFIRE/EMERGENCY SERVICES

- 1 To authorise the release of Council plant and other resources to assist fire fighting and emergency work.
- 2. To authorise the use of Council resources to support the Warren Local Emergency Management Committee, Warren Local Emergency Operations Controller or Warren State Emergency Service Local Controller.
- 3. To authorise the use of Council's resources and exercise the powers conferred under Section 36 of the Environmentally Hazardous Chemicals Act, 1985.

on Thursday 3rd December 2020 commencing at 8:30 am

MAYORAL MINUTE(S)

CONTINUED

Continued

Item 1 Delegation of Authority to the General Manager

4. To make Council appointments to the Warren Local Emergency Management Committee pursuant to the State Emergency Rescue and Management Act, 1989.

G. Impounding/Stock Control/Saleyards

- 1. To appoint Impounding Officers and authorised persons to impound and/or destroy certain animals and articles pursuant to the Impounding Act, 1993.
- 2. To implement the provisions of the Companion Animals Act 1999 and regulations and serve any notice for breaches of the subject Act and Regulations.
- 3. To issue any temporary grazing permits for public roads or for any Council controlled lands in accordance with Council's policy on this matter, or any other appropriate State or Federal legislation or any reasonable conditions of approval as determined by the General Manager.

H. Miscellaneous Operational Matters

- 1. To determine applications for use of public roads for walkathons, charitable collections, motorcar trials, bicycle races and the like where the involvement of the Warren Local Traffic Committee is not specifically required.
- 2. To determine the conditions of use of Council's parks gardens and reserves and other places in accordance with section 632 of the Local Government Act, 1993.
- 3. To vary the dates of opening and closing of the Warren Pool Complex.
- 4. To impose and enforce any necessary restrictions to the water supplies of Warren, Nevertire and Collie.
- 5. To issue pavement concessions for aircraft wishing to use the Warren Aerodrome in accordance with the guidelines issued by the Department of Transport.
- 6. In consultation with the Mayor the authority to approve or refuse applications for mineral explorations throughout the Shire unconditionally or subject to any appropriate conditions.
- 7. To approve the free utilisation of Council plant and equipment to charitable, service, voluntary and community organisations within the Shire in accordance with Council's policy.
- 8. To issue NOTAMS advices to the CASA in accordance with appropriate legislative requirements.

Carried 235.12.20

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| MAYORA | L MINUTE(S) | CONTINUED |
|---------------------------|--|----------------------|
| ltem 2 | Free Entry to the Warren War Memorial Swimming Pool | (\$19-2) |
| 1. Cour | Quigley/Druce that: cil offer free entry for Warren Shire residents to the Warren War Me until the end of the January 2021 Christmas school holidays; and | morial Swimming |
| 2. Cour | cil refund pro rata any season ticket purchases. | |
| | | Carried 236.12.20 |
| ltem 3 | Health Submission | (H2-1) |
| with Dr Jo to finalise | Quigley/Walker that Councillor Serdity, Councillor Walker and Counc hn Burke, Mr Tony McAlary, Mr Rod Sandell, Ms Alison Payne and Mr Council's submission for the inquiry into health outcomes and service te NSW before the 13th December 2020. | s Alison Campbell |
| | | Carried |
| | | 237.12.20 |
| | | |

MOVED Quigley/Beach that the Mayor, Councillor Beach, General Manager, Divisional Manager Engineering Services meet to discuss Council's Water Strategy submission.

> Carried 238.12.20

Item 5 **Country Mayors**

MHD-A Chk Lst

> **MOVED** Quigley/Taylor that Council note that the Mayor and the Divisional Manager Engineering Services travelled to Sydney to attend the Country Mayors meeting held in Sydney on Friday, 6th November 2020.

> Whilst in Sydney the opportunity was taken to meet with Mr Sam Farraway MLC and his advisors on Thursday, 5th November 2020 to discuss the possible availability of funding for repairs to the Warren Town Levee.

Mr Farraway MLC advised that Council would need to speak to the Environment Minister.

Carried 239.12.20

(C14-3.25)

REPORTS OF COMMITTEES

Council Chambers Development Sunset Committee

MOVED Serdity/Walker that the Minutes of the Council Chambers Development Sunset Committee Meeting held on Wednesday, 18th November 2020 be received and noted and the following recommendations be adopted:

(C14-5.5)

REPORTS OF COMMITTEES

Item 4.1 **Council Building Addition**

Council Chambers Development Sunset Committee

That:

- 1. The information in the report "Council Building Addition and Renovations" be noted.
- 2. The building works continue to complete the renovation as described in the "Stages to complete Renovations" attached to the report.
- 3. Council note the completion of the internal renovations to the existing building including the purchase of furniture and project management costs were not included in the original budget of \$1.7 million and is anticipated to cost \$220,000 to finalise the project.
- 4. The additional \$220,000 be funded from the Infrastructure Replacement Reserve.
- 5. A final report be presented to Council once all works have been completed and invoices are paid.

| Carrie | ed |
|---------|----|
| 240.12. | 20 |
| | |

Manex

MOVED Taylor/Higgins that the Minutes of the Manex Meeting held on Tuesday, 24th November 2020 be received and noted and the following recommendations be adopted:

Item 7 **Operational Procedures**

That:

- The information be received and noted; and 1.
- The procedures for Checking of oxi sok at pool, Use of manual pool vacuum cleaner, Use of 2. automatic pool vacuum cleaner, Testing chemical levels at pool, Spinal injury or death, Daily routine for pool kiosk, Heart attack or medical emergency, Major chemical spill/gas leak, Natural Disaster: Lightning /hail/storm, Running off till and balancing remittance at Swimming Pool, Faecal incident solid stool response, Faecal incident loose stool response, Drowning rescue, Contamination of water at swimming Pool or (e.g. bird/animals), Cryptosporidium Notification Response, Receipting Swimming Pool Money, be adopted.

Foodies Night Markets – Request for Food Markets Item 8 (13-23)

That Foodies Night Markets be permitted and that they be advised they should liaise with Council on a future date and venue.

Item 9 Request for a Monthly Church Service to be held in Macquarie Park

(P1-7.6)

That further information be sought on the location, number of expected participants and that a report be presented to Council.

> Carried 241.12.20

(C14-3.4)

(12-11.1)

(S1-1.15/1)

Continued

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REPORTS OF COMMITTEES

Roads Committee

MOVED Brewer/Druce that the Minutes of the Roads Committee Meeting held on Monday, 30th November 2020 be received and noted and the following recommendations be adopted:

Item 5.1 **Council Roads Classification Review**

That:

- 1. The existing Regional Roads all retain their status of being a Regional Roads; and
- To ensure that Local Shire Roads that are utilised as part of "Inland Flat Route" receive 2. monetary support and financial contributions on their upkeep they be re-classified to Regional Roads, the three (3) local shire roads are Industrial Access Road (5.60km), the Tottenham Road (34.10km) and the section of the Nevertire-Bogan Road from Nevertire to the Tottenham Road intersection (14km).

Item 5.2 **State Highway Road Maintenance Council Contract** (W6-11)

That:

Itom E Q

- The interim General Manager and Divisional Manager Engineering Services be approved to 1 make an initial approach to the TfNSW representatives to determine whether TfNSW would consider Warren Shire Council's request to being engaged by TfNSW works in accordance with the conditions of the TfNSW's Roads Maintenance Council Contract.
- 2. A report on the discussion be presented to the Roads Committee for their information and further direction.

| ne | m 5.8 Type Road Segment to and 02 Construction | (C4 - 1.57) |
|-----|--|---------------|
| Tha | at: | |
| 1. | The only stages of works deemed as being affordable within the 2020/21 bud completed on Segment 00 and Segment 02 of the Tyrie Road, | lget year be |
| 2. | Additional monies be pursued in future budget years providing for the completion a bitumen surface to Segment 00 and Segment 02 of the Tyrie Road (SR57). | n of applying |

| lter | m 5.9 Road Counter Summary | (R4 -20.1) |
|------|--|------------|
| Tha | at: | |
| 1. | The information be received and noted; and | |

2. All future road counts include reference points and average vehicle counts.

Turia Boad Cogmont 00 and 02 Construction

| Carried |
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| 242.12.20 |

REPORTS OF DELEGATES

| ltem 1 | North Western Library Co-Operative AGM | (L2-5) |
|----------|--|-----------|
| MOVED Se | erdity/Druce that the information be received and noted. | |
| | | Carried |
| | | 243.12.20 |

CONTINUED

1CA 1 E7)

(C14 - 3.28)

(R4-3)

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POLICY

| ltem 1 | Vacation Care Policies – Audit Review July 2020 | (V1-2 | | | | |
|----------|---|------------------|--|--|--|--|
| MOVED V | IOVED Walker/Serdity that: | | | | | |
| 1. The i | information be received and noted | | | | | |
| 2. The f | | | | | | |
| 3. Subje | | | | | | |
| • N | lutrition & Food Safety Policy; | | | | | |
| • Re | est Time Policy; | | | | | |
| • Re | esponsible Person Policy; | | | | | |
| • St | taffing Arrangements Policy; | | | | | |
| • Co | ode of Conduct Policy; and | | | | | |
| • St | tudent and Volunteer Policy. | | | | | |
| | | Carried | | | | |
| | | 244.12.20 | | | | |
| GENERAL | MANAGER'S REPORTS | | | | | |
| ltem 1 | Outstanding Reports Checklist | (C14-7.4 | | | | |
| | Taylor/Walker that the information be received and noted and that sterisk (*) be deleted. | the items marked | | | | |
| | | Carried | | | | |
| | | 245.12.20 | | | | |

| | lten | n 2 (| Committee/Delegates | Meetings | (C14-2) | | |
|---------|------|--|------------------------|---------------------------------|------------------------|--|--|
| EA-N | MO | VED Serdity/ | Druce that the inform | ation be received and noted. | | | |
| | | | | | Carried | | |
| | | | | | 246.12.20 | | |
| | | | | | | | |
| | lten | n 3 (| Christmas Closure | | (C14-1) | | |
| GM-A | MO | MOVED Serdity/Higgins that: | | | | | |
| Chk Lst | 1. | 1. Council close the Office, Service NSW Agency, Library and Works Depot at the close of | | | | | |
| | | business on | Wednesday 23rd Dec | ember 2020 and reopen on Mon | day, 4th January 2021. | | |
| | 2. | All staff to b | e paid at their normal | rate for Thursday 24th December | er. | | |
| | | | | | Carried | | |
| | | | | | 247.12.20 | | |

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DIVISIONAL MANAGER FINANCE AND ADMINISTRATION'S REPORTS

| | ltem 1 | Reconciliation Certificate – October 2020 | (B1-10.16) | |
|-------------------|---|--|----------------------|--|
| | | rdity/Druce that the Statements of Bank and Investments Balances as a served and noted. | at 31st October | |
| | | | Carried 248.12.20 | |
| | ltem 2 | Statement of Rates and Annual Charges | (R1-4) | |
| | MOVED Ser | dity/Druce that the information be received and noted. | | |
| | | | Carried 249.12.20 | |
| | ITEM 3 | Dementia Special Unit in Warren Representative | (H8-1) | |
| DMFA-A Chk Lst | MOVED Beach/Taylor that Council nominate Councillor Druce as a representative to the Dem Special Unit in Warren Committee. | | | |
| | | | Carried 250.12.20 | |
| | ltem 4 | Review of Council's 2019/2020 Operations | (A1-4.38) | |
| | | rdity/Higgins that the information on Council's audited financial state ed 30th June 2020 be received and noted. | ments for the | |
| | | | Carried 251.12.20 | |
| | ltem 5 | North Western Library Co-Operative 2021/2022 Contribution | (L2-5) | |
| DMFA-N | Estimates a | rdity/Walker that Council note and include in the 2021/2022 Oper n amount of \$60,675.00 being Warren Shire Council contribution to the re for 2021/2022 which represents a 2.0% or \$1,190.00 increase on n. | North Western | |
| | | | Carried 252.12.20 | |
| | ltem 6 | North Western Library Co-Operative Agreement | (L2-5) | |
| DMFA-A Chk Lst | | rdity/Walker that authority be given to affix the Seal of Council to the operative Agreement 1 st July 2021 to 30 th June 2025. | North Western | |
| | | | Carried 253.12.20 | |

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| | DIVISI | CONTINUED | | | | |
|-------------------|---|----------------------------|---|-------------------|--|--|
| | Item 7 | Coun | cil Bank Account Signatories | (B1-5) | | |
| DMFA-A Chk Lst | | | ker that the following people be authorised signatories for Co e National Australia Bank: | uncil's General | | |
| | Steph | en Glen – Inte | erim General Manager | | | |
| | Darre | n Arthur – Div | isional Manager of Finance & Administration | | | |
| | Jillian Murray - Treasurer | | | | | |
| | Rolly I | .awford – Divi | isional Manager Engineering Services | | | |
| | Milton Quigley – Mayor | | | | | |
| | Brett | Villiamson – I | Deputy Mayor | | | |
| | Sarah | Sarah Derrett - Councillor | | | | |
| | 2! | | | | | |
| | DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS | | | | | |
| | Item 1 | . Wa | rren Showground, Renewal of the Ron McCalman Pavilion | (S7 – 6) | | |
| DMES-A | MOVED Beach/Druce that: | | | | | |
| Chk Lst | | | that approval be issued to the Warren Pastoral & Agricultura replace the existing aged Ron McCalman Pavilion, | al Association to | | |

- 2. All costs associated with the dismantlement and replacement of the Ron McCalman Pavilion be provided by the Warren Pastoral & Agricultural Association,
- 3. The building selected to replace the existing Ron McCalman Pavilion must be subject and satisfy Council's Development Application (DA) requirements,
- 4. The replacement structure retains the current name of the Ron McCalman Pavilion.
- 5. The P & A Society undertake to have the project completed 2 weeks prior to the 2021 Warren Show.

| Carried |
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| 255.12.20 |
| |

Item 2 Warren Levee Bank Rehabilitation

DMES-A **MOVED** Taylor/Druce that:

- Chk Lst 1. This report be recorded as satisfying the Notice of Motion recorded as resolution number 232.10.20 by the Council at its Ordinary Monthly Meeting held on Thursday 22nd October 2020,
 - 2. The plans providing for the rectification of the undermining of the bank and the upper portion of the levee and the estimated cost completing the repairs be accepted and used to pursue the allocation for repairs to the section of the Warren Levee Bank between the Lions Park and the Charles Sturt Bridge over the Macquarie River,
 - 3. Council recognise the need and agree to pursue consultation with representatives of the two higher levels of Government (State & Federal) seeking financial assistance to rectify the deteriorated section of the Warren Town Levee,

(F8-1)

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DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS

Item 2 Warren Levee Bank Rehabilitation

- 4. Council acknowledge that it intends to commit to undertaking the works "in-house" utilising Council staff, consultants and local contractors to complete the levee rectification works, and
- 5. Plans and the methods of repairing the damaged section of the Warren Levee Bank between the Lions Park and the Charles Street Bridge have been resolved and will be pursued by the Council and that Local Contractors and knowledge should be engaged.

Carried 256.12.20

(T3-1)

Item 3 Tender – Supply and Delivery of Passenger, Truck and Earthmoving Tyres

DMES-A MOVED Druce/Higgins that:

- Chk Lst 1. Council, in accordance with Clause 166(a) of the Local Government (General) Regulation 2005, formally agree to accept the analysis of the tender evaluation matrix, for the joint group of Member Council for the Contract providing for the supply & delivery of passenger, truck & earthmover tyres within the Warren Shire Council for the two year period commencing 1st January 2021 to the close of business 31st December 2022.
 - 2. Provision is allowed for a 12-month extension based on satisfactory supplier performance which may take this tender through to 31st December 2023.
 - 3. Council issue approval to the executive staff of Regional Procurement Initiative (a division of Hunter Councils Inc) to adjust the prices for the joint group of Member Councils the Contract providing for the supply and delivery of passenger, truck & earthmover tyres in accordance with price variation clauses detailed within the Contract T262021OROC.
 - 4. Council issue approval to the executive staff of Regional Procurement Initiative to sign the Deed of Agreement on behalf of Council for Contract T262021OROC.
 - 5. Warren Shire Council award this contract as the Panel Source Supplier for the period beginning 1st January 2021 to close of business 31st December 2022 in accordance with the terms and conditions of Contract T262021OROC.

Carried 257.12.20

MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

Item 1Vacation Care – Audit Report and Review(V1-2)

MOVED Serdity/Walker that Council note the assessment and audit report completed on Vacation Care.

Carried 258.12.20

Continued

CONTINUED

Minutes of the Ordinary Meeting of Council held in Council Chambers, 115 Dubbo Street Warren on Thursday 3rd December 2020 commencing at 8:30 am

| MA | ANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS | CONTINUED |
|-----|---|----------------------------|
| lte | m 2 Warren War Memorial Swimming Pool | (S19-2) |
| МС | OVED Walker/Serdity to suspend standing orders to allow discussion of the report | t. Carried 259.12.20 |
| M | OVED Walker/Serdity to reinstate standing orders. | |
| | | Carried 260.12.20 |
| М | OVED Walker/Serdity that the: | |
| 1. | Information be received and noted and; | |
| 2. | Following Project Management Strategies be implemented; | |
| | • a projects management team be formed including the General Manager; | and |
| | a project plan is developed prior to projects commencing; and | |
| | • a Gantt chart is developed for each project as part of the project plan. | |
| 3. | A workshop to allow Councillors to have a better understanding of project mana to use the STP as a study. | agement and |
| | , | Carried |
| | | 261.12.20 |
| | | |

MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

Item 3Construction of Council Houses Lot 58 DP872884 8 Deacon Drive and Lot 52
DP872884 21 Deacon Drive Warren(P16-18.26), (P16-18.25)

MOVED Brewer/Higgins that:

Chk Lst

- 1. The information be received and noted and;
 - 2. Council mediate with the builder to achieve an agreed scope of works and an extended warranty period.

Carried 262.12.20

MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

Item 4Development Application Demolition and Rebuilding of the McCalman Pavilion
Warren Showground(P16-20.23)

MHD-A **MOVED** Druce/Higgins that:

Chk Lst

- 1) The information be received and noted;
- 2) The Manager Health & Development Services to contact and discuss with the Warren P & A Society the position of doors and the height of the floor; and
- 3) Council note that approval is exempt or permitted without consent under the *State Environmental Planning Policy (Infrastructure) 2007,* and Council issue the following conditions as a result of the assessment of the site;
- 1. Construction, demolition and associated work shall be carried out only between the times

Stated as follows: -

| Mondays to Fridays | 7.00am to 6.00pm. |
|---------------------------|-------------------------------------|
| Saturdays | 8.00am to 5.00pm |
| Sundays & public holidays | no construction work to take place. |

Reason: To ensure the amenity of the area is not compromised.

2. The applicant is to obtain a construction certificate prior to the commencement of any works.

Reason: To ensure the building complies with the National Construction Code of Australia.

3. The site is to be adequately fenced for the duration of the works.

Reason: To ensure public safety is not compromised.

4. A hoarding fence is to be erected between the work and the public place where demolition of the building is likely to cause pedestrian or vehicular traffic to be obstructed or rendered inconvenient. The hoarding fence is to be as per Australian Standard 4687-2007.

Note: No building work or demolition shall commence before the hoarding fence is erected.

Reason: To maintain public safety.

5. If necessary, an awning is to be erected, sufficient to prevent any substance, from or in connection with the work, falling into the public place. Further the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Note 1: Any such hoarding, fence or awning is to be removed when the work has been completed.

Note 2: Any external lighting required by this condition is to be designed and positioned so that at no time will any light be cast upon any adjoining property.

Reason: Because it is in the public interest that adequate safety measures are provided.

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MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

Item 4 Development Application Demolition and Rebuilding of the McCalman Pavilion Warren Showground Continued

6. Temporary structures must ensure that safe and convenient pedestrian and vehicular movement is provided and maintained past the worksite.

Reason: To maintain public safety.

7. All dusty surfaces and dust created from work is to be suppressed by a fine water spray. Water must not be allowed to enter the street and stormwater systems.

Reason: To ensure that all demolition works are carried out in a satisfactory manner so as to protect the safety and health of the public and to prevent pollution of air, soil and water

8. Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundary

Reason: To ensure that all demolition works are carried out in a satisfactory manner so as to protect the safety and health of the public and to prevent pollution of air, soil and water.

9. Debris and rubbish must be hosed down and kept damp to prevent dust nuisance.

Reason: To protect the amenity and safety of the public

10. The erection of signs on the worksite, warning pedestrians of vehicles entering and leaving the site. The signs are to be clearly visible to the public and must not restrict pedestrian access. Details of the signs and their location are to be submitted to Council for approval prior to the commencement of demolition works on the site.

Reason: To protect the amenity and safety of the public

11. All demolition is to be carried out in accordance with Australian Standard AS2601-2001 and the Code of Practice on Safe Removal of Asbestos [NOHSC:2002(1988)].

Reason: To ensure that all demolition works are carried out in a satisfactory manner so as to protect the safety and health of the public and to prevent pollution of air, soil and water.

12. Waste materials resulting from any demolition works, are to be separated metal and timber, and are to be disposed of at the Ewenmar Waste Depot. Fees may apply.

Reason: To ensure wastes are disposed of correctly and in a safe manner.

13. All known asbestos must be disposed of to a licensed waste depot.

Reason: To ensure public safety is not compromised.

14. The applicant shall ensure that all builders refuse and trade waste, whilst on site, is stored in a manner that does not cause any nuisance. All waste is to be removed from the site at the completion of the construction works.

Reason: To ensure the applicant removes all waste from the site, which could reduce the amenity of the area.

CONTINUED

WARREN SHIRE COUNCIL Minutes of the Ordinary Meeting of Council held in Council Chambers, 115 Dubbo Street Warren on Thursday 3rd December 2020 commencing at 8:30 am

MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

CONTINUED

Item 4Development Application Demolition and Rebuilding of the McCalman Pavilion
Warren ShowgroundContinued

15. All building materials, plant and equipment are to be placed on the building site. Building materials, plant and equipment (including water closets), are not to be placed on footpaths, roadways, public reserves etc.

Reason: To ensure pedestrian and vehicular access is not restricted in public places.

16. Suitable measures are to be put into place on site to prevent the tracking of any mud, soil, gravel or other such materials onto the road by vehicles travelling onto and off the site.

Reason: To ensure traffic safety is not compromised.

17. Damage done to any footpath, kerb and gutter, driveway crossing, drain or the like caused by the applicant during the course of construction works shall be made good **prior** to occupation or use of the development.

Reason: To ensure public safety is not compromised.

18. Proof in the form of documentary evidence is to be provided to Council stating that no asbestos material (both friable and bonded) is present within the part of the building to be demolished. In the event that there is asbestos present, the applicable conditions are to be complied with.

Reason: To ensure that Council is satisfied that the building does not contain asbestos.

19. A WorkCover licensed contractor must undertake removal of more than 10 square metres of bonded asbestos. Removal of friable asbestos material must only be undertaken by contractor that holds a current friable asbestos removal licence.

Reason: To ensure the safety of the public when working with a hazardous material.

20. All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 1996.

Reason: To ensure the safety of the public when working with a hazardous material.

21. All asbestos waste is to be disposed of at the Ewenmar Waste Facility Warren. This will incur a cost as excavations to bury the hazardous waste will be required. This is at the full cost of the applicant. Arrangements will be required to be made prior to any works commencing.

Reason: To ensure that asbestos is disposed of in a manner that will not pose a health risk.

22. Fire resistant gutter guards are to be installed on the building

Note – Plastic type material is not permitted.

Reason: To ensure the building minimises the risk of fire attack, in the event of a fire.

MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

CONTINUED

Item 4 Development Application Demolition and Rebuilding of the McCalman Pavilion Warren Showground Continued

23. The shed is to be fitted with guttering and downpipes to properly manage and dispose of stormwater. Stormwater is to be drained a minimum of 5 metres from the foundations of the shed.

Reason: To ensure the foundations of the shed are not inundated by stormwater.

Carried 263.12.20

Advisory Note;

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW).

If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets.

It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets.

Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs.

If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on Phone Number 1800810443.

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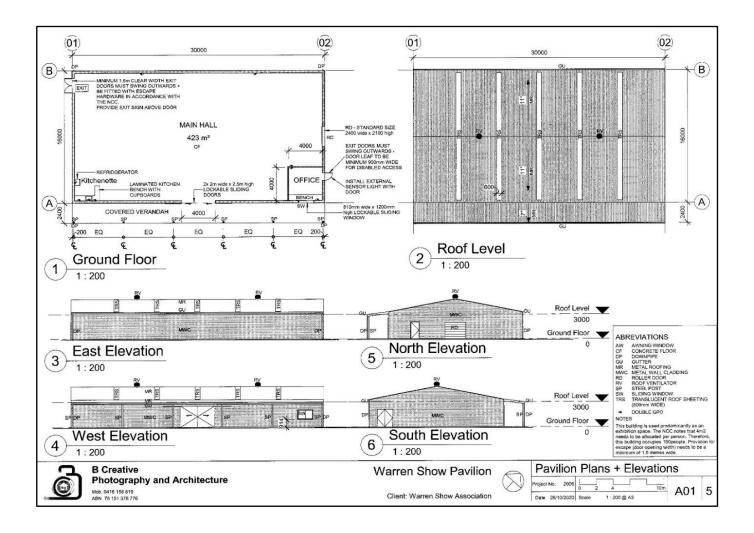
MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

CONTINUED

Item 4 Development Application Demolition and Rebuilding of the McCalman Pavilion Warren Showground Continued

Under the provisions of the Local Government 1993 as amended Section 375A(3) a division was called.

| For | Against |
|--------------------|---------|
| Councillor Quigley | Nil |
| Councillor Serdity | |
| Councillor Taylor | |
| Councillor Beach | |
| Councillor Walker | |
| Councillor Brewer | |
| Councillor Higgins | |
| Councillor Druce | |



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NOTICE OF MOTIONS

Nil.

There being no further business the meeting closed at 10.46 am.

THESE MINUTES WERE CONFIRMED AT THE ORDINARY MEETING OF COUNCIL HELD ON THURSDAY, **28**TH JANUARY **2021** AS BEING A TRUE AND CORRECT RECORD.

MINUTE NO. 2.1.21

GENERAL MANAGER

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MAYOR