



MINUTES OF ORDINARY MEETING

Held on Thursday 19 December 2024

Commencing at 10:00 Um

Adjourned and reopened at 11 am

in the Warialda Office Council Chambers

Present

Councillors:	Cr Tiffany Galvin (Mayor), Cr Sean Coleman (Deputy Mayor), Cr Adrian Willmot, Cr Michael Collins (Arrived), Cr Sarah Crump, Cr Scot Crispin and Cr Rachel Sherman
Staff:	Max Eastcott (General Manager), Helen Thomas (CFO), Alex Eddy (Director Engineering Services) and Ben Perry (IT)
Public:	
Visitors:	

The Mayor opened the meeting at 10 am and adjourned the meeting to 11 am.

The meeting resumed at 11 am.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Gwydir Shire Council for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Council.

Gwydir Shire Council wishes to advise that any plans or documents contained within this Agenda may be subject to copyright law provisions and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

Members of the public should note that no action should be taken on any item discussed at a Council or Committee meeting prior to written advice on the resolution of Council being received.

Agendas and minutes are available on the Council's website:

<https://www.gwydir.nsw.gov.au/Home>

WEBCASTING OF MEETING

This meeting will be recorded for placement on Council's website.

All speakers must ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms or mentioning any private information.

No other persons are permitted to record the meeting, unless specifically authorised by Council to do so.

Content	Page No.
1 Official Opening and Welcome - Mayor	4
2 Apologies	4
3 Confirmation of the Minutes	4
4 Call for the Declarations of Interests, Gifts Received and Conflicts of Interest	4
5 Mayoral Minute	4
6 Officers' Reports	7
6.1 Community Assets' Presentation	7
6.2 Dealing with items by exception	9
6.3 Organisation & Community Services Report	11
6.4 Executive Services Report	46
6.5 Technical Services Report - November 2024	51
6.6 Monthly Action Progress Report October 2024	61
6.7 Council's Investment Report	89
6.8 Draft Gifts and Benefits Policy	92
6.9 Draft Keeping of animals policy	96
6.10 Draft Waste Collection Policy	108
6.11 Draft Local Orders Policy	120
6.12 Draft Addressing a Council Meeting Policy	136
6.13 Draft Activities in Public Places Policy	145
7 Councillors' Reports	166
8 Committee of the Whole - Confidential Items	167
8.1 Adoption of the Recommendations of the Confidential Session	167
9 Closure	167

1 OFFICIAL OPENING AND WELCOME - MAYOR

The Mayor welcomed all present to the meeting.

2 APOLOGIES

A leave of absence has been previously approved for Cr Bishton.

Cr Dixon OAM and Mrs Leeah Daley have also submitted apologies.

Apologies were received from Crs. Bishton, Dixon OAM and Mrs Leeah Daley.

COUNCIL RESOLUTION:

THAT the apologies received from Crs Bishton, Dixon OAM and Mrs Leeah Daley are accepted.

Moved Cr Rachel Sherman, Seconded Cr Sarah Crump

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

3 CONFIRMATION OF THE MINUTES

COUNCIL RESOLUTION:

THAT the Minutes of the Ordinary and Confidential Meeting held on 28th November 2024 as circulated be taken as read and CONFIRMED.

(Moved Cr Scot Crispin, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

4 CALL FOR THE DECLARATIONS OF INTERESTS, GIFTS RECEIVED AND CONFLICTS OF INTEREST

Nil

5 MAYORAL MINUTE

Mayoral Minute - Update on PFAS water issue at Warialda

The Council has now received the remaining results from the water samples taken on 12/12/2024.

The High School bore had no detectable levels of PFAS.

The Crane Street bore while meeting the parameters of the current drinking water guidelines is slightly over the proposed 2025 guideline levels.

This bore together with the Hospital Park bore will no longer be used.

Readers will be aware from the last media release that the Saleyard and Gragin Road bores had no detectable levels of PFAS.

The Northern Reservoir remains contaminated and requires more aggressive emptying/dilution.

The Council followed health officials' advice and was hoping to achieve this appropriate dilution over the last few days but the water supply being sourced mainly from the Saleyards Bore was insufficient to achieve the desired outcome.

The Council will now undertake the following strategy:

- ✓ Isolate the Southern Reservoir and its clean water
- ✓ Turn off the Saleyards bore to prevent the town being supplied directly from this bore without cycling through the North Reservoir
- ✓ Keep Gragin Road Bore running into the Northern Reservoir
- ✓ Allow the town to draw down the Northern Reservoir until the water level reaches approximately 25% for the purposes of showering, laundering and washing dishes.
- ✓ When the Northern Reservoir water level reaches 25%, bring South Reservoir and Saleyards Bore back online
- ✓ Keep Water restrictions in place indefinitely
- ✓ Resample next Sunday, hand deliver the samples for testing on Monday, receive the results Tuesday (Christmas Eve)

In summary when the level of the Northern reservoir falls to 25% water will be allowed to flow from the Southern reservoir and this will dilute the presence of PFAS to an acceptable level.

Council will continue to issue free bottled water from the Warialda Visitor Information Centre. On Friday water will be delivered to each house in Warialda.

Please note that the current water restrictions will continue indefinitely. These restrictions are – no fixed sprinklers to be used only handheld hoses are permitted. The Community's continuing support is greatly appreciated especially given the current heat conditions.

The advice from NSW Health remains unchanged. Drinking town water in Warialda in the short term is unlikely to pose a health risk for residents. However, bottled water is available for people who would prefer to use this for cooking and drinking while the pipes are flushed and the testing on the offline bores continues. In addition, NSW Health has confirmed it is safe to swim in a pool which holds Warialda water.

Early in 2025 the Council will commence petitioning for funding to establish new bores which will supplement the Warialda water supply. In August 2020 the Council undertook bore site testing with a view to planning for the future population. I hope that this site can be used.

A summary of results for bores and both reservoirs are outlined below.

NOTE: All values µg/L

Location and result date	Perfluoro butane sulfonic acid Proposed ADWG 1.0	PFHXS Proposed ADWG 0.03	PFOS Proposed ADWG 0.004	PFOA Current ADWG 0.56 Proposed ADWG 0.2	PFOS + PFHXS Current ADWG 0.07	Comments
Gragin Road Bore (13/12/24) 5 L/sec	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	Meets current and proposed ADWG values.
Hospital Park Bore (13/12/24)	0.038	0.22	0.15	0.01	0.37	Above current and proposed ADWG values Bore isolated 13/12/24.
Sale Yard Bore (13/12/24) 12 L/sec	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	Meets current and proposed ADWG values.
High School Bore (18/12/24)	< 0.001	0.001	< 0.001	< 0.001	0.001	Meets current and proposed ADWG values.
Crane Street Bore (18/12/24)	0.001	0.008	0.006	0.001	0.014	Meets current ADWG values. Exceeds proposed ADWG value for PFOS.
Rose Bore (18/12/24)	< 0.001	0.001	< 0.001	< 0.001	0.001	Meets current and proposed ADWG values.
North Reservoir (18/12/24)	0.013	0.071	0.046	0.004	0.117	Above current and proposed ADWG values

North Reservoir (26/11/24)	0.018	0.11	0.044	0.005	0.154	Above current and proposed ADWG values Not latest result (see above line).
South Reservoir (18/12/24)	< 0.001	< 0.001	< 0.001	< 0.001	< 0.001	Meets current and proposed ADWG values.

COUNCIL RESOLUTION:

THAT the Mayoral Minute outlining the latest details concerning the Warialda Water Supply PFAS contamination be received.

(Moved by the Mayor)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

6 OFFICERS' REPORTS

6.1 Community Assets' Presentation

File Reference:	NA
------------------------	----

Delivery Program

Goal: 5. Organisational management

Outcome: 5.1 Corporate management

Strategy: 5.1.3 Administrative and support functions

Author: Carmen Southwell, Community Assets' Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

The Community Assets presentation was not made during the Councillor induction process and is being made now.

TABLED ITEMS Nil

OFFICER RECOMMENDATION

THAT the Community Assets' presentation is noted.

ATTACHMENTS

Nil

COUNCIL RESOLUTION:

This item has been deferred to the February 2025 Council Meeting

6.2 Dealing with items by exception

IN BRIEF/SUMMARY RECOMMENDATION

Councillors to indicate those items that they wish to be withdrawn for discussion and debate.

Item Number	Report	Withdrawn
6.3	Organisation and Community Services Report	Yes
6.4	Executive Services Report	Yes
6.5	Technical Services Report – November 2024	Yes
6.6	Monthly Action Progress Report October 2024	
6.7	Council's Investment Report	
6.8	Draft Gifts and Benefits Policy	
6.9	Draft Keeping of Animals policy	Yes
6.10	Draft Waste Collection Policy	
6.11	Draft Local Orders Policy	
6.12	Draft Addressing a Council Meeting Policy	
6.13	Draft Activities in Public Places Policy	
6.14	Draft Self-Enforcing Infringement Notice Scheme (SEINS)	

OFFICER RECOMMENDATION

THAT items that have not been withdrawn will be adopted collectively in this resolution.

ATTACHMENTS

Nil

COUNCIL RESOLUTION:

THAT items that have not been withdrawn, Items 6.6, 6.7, 6.8, 6.10, 6.11, 6.12, 6.13 and 6.14, will be adopted collectively in this resolution but appear in the order as shown on the agenda.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

6.3 Organisation & Community Services Report

File Reference: NA

Delivery Program

Goal: 5. Organisational management

Outcome: 5.1 Corporate management

Strategy: 5.1.3 Administrative and support functions

Author: Leeah Daley, OCD Director

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

The monthly Organisation and Community Services Report details the activities carried out by the Department during November 2024.

TABLED ITEMS Nil

BACKGROUND

The monthly Organisation and Community Services report forms part of a regular reporting regime. The purpose of the report is to inform Council of the activities carried out within the Department.

COMMENT

SOCIAL SERVICES

Bingara Neighbourhood Centre

Funding body – NSW Department of Communities and Justice

The Bingara Neighbourhood Centre has partnered with the Bingara Community Op Shop to apply for a \$30 000.00 Seniors Grant, to deliver workshops and intergenerational activities for the Bingara community. The Neighbourhood Centre continues to assist other community groups with grant applications and attend to the needs of the public through advocacy and referral to other services.

S355 Committees

The Bingara Community Op Shop

On 4 November 2024, the Op Shop installed brand new bifold doors at the back of the shop; this revamp has opened up this area to let more light and fresh air into the store.

On November 5 2024, the Bingara Community Op Shop celebrated Melbourne Cup; the ladies dusted off their fascinators and enjoyed some light refreshments and of course some horse races with toy horses and toilet paper. Everyone had a well-deserved laugh.

The Op Shop had an open shed sale this month with all clothing items \$1, so many pre-loved items found a second life. After emptying out the shed staff are now able to bring out the new summer stock just in time for the warmer weather. The Pantry is being restocked constantly and is well patronized by the community.

This month the Bingara Community Op Shop held their yearly Fashion Parade on Saturday 16 November at the library with a superb morning tea, raffle tickets, and a lucky door prize. This Parade is held yearly to show the community what is on offer at the shop.



Centrelink



Funding body –

Services Australia

Centrelink now has a feedback QR code unique to the Bingara agency. Silver Service has improved greatly over the last couple of months, usually answering within minutes now rather than over an hour in previous times.

It is a concern as to how many scams are on the rise, customers are coming in and checking with staff if these are scams or not, it's great to see our service has that connection within the community.

Staff are gathering relevant information to be provided at the Warialda Information Day, which staff will attend after the service is closed.

Youth Service

Funding body – NSW Department of Communities and Justice

This month our staff are working on building relationships with young people in our community. Our youth services team are encouraging young people to come and hang out at the local pools for an hour a week offering snacks, a swim and a space to talk. This is about making connections and building relationships with young people so that their voices are part of Council planning and future projects can be developed.



Supported Playgroup Development Worker

Funding body – NSW Department of Communities and Justice

During November, the Warialda Toy Library has lots of exciting activities planned. On Monday 11th the service celebrated Remembrance Day with a craft activity that all the children loved. The children engaged in playing with musical instruments and had the opportunity to problem solve a sensory water play activity where small sea animals were frozen into ice and the children had to get the animals out. **EYLF: 4.1 – Children develop dispositions for learning such as curiosity, cooperation, confidence, creativity, commitment, enthusiasm, persistence, imagination and reflexivity.**

Warialda Toy Library	Oct 2024	Nov 2024
Total daily attendance count for children (calculating each child, each day over the month – total points of contact)	99	77
Full borrowing members (new and/or renew)	0	1
Non borrowing members (new and/or renew)	0	0
Casual borrowing members (new and/or renew)	0	1
Commemorative Birth Certificate applications received	0	1
Toys returned	12	9
Toys borrowed	11	13
Groups using the service (FDC Carer, Pharmacy)	1	1
Monday group activity 2 sessions	15	16
Tuesday group activity 3 sessions	37	32

Thursday group activity 3 sessions	10	21
Friday group activity 2 sessions	37	8

The guest speaker for the month was the Road Safety Officer from Gwydir Shire Council. She spoke to families about safe child restraints in cars. While she also answered any questions that families had.

EYLF Principle - 'Partnerships': Warialda Toy Library encourage other services to attend the Toy Library to provide information to families where needed.

Many other activities are planned for the remainder of the month such as craft, outdoor play, and multiple sensory activities such as coloured spaghetti, coloured chickpeas which is also a developmental activity for fine motor skills.



Bingara Toy Library

Funding body – NSW Department of Education and Communities

Warialda Toy Library	Oct 2024	Nov 2024
Total daily attendance count for children who utilised the service for the month	25	29
Full borrowing memberships (new and/or renew)	1	0
Non borrowing memberships (new and/or renew)	1	1
Casual borrowing memberships (new and/or renew)	0	1
Commemorative Birth Certificates	1	0
Toys returned	2	2
Toys borrowed	3	2
Children and Groups using toys	4	1
Tuesday 4 play session	17	6
Wednesday 4 play sessions	28	16
Thursday 4 play session	2	6

KSK Program 8 sessions	14	16
------------------------	----	----

On Wednesday 6 November Bingara Toy Library also had a visit from Gwydir Shire Council Road Safety Officer for a child car restraint talk. Along with a presentation full of interesting facts and figures each family went home with a bag of pamphlets and information on child restraints, road safety and a safety door sticker. A voucher for a seat safety check at Gaukroger Inverell was also up for grabs.

Principle - Partnerships – Services work together to support learning, development and wellbeing

On Tuesday 12 November Orientation to Bingara Preschool for the last time this year was from 9.30am-11.30am. Preschool staff had a range of learning opportunities available to the families in attendance. The wet sandpit after the rain was a hit with building castles to then smash down.

Practices – Continuity of learning and transitions

Wednesday 13 November Rural Outreach and Support Services visited. With it being recycle week it was a perfect opportunity to chat about how we can upcycle, reuse, re-purpose many things in the home. The children painted the inside of a Woolworths shopping bag once it was pulled apart ready to use as Christmas wrapping.

Principle - Partnerships – Services work together to support learning, development and wellbeing

During the last days of the month families can look forward to a Storytime by the Public Library on Thursday 21 November.

On Wednesday 27 November a Commemorative Birth Certificate Ceremony will be held. The Mayor Tiffany Galvin has been invited to attend the ceremony. Each recipient will be presented with a certificate, welcome pack, small gift and a six-month voucher of membership to the toy library for their family. A light morning tea will be available during the morning.

Learning Outcome 2: CHILDREN ARE CONNECTED WITH AND CONTRIBUTE TO THEIR WORLD - Children develop a sense of connectedness to groups and communities and an understanding of their reciprocal rights and responsibilities as active and informed citizens

Kool Skool Kids Program had a new child enroll for both Tuesday and Thursday sessions. This brings the totals to nine on Tuesday's and ten on Thursday's. The program will finish in the last week of this month for 2024. Bookings so far for 2025 are eight children on both days. The children enjoyed kinetic sand, playdough, card games, board games, Lego, toy room play, What Am I game and whiteboard drawing this month.

The playgroup sessions were filled with many components each week, so the children were exposed to lots of learning experiences. Routines were key and the visual stopwatch clock was used to give warning of change and the next activity coming up. Both inside and outside play was enjoyed and lots of nice catching up amongst mums was had.

PRACTICES - Play based learning with intentionality



Bingara Preschool

*Funding Body – Early Childhood Education and Care Directorate
NSW Department of Education and Communities*

Days	November 2024
Monday	22
Tuesday	24
Wednesday	24
Thursday	25

Xplor Training: Bingara Preschool was successful in gaining a technology grant earlier in the year, to assist the service to move towards online enrolments. The team have attended multiple meetings via Teams with the Xplor facilitator. The team of Educators have worked together to edit and create the service's unique online enrolment form. The enrolment process is nearly complete, and the service's online enrolment portal should be accessible to families by next week (Week 6, Term 4).

EYLF Principle: 'Critical reflection and ongoing professional

Evacuation Week: A crucial part of the Bingara Preschool curriculum, is to teach the children about what to do if there is an emergency. During Week 4, Term 4 the service held a range of evacuations with the children, including: a medical emergency, a fire drill and an unwanted animal in the yard. By practicing a range of evacuations, it provides the children the opportunity to learn about what an emergency is and what they need to do. The children are now more confident in following the service's emergency evacuation procedure as they are gathering in a group faster and can answer their names in a loud voice when it is called. From each emergency evaluation, the Educator then identifies a follow-on experience, a change of practice or a further discussion that will be implemented.

EYLF 2.1: The Educators provide experiences to assist the children to broaden



their understanding of the world in which they live.

Excursion to the Bingara MPS: On Tuesday the 29th of October, the Bingara Preschool went on an excursion to the Bingara Multi Purpose Service, otherwise known within the community as the Hospital. The children travelled by bus, to and from the excursion. The children and the residents enjoyed a healthy morning tea with both of the services bringing food to share. The children listened and enjoyed the story 'Super Bear' who was read by one of the Bingara MPS's Activity Officers. The children danced along to the Wombat Wobble, Sleepy Bunnies and Highway Number 1. The children also performed the song 'Tap Your Sticks' using the rhythm sticks. To finish off the

excursion, the children enjoyed talking to the residents, catching bubbles and shooting goals with the basketball.

EYLF 2.2: *The Educators facilitate experiences connecting children with the community and the environment beyond the early childhood setting with appropriate adjustments to ensure the participation by all children with additional needs/disability.*



Pink Day – On Wednesday the 30th of October, the Bingara Preschool wore pink to show the service's support and raise awareness of Breast Cancer within the community. Bingara Preschool was invited to join the event that was facilitated by three Bingara Central High School students and the service raised \$49 on the day. At Preschool there were shades of pink everywhere to be seen. There was pink goop, pink easel painting, pink drawing and pink rock decorating.

EYLF 2.2: *The service participates in or celebrates community events.*



Educational Leader: Training takes many forms and recently the Educational

Leader shared new information available from ACECQA regarding the Early Years Learning Framework: Being, Becoming, Belonging document. Previously the new version has been available online as a PDF document but a social media post informed the Educational Leader of a new format available online. This information was shared with the team of Educators and the Educational Leader explored this new resource so that in house training could be provided regarding this new format. ACECQA has created a document where hyperlinks in the contents direct the users straight to that section and the search tool is upgraded to display related topic titles.

Tharawonga Mobile Resource Unit

Funding Body – Australian Government Department of Education, Skills and Employment

Days and Venues	Month
Monday at Croppa Creek	13 (0 extra casual places)
Tuesday at North Star	14 (5 extra casual places)
Wednesday at Yallaro	19 (0 extra casual places)
Thursday at Yetman	9 (4 extra casual places)
Friday at Warialda	16 (0 extra casual places)

Significant events celebrated – On Monday 11 November the Croppa Creek venue participated in Remembrance Day. The children read a book based on a poem about remembering what our forefathers did for us by going to war with a creative experience of making poppies as a part of art and craft, the children also participated in a minute of silence at 11am.

EYLF 2.2: The educators plan experiences and provide resources that broaden children's perspectives and encourage appreciation of cultural understanding.

Emergency procedures – In week 5 of Term 4 the service practiced the emergency procedures across the venues. Providing different scenarios for the children and educators to participate in to ensure everyone understands and is aware of what to do in a real emergency.

General

The service has started practicing the end of year songs and performances with the children ready to perform to their families and our community in week 9. The service has programmed Christmas activities for the children to participate in to enable them to have opportunities to take part in this learning.

The service program is continuing to facilitate a very practical school transition program furthering the children's language skills, physical well-being, concentration, emotional adjustment, independence and a range of skills.

Croppa Creek - This month the venue has had another increase in enrolments.

The educators provided the children with the opportunity to participate in fly swat painting. This experience helps the children to cross over the midline changing from the left to right side of the brain for their brain development and bilateral coordination.

The service program has provided the children with learning experiences that have been repeated for consecutive weeks to promote their skills to be developed further.

EYLF 4.1: Revisit previous learning experiences and plan new challenges.



North Star - November saw this venue have another increase in enrolments from the families who undertook their orientation sessions. Throughout the month the outdoor environment has been incorporated into the indoor learning space due to weather conditions. This provided the children with a dry cool environment to actively participate in the physical activities that we would normally provide outside.

The real-life hammer and nails experiences has been programmed for the children to explore and investigate. This experience promotes the children's understanding of risks and risky play as well as promoting fine motor skills.

EYLF 1.3.10: Take calculated risks in play and learning and begin to cope with the unexpected.



Yallaroi – The educators set up a camping scene for the children to engage with. This included the tee pee with paper flames, outdoor chairs and pretend blocks of wood with plastic axes. The children used their imagination and pretended they were at a camp and asked for additional resources to be added including sticks and cotton balls so they could make marshmallows and melt them on the campfire.

The children have engaged in a variety of sensory learning experiences. Outdoors in the tuff tray there was shaving foam, pool noodles and coloured dye. With guidance from the educators the children added the foam between the pool noodles and then stacked another on top and continued the pattern.

To promote the children's understanding of following directions and instructions, the educators and children participated in the song "one little finger".

EYLF 1.1: Explore aspects of identity through role play & EYLF 1.3.3 Explore different identities, roles and points of view in pretend play.



Yetman – Throughout the month the educators have read a story called Mrs. Honey's Hat with the focus being the days of the week. The children are developing the understanding of the days of the week while getting involved with the story. This learning will be followed up by a days of the week song.

The children participated in a creative experience which included dish washing liquid, food dye, and a straw. The children were encouraged to blow the bubbles enough to be able to transfer it onto the piece of paper or parrot template this activity teaches the children basic emotional regulation skills.

With the weather warming up we have provided the children with an experience that promotes discovery. Small sea creatures were frozen in ice cubes for the children to explore what was inside the ice.

EYLF 4.1.13 Engage in creative experiences such as art.



Warialda – The service program has promoted individual and group learning throughout the month of November. The children participated in making home-made pizzas as an individual activity with an educator. The children made the dough with Greek yogurt and flour and then communicated with the educators what ingredients

they wanted to add to the base. Once they were cooked the children got to enjoy their very own homemade pizza for lunch.

The service continues to build a collaborative partnership with the school community at St. Josephs. The school children join the preschool children to read stories and engage with them at the program learning experiences.

The children participated in a group learning activity with an educator of a matching game. To develop the children's turn taking, follow simple directions, concentration and ability to recognise patterns that are the same.

EYLF 5.1.7 Listen to and act upon simple directions.



COMMUNICATIONS, MARKETING AND TOURISM, AND ROXY THEATRE COMPLEX

Communications

Tourism

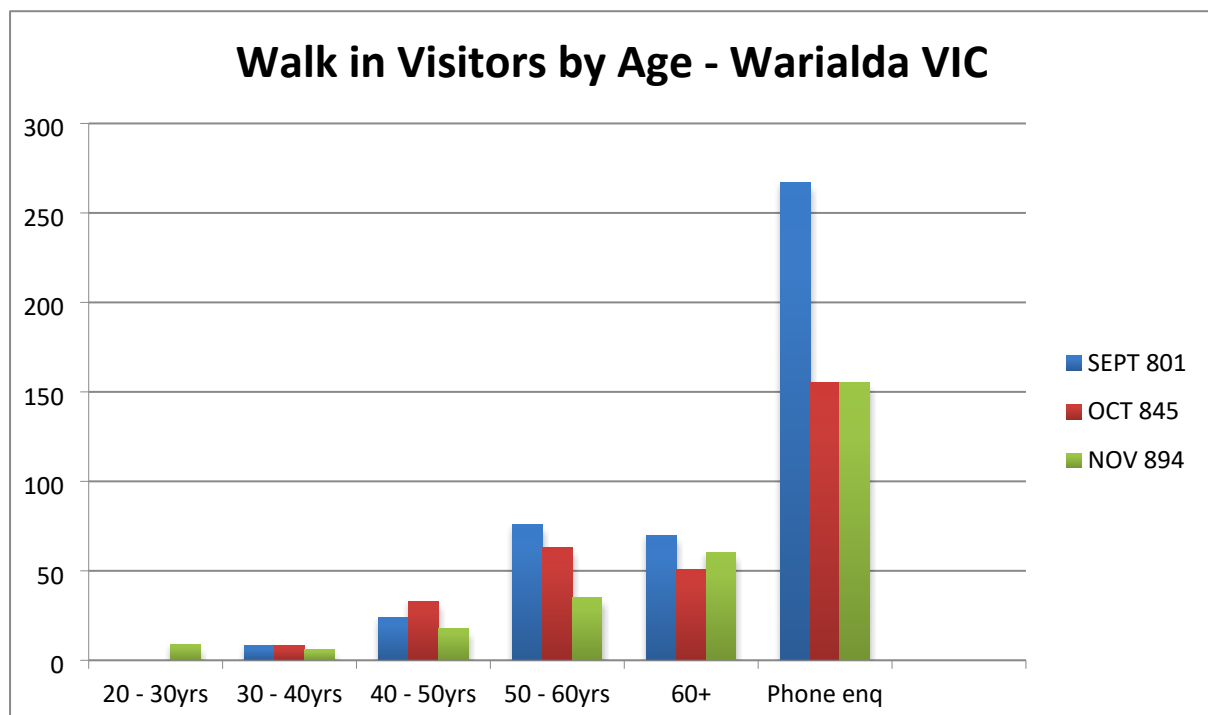
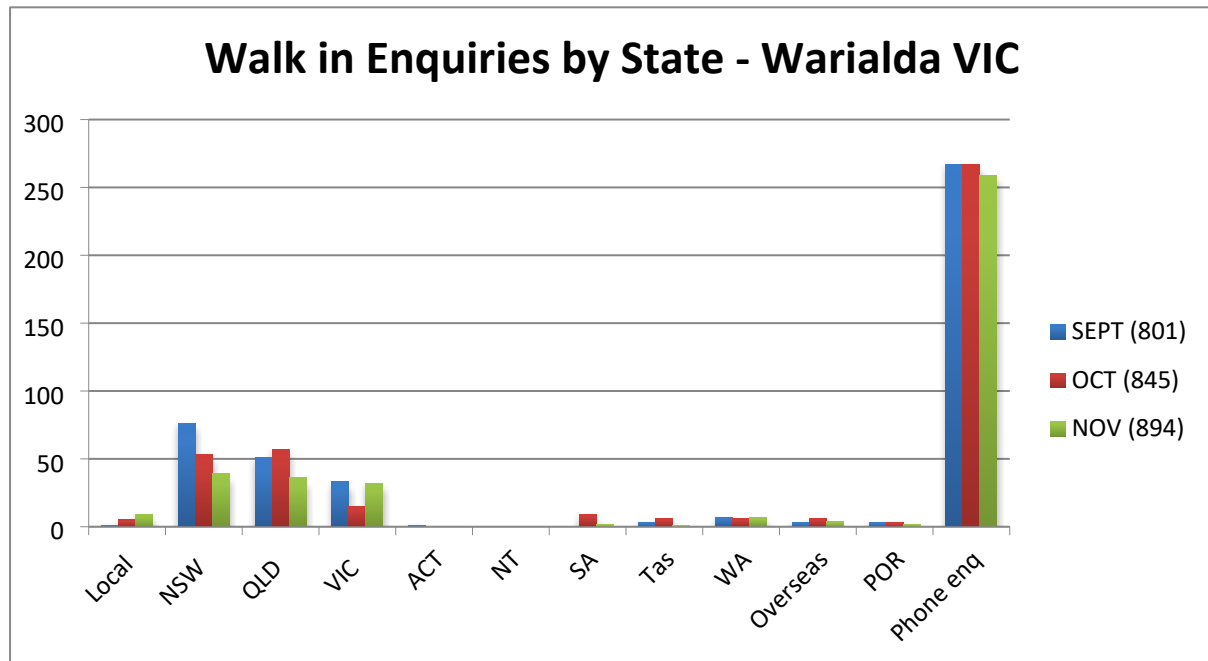
Warialda Visitor Information Centre

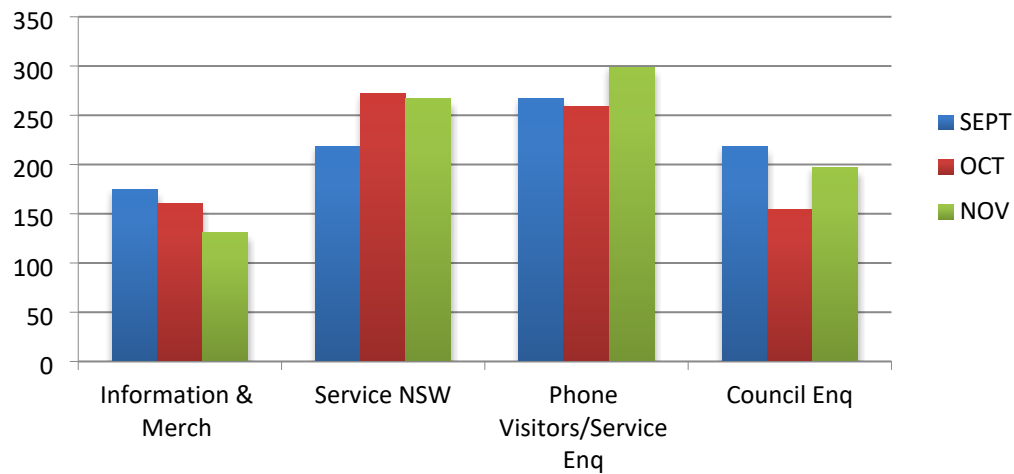
September		October		November	
Opening Hours	126	Opening Hours	132	Opening Hours	126
Volunteering Hours	0	Volunteering Hours	10	9Volunteering Hours	

Income	Sept	Oct	Nov
Centre Hire	\$0	\$0	\$0
Merchandise Sales	\$1593.44	\$1098.59	\$900.40
Subtotal	\$1593.44	\$1098.59	\$900.40
	\$1593.44	\$1098.59	\$900.40

Visitors at Warialda VIC	Sept	Oct	Nov
--------------------------	------	-----	-----

Visitors	175	160	131
RMS	218	272	267
Council	141	154	197
Phone Visitor / Service NSW enquiries	267	259	299
Total	801	845	894





Nature of Enquiry - Warialda VIC

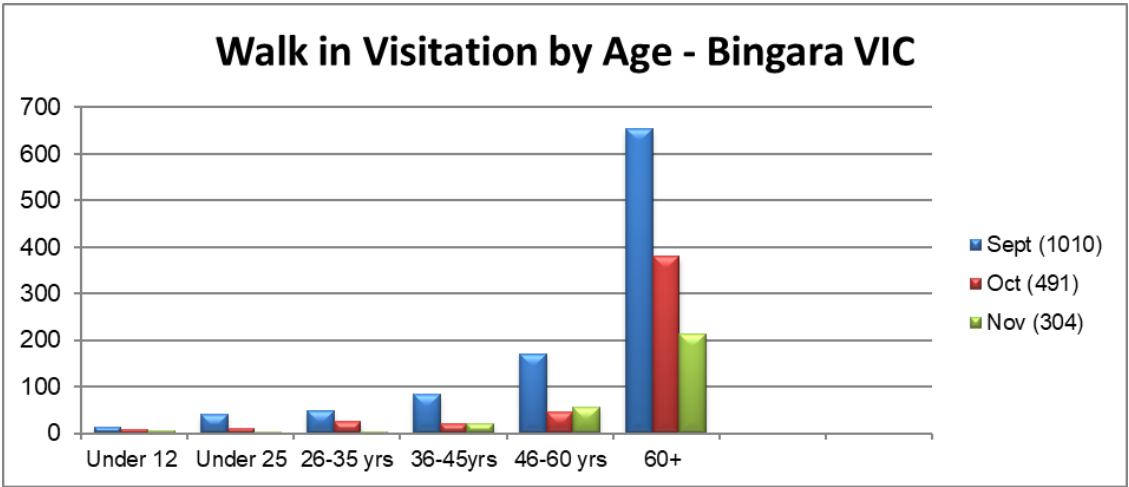
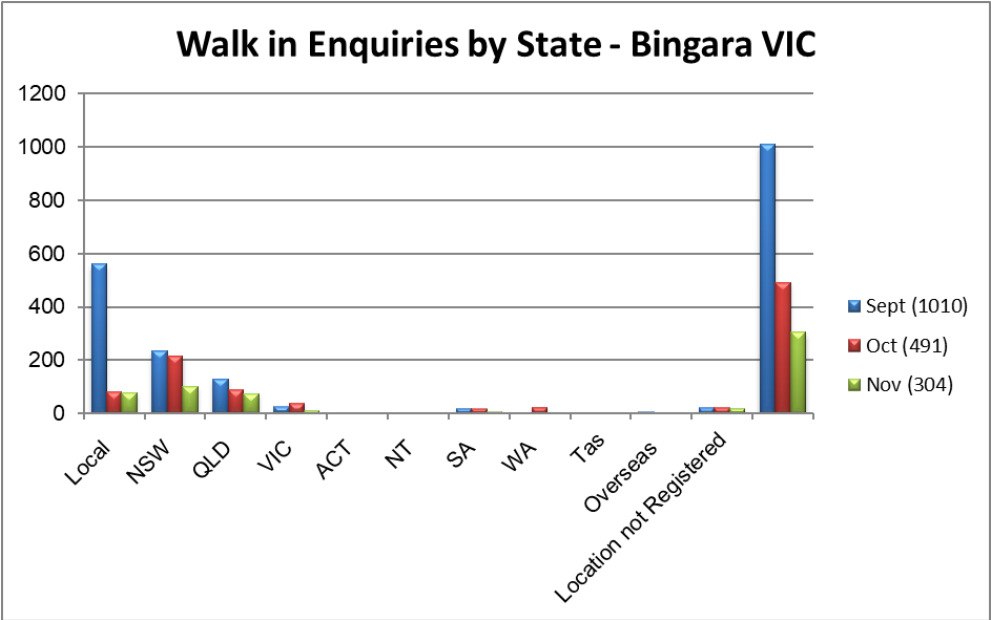
Bingara Visitor Information Centre

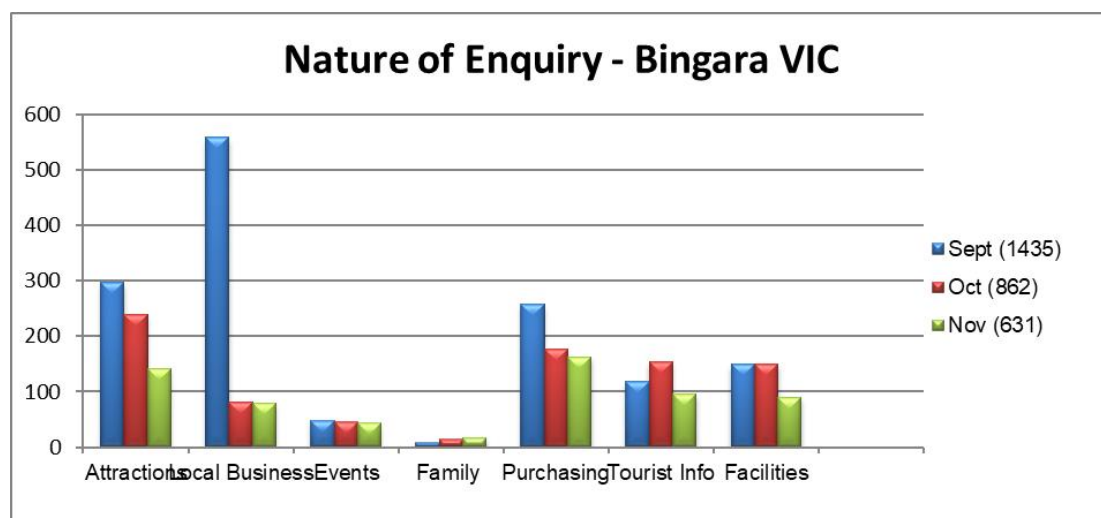
Month	Month	Month
Opening Hours 164.75	Opening Hours 166.75	Opening Hours 163.50
Volunteering Hours 28.25	Volunteering Hours 30.25	Volunteering Hours 33.5

Income	Sept	Oct	Nov
Products on Consignment	\$0.00	\$0.00	\$0.00
Merchandise Sales	\$1033.90	\$631.50	\$350.00
Subtotal	\$1033.90	\$631.50	\$350.00
Less payments to consignees	\$0.00	\$0.00	\$0.00
Total Merchandise Sales	\$1033.90	\$631.00	\$350.00
VIC Commission received on Event bookings undertaken on behalf of Community Groups – Subtotal	\$0.00	\$0.00	\$0.00
Total Monthly Income Bingara VIC	\$1033.90	\$631.50	\$350.00
Roxy Tour Income	\$350.00	\$330.00	\$90.00
Visitors at Bingara VIC	1010	491	

TOURISM			
Tourism Visitation number		269	Down on previous months – this was due in the warmer weather conditions and tourist winding down towards the festive season.
Merchandise Sales income	\$	350.00	Down on previous months – the cost of living may be playing a part in the reduction of visitor spending. Also, this was due to the warmer weather conditions and tourist winding down towards the festive season.
Roxy Tour income	\$	90.00	Numbers have been down on visitors to town.
CAMPING DONATIONS			
Camping Donations - collected by Council rangers and from individuals - Receipted by the VIC:-	\$	692.70	Numbers have been down on visitors to town.
COMMENTS or NOTES FOUND IN DONATION BOXES - NIL			
THE LIVING CLASSROOM - ONLY			
The Living Classroom Hire Receipted at VIC	\$	35.00 210.00	1) MPS – Christmas Party 2) DPI - Meeting
The Living Classroom Hire Invoice requests to Finance	\$	100.00	NSLA – AGM
TLC BUNKHOUSE - ONLY			
TLC Bunkhouse Hire Receipted at VIC	\$	80.00 90.00	1) Warren Brice – MPS Christmas Party 2) Libby Apthorpe paid in advance for January 4 th Booking for Jane Bilsborough's Birthday party
TLC Bunkhouse Hire Receipted at VIC	\$	80.00 90.00	1) Warren Brice – MPS Christmas Party 2) Libby Apthorpe paid in advance for January 4 th Booking for Jane Bilsborough's Birthday party
TLC Bunkhouse Hire Invoice requests to Finance	\$	700.00	Imperial Hotel – Band accommodation donation to Bingara Christmas Carnival November 30th
TLC Bunkhouse Hire Direct Deposit	\$	Nil	
TLC and BUNKHOUSE - COMBINED			
TLC and Bunkhouse – Combined Invoice requests to Finance	\$	980.00	Catholic Schools Office Armidale overnight stay for an event at the Myall Creek Memorial Site
TLC 3 DAY PACKAGE			
TLC 3 Day Package Hire Receipted at VIC	\$	1,350.00	Paid in advance – Mashie Dixon – Granddaughter's 21st Birthday Party Easter April 18 th /19 th 2025

COMMUNITY GROUP MERCHANDISE			
Community Groups - Merchandise sales:- Bingara Special events committee	\$	30.00	Bingara Special Events Committee – Stubby Holders





Bingara Service NSW	NOV
Service NSW Transactions	132
Enquiries	59
Total	191

CONSULTATION

Consultation has occurred within the Organisation and Community Development Directorate.

POLICY IMPLICATIONS

Policy implications are those relating to the 2024/2025 Operational Plan and the Policies of Gwydir Shire Council.

FINANCIAL IMPLICATIONS

The activities carried out by the Organisation and Community Services Department are in line with the 2024/2025 Operational Plan.

STRATEGIC IMPLICATIONS

The activities undertaken by the Organisation and Community Services Department regarding social and environmental factors are targeted in line with the 2024/2025 Operational Plan.

OFFICER RECOMMENDATION

THAT the report be received.

FURTHER that the Community Engagement Strategy 2022-2026 is adopted.

ATTACHMENTS

1. Community Engagement Strategy 2022-2026 [6.3.1 - 18 pages]

COMMITTEE RECOMMENDATION TO COUNCIL:

THAT the report be received.

FURTHER that the Community Engagement Strategy 2022-2026 is adopted.

(Moved Cr Sarah Crump, Seconded Cr Adrian Willmot)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



GWYDIR SHIRE COUNCIL
**COMMUNITY ENGAGEMENT
STRATEGY**

2022/2026



ACKNOWLEDGEMENT
TO COUNTRY

Council acknowledges the traditional owners of the land, the Kamilaroi People and pays its respect to Elders both past and present.



TABLE OF CONTENTS

THANKS TO OUR COMMUNITY	3
SOME GWYDIR SHIRE STATISTICS	4
COUNCIL STATEMENTS AND VALUES	5
BACKGROUND	5
WHAT IS COMMUNITY ENGAGEMENT?	6
LEGISLATIVE REQUIREMENTS	8
CHALLENGES TO ENGAGEMENT - RISKS & OPPORTUNITIES	10
ELECTED OFFICIALS - COUNCIL ROLES & RESPONSIBILITIES	12
HOW WILL WE ENGAGE THE COMMUNITY?	14
EVALUATION AND MEASUREMENT	18



MESSAGE FROM GENERAL MANAGER

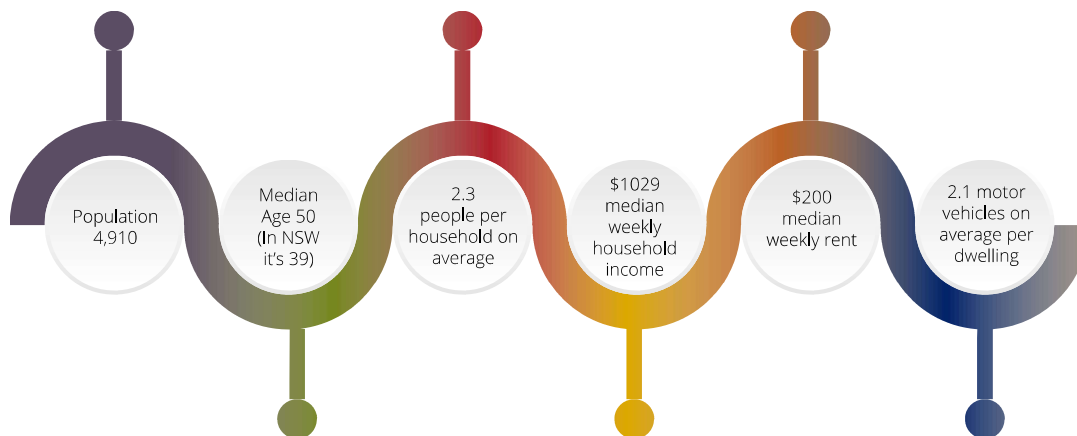
Max Eastcott

THANKS TO OUR COMMUNITY

Thank you to the people who contribute their views, ideas and reflections to help shape our community. We seek your ongoing involvement and participation in conversations, activities and workshops showcasing the principles and practices of community engagement. We appreciate your time and your interest and look forward to fostering a deeper relationship with our community on important matters that require your collaboration.



SOME OF GWYDIR SHIRE COUNCIL STATISTICS



There are 50.4% people in the labour force in Gwydir Shire. Of these, 60.6% were employed full-time, 29.7% were employed part-time, and 4.2% were unemployed.



The most common occupations in the Shire are, 30.8% Managers, 14.2% Labourers, 12.3% Professionals, and 9.6% Clerical/Administrative workers.



COUNCIL STATEMENTS AND VALUES

Our Vision

To be the recognised leader in Local Government through continuous learning and sustainability.

Our Mission

To ensure that the Council's long term role is viable and sustainable by meeting the needs of our residents in a responsible caring way, attract sustainable development while maintaining the traditional rural values, character and culture of our people.

Council Core Values

1. For Our Community and Visitors

We will provide a safe, clean and healthy environment in which all people have the opportunity to participate in and share in the Council's services and facilities.

2 For Our Community Committees

We will seek their opinion in relation to the services in which they assist us, offer relevant and timely support, and recognise their valuable contribution.

3 For Our Staff

We will create an atmosphere of team support, which encourages frank and honest communication, and the use of common sense and innovation in a safe and friendly working environment with the aim of efficiency.

4 For Our Councillors

We will treat all Councillors equally and ensure that they are provided with accurate and timely advice and expect that they will treat each other and the staff with due respect.

BACKGROUND

With lively communities, creeks and rivers that run right through town, natural wonders like Cranky Rock, the Glacial Area and Horton Falls and an abundance of walking trails – Gwydir Shire is a nature lovers paradise. Our Shire is vast in size yet small in population, with a geographical spread of over 9,000 square kilometres. The Gwydir Shire community are invested in the decisions that affect where and how they live. To live in Gwydir Shire is to be connected. To be part of a genuine community that values resilience, sustainability, opportunity, creativity, collaboration and forward thinking.

This Community Engagement Strategy outlines our approach to engaging with the community and stakeholders. It provides transparency and clarity for all stakeholders so they can understand their role in the decision-making process.

The Integrated Planning and Reporting framework is built on the principle that all members of the community have a right, and a responsibility to contribute to their community's future. It is an intent of Gwydir Shire Council to engage with our community, using effective engagement practices, on major issues and plans affecting the future of the shire and activities that have a significant impact on the community.

The framework aims to shape change focused on the shire and community priorities developed through broad and representative community participation. It helps improve the experience of all participants involved in community engagement to achieve the highest quality of process and results.

While engagement does not replace the final decision-making of the elected Council, community engagement plays an important role ensuring the final recommendations made by staff are equitable and well-informed.



WHAT IS COMMUNITY ENGAGEMENT?

“Any process that involves the community in problem solving or decision making and uses community input to make better decisions”

Definition of community engagement IAP2

Principles & Values Guiding Engagement

Effective and meaningful engagement is at the heart of local government and the integrated planning and reporting (IP&R) process. It helps our communities shape their own futures and helps inform the vision and direction of council.

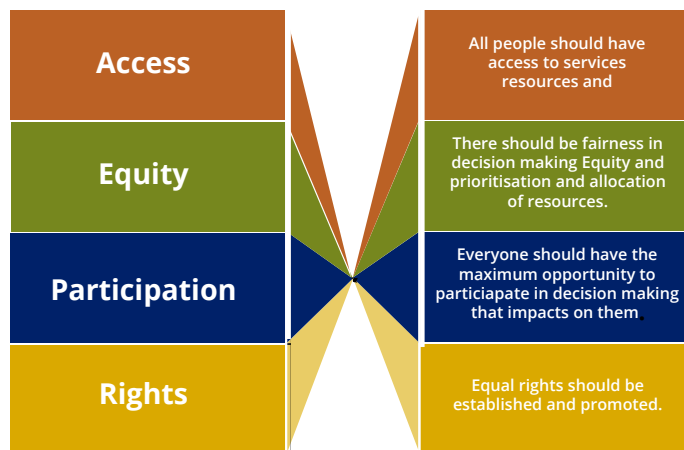
Community participation is a guiding principle of effective and accountable local government. We are required to engage the communities that we serve – the people, organisations and businesses that have an invested interest in the future of Gwydir Shire and are impacted by the decisions made by Gwydir Shire Council.

The Community Engagement Strategy (this document) is a framework for how we will engage communities in the decisions made at Gwydir Shire Council. It outlines the legislative requirements, guiding principles, approaches and processes we use to ensure our engagement is clear, accountable, meaningful, inclusive and accessible to the diverse community that we serve. It describes the role communities play in our decisions about projects, policies, strategies, programs and services.

COUNCIL DECISION MAKING CRITERIA



Our Community Engagement Strategy has been developed around the Social Justice Principles.



Council's community engagement principles aim to ensure that our engagement:

-  Has a clear purpose, objective and approach
-  Is easy for the community to access and participate in
-  Is clear and simple
-  Builds trust and understanding
-  Is meaningful, authentic and adds value
-  Is evaluated and improved





LEGISLATIVE REQUIREMENTS

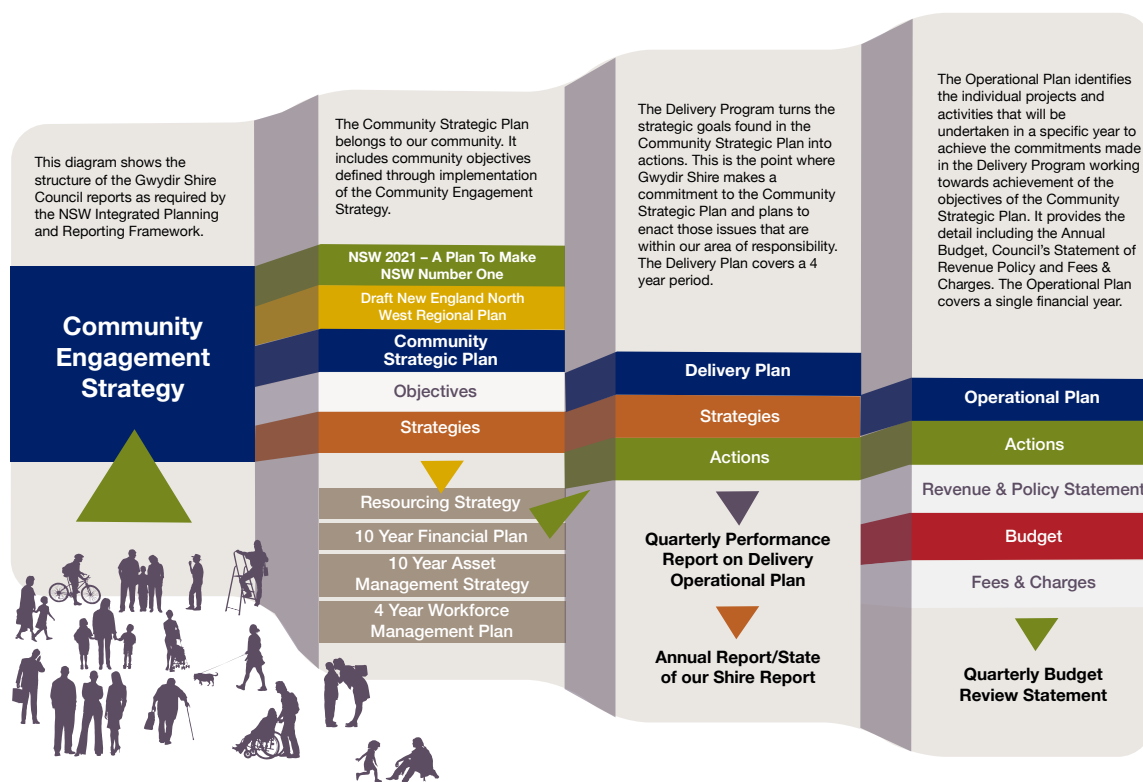
Gwydir Shire Council has a legislative obligation under the Local Government Act 1993 to ensure that we plan strategically using the Integrated Planning and Reporting Framework for the provision of effective and efficient services and regulation to meet the diverse needs of the local community.

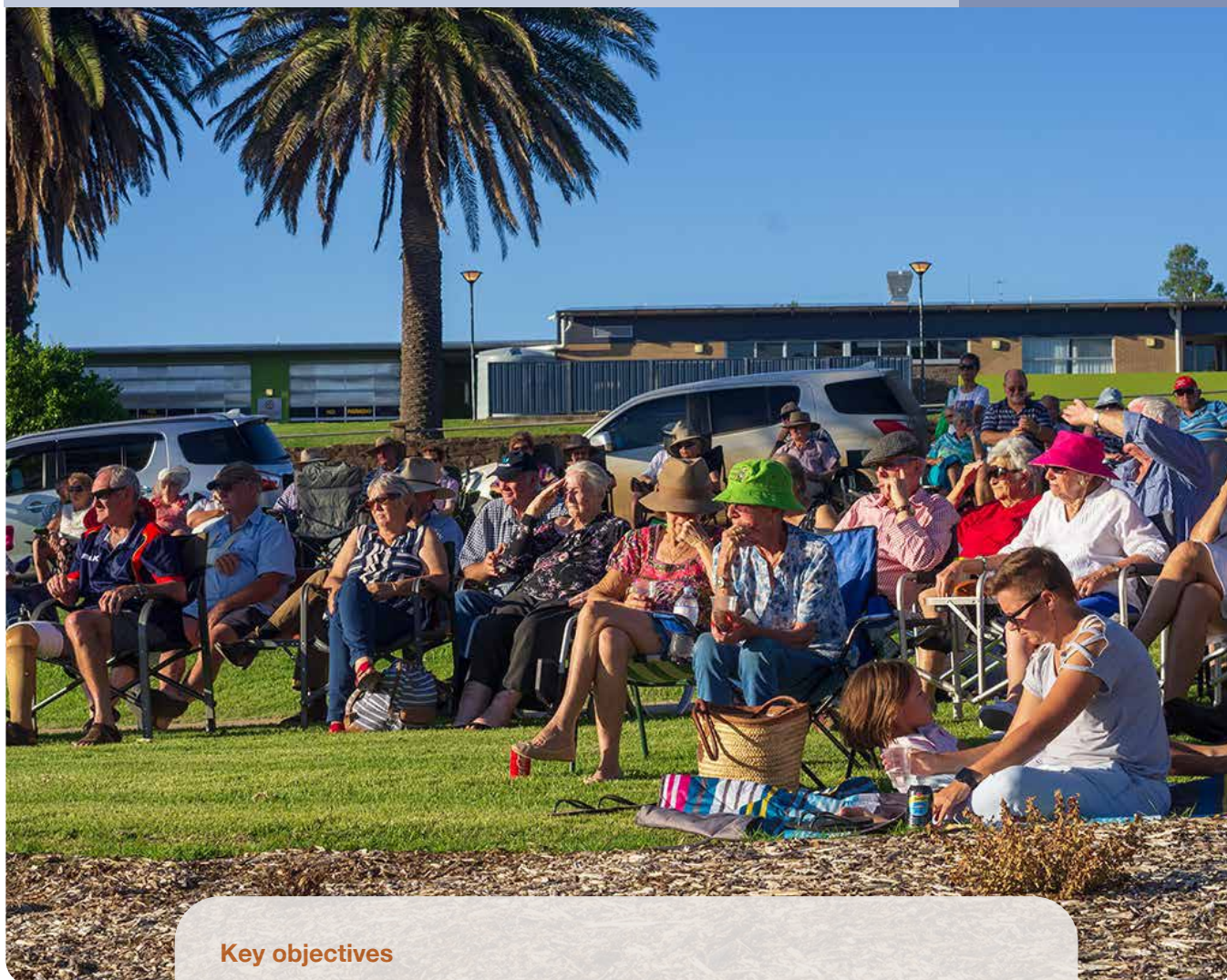
All councils in NSW are required to operate within the NSW Local Government Integrated Planning and Reporting (IP&R) Framework. This framework was introduced to facilitate a strong and sustainable local government system by ensuring all local councils have in place strategic plans, underpinned by community priorities and supported by appropriate resources.

The IP&R Framework encourages councils to view their plans holistically to understand how they relate to each other, and in doing so, leverage maximum results.

Ultimately, it aims to provide greater accountability and transparency in local government, by strengthening councils' strategic focus, streamlining reporting processes and making it easier for the community to understand and track councils' progress on identified priorities.

Council's Community Engagement Strategy (CES) forms part of the integrated planning and reporting framework that all NSW councils must follow. This Strategy supports the development of all council plans, policies, programs and key activities whether related to the IP&R framework or other legislation.





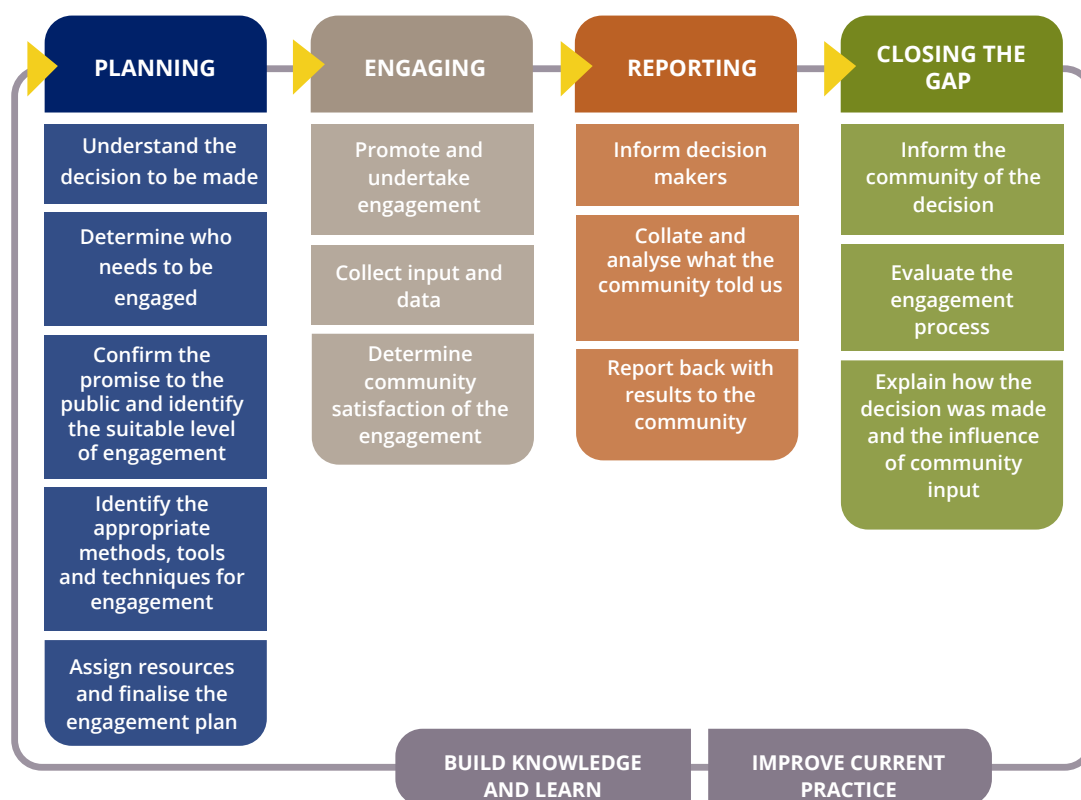
Key objectives

The Community Engagement Strategy will guide how we plan and undertake engagement activities. Successful engagement programs are underpinned by careful preparation and thorough planning. Every project or scenario is different and requires scoping and planning to reflect its unique context and constraints.

We use the IAP2 public participation spectrum to determine the most suitable level of participation for each project, considering who the project will impact, how much impact the project will have and how interested the community might be in the project.

While some circumstances will only require or allow engagement at an informing level, others will require a more in-depth level of engagement and a greater level of influence on the outcome. The communication and engagement methods are then designed to support the identified level of engagement.

Gwydir Shire Council follows the below process when implementing community and stakeholder engagement. This ensures a planned process that is consistent and aligned with our principles for community engagement.



CHALLENGES TO ENGAGEMENT RISKS AND OPPORTUNITIES

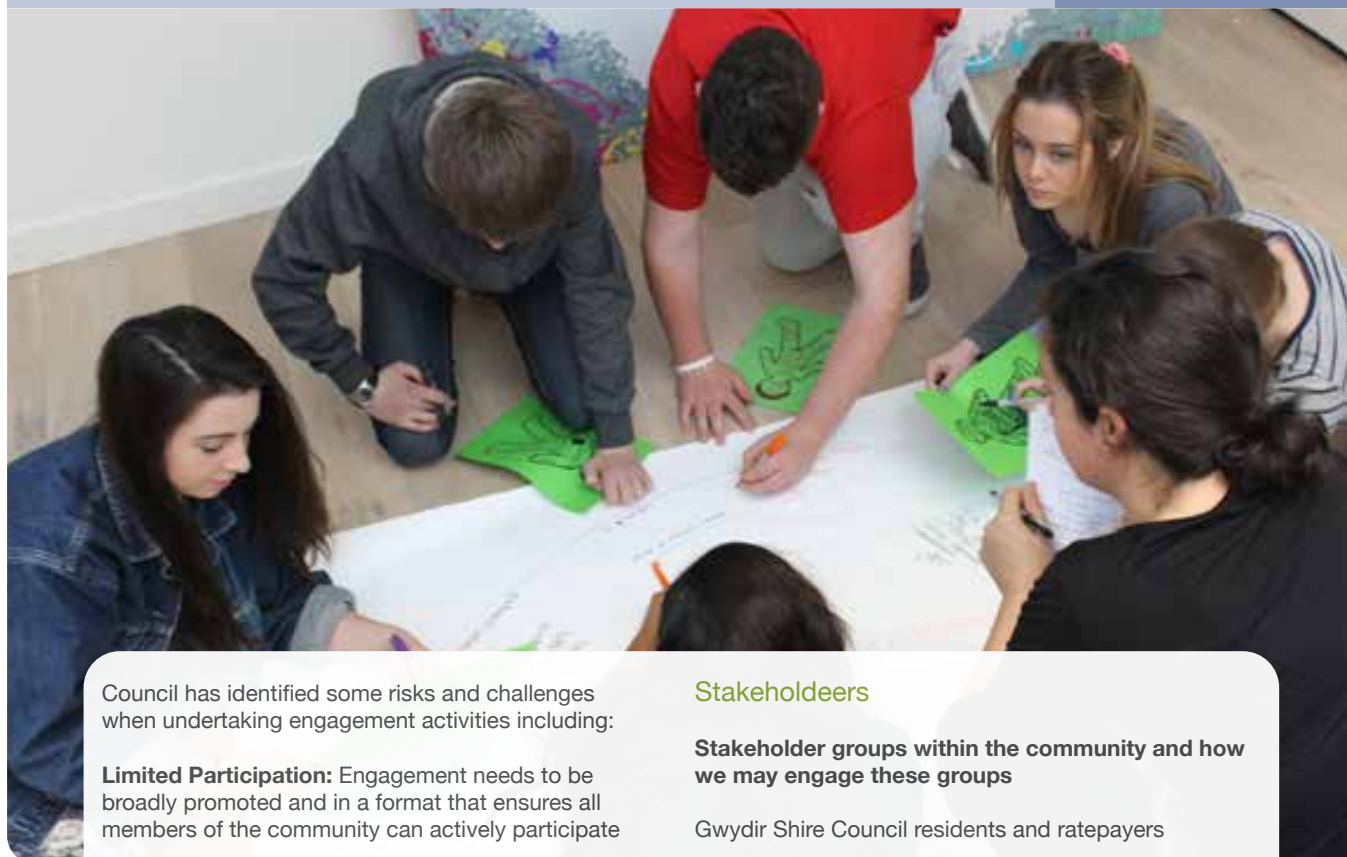
It is often challenging to involve the community in planning processes, being a Shire that is small in population yet geographically vast is one of those challenges. But it is important for the long-term success of the Community Strategic Plan that as many community members as possible are involved in its development.

At Gwydir Shire Council we are continually reviewing our methods of engagement with the aim of improving our processes so that we can

reach every member of the community and work toward breaking down barriers to participation.

Managing Risk

It is important that risks continue to be monitored, assessed and managed once the engagement activity has started. Plans should be put in place to reduce the likelihood and or impact of a potential risk.



Council has identified some risks and challenges when undertaking engagement activities including:

Limited Participation: Engagement needs to be broadly promoted and in a format that ensures all members of the community can actively participate

Accessibility: Engagement needs to take place in accessible locations across the Shire and use both digital and traditional face-to-face methods

Resource and Timing Constraints: Council must ensure there are a range of opportunities and sufficient information available to encourage high levels of participation from the community

Lack of Internal Engagement: Invoke early conversations with staff around opportunities for involvement

Consultation Fatigue: Ensure engagement is meaningful and staggered in a way that reduces the risk of the community and key stakeholders feeling overwhelmed

Scope Creep and Expectations: Providing context and scope to help manage community expectations and defining the aims of engagement

Failure to engage hard to reach groups: To reach certain groups such as young people, families and minority groups a targeted approach to engagement is needed.

Stakeholders

Stakeholder groups within the community and how we may engage these groups

Gwydir Shire Council residents and ratepayers

State and Federal Members

Relevant government agencies (including NSW Department of Education, Department of Communities and Justice, NSW Health, Office of Local Government, Destination NSW, Transport NSW, Department of Planning and Environment, NSW Police, NSW Fire and Rescue, State Emergency Service NSW, NSW Rural Fire Service, Namoi Joint Organisation of Councils)

Community-centred committees (including Vision 20/20, Wyallda Chamber of Commerce, Gwydir Youth Advisory Committee, Disability Inclusion Access Committee, Naroo Hostel Advisory Committee, North West Theatre Company, Bingara Lions Club, Wyallda Rotary, Wyallda Apex)

Interest and industry groups (including Central Northern Regional Libraries, Arts North West, Local Emergency Management Committee, Australian Rural Roads Group, Norther Slopes Landcare Association, Gwydir Learning Region)

Community groups (including Wyallda Historical Society, Bingara District Historical Society, Bingara Special Events Committee, Wyallda Events Committee)

Local business community.



ELECTED OFFICIALS AND COUNCIL ROLES AND RESPONSIBILITIES

ROLE	RESPONSIBILITIES
The Mayor	<p>Along with the General Manager, ensure adequate opportunities and mechanisms for engagement between the council and the local community</p> <p>Promote partnerships between the council and key stakeholders</p> <p>To act as the spokesperson for the council to promote engagement on council priorities and key strategic plans such as the Community Strategic Plan</p>
Mayor and Councillors	<p>Promote engagement on key strategic plans and priorities through communication, support, and participation in community engagement for the development of the integrated planning and reporting framework</p> <p>Participate in the development of the integrated planning and reporting framework including the Community Strategic Plan</p> <p>Participate in community engagement activities alongside council staff</p> <p>Endorse the Community Strategic Plan on behalf of the community and approve the remaining Integrated Planning and Reporting documents like the Delivery Program and Operational Plan</p>
General Manager	<p>Oversee preparation and delivery of the integrated planning and reporting framework and endorsement of these documents by the elected council</p> <p>Ensure that the community is given sufficient information that allows them to participate in the integrated planning and reporting process in a meaningful way</p> <p>Advise on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to council</p>
Council staff	<p>Work with and support the General Manager in the development of key strategies and plans and engage the community</p> <p>Implement the Community Engagement Strategy and provide timely information to the General Manager in relation to community views obtained during the engagement process</p>



Implementation & Engagement Tools

Consultation Feedback

A range of engagement techniques have been successful in raising awareness and when seeking input and feedback that inform the development of our Community Engagement

Strategy and other strategic plans, policies, programs and strategies including:

Digital surveys and suggestion box	Community meetings
Social media channels	Newspaper articles
Staff newsletters	e-newsletter
Advertisement	Notice board
Deliberative panels	Community newsletter and mailouts
Rate notice flyer	Mayoral column
TV and Radio	YouTube videos
Use of QR Code technology	Face to face and one-on-one discussion



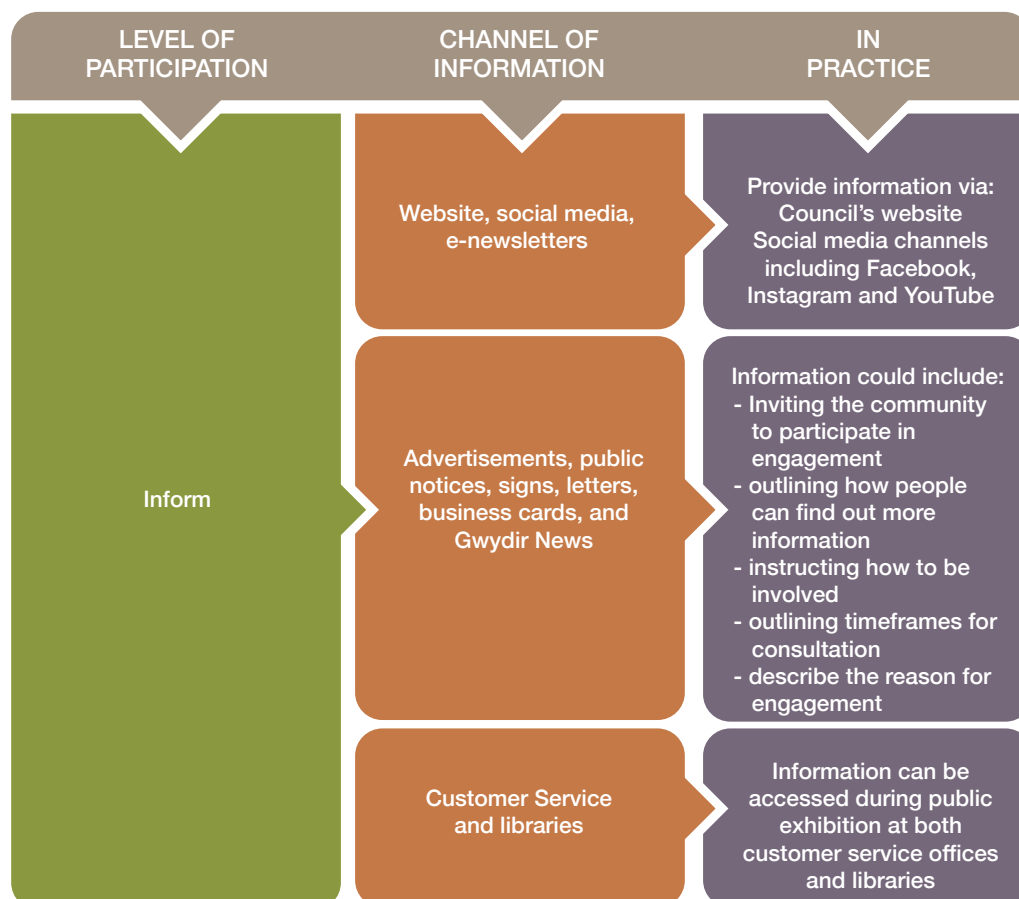
HOW WILL WE ENGAGE THE COMMUNITY?

Phase Once – Review and Plan Engagement

Inform

The elected council and staff have an important role in establishing an environment where effective communication can happen. Communicating helps various stakeholders to share, understand and support the end result or decisions that guide the delivery of services across the Shire.

It is the provision of one-way communication, where Council provides balanced and objective information. This can also include educating or advising the community on Council services, facilities, issues and activities to enable the community to actively participate in the decision making process.

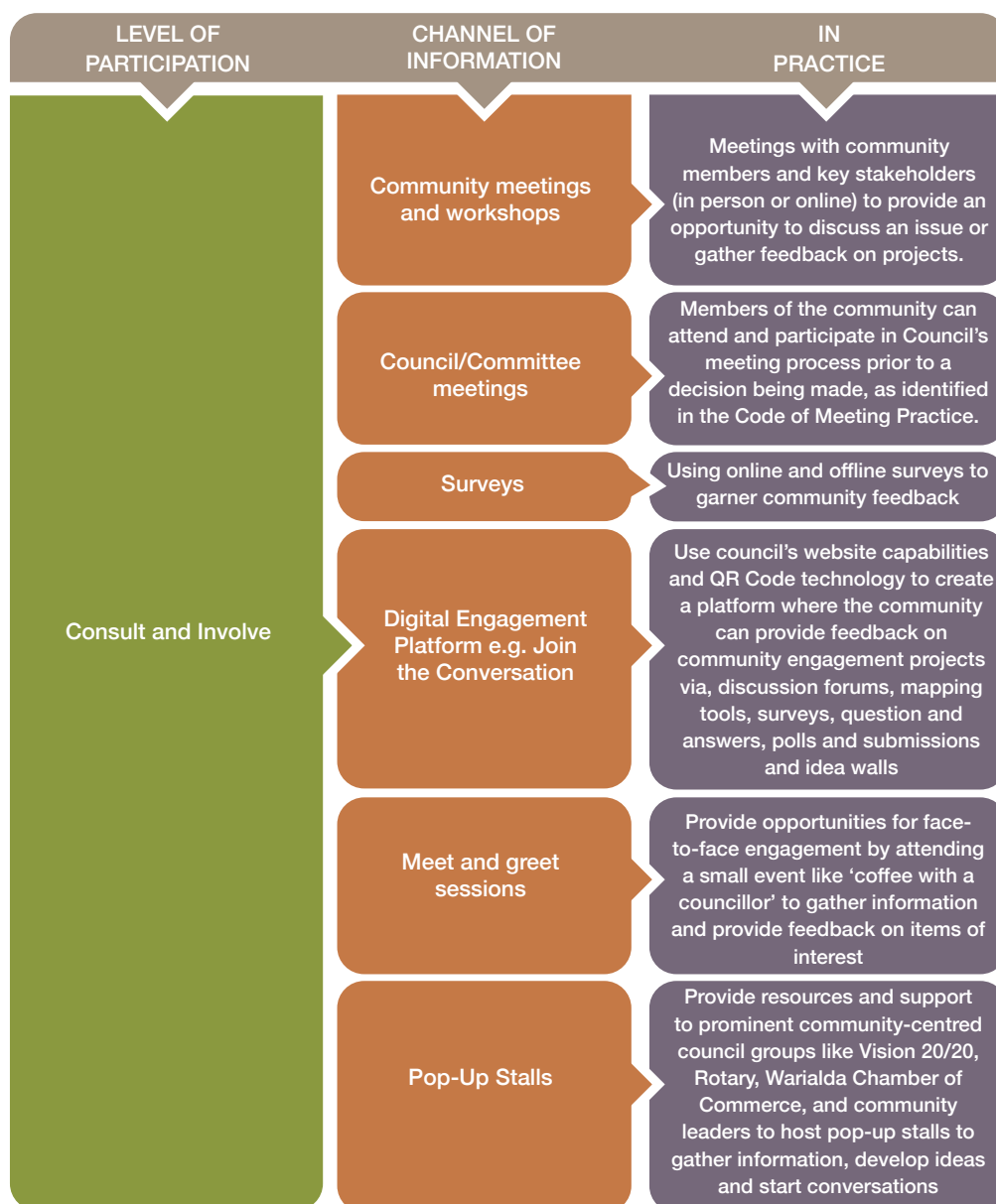


Phase Two – Developing Ideas and options and starting conversations

Consult & Involve

Effective decision making relies on input from a range of sources including the community, professional advisors, Government stakeholders and others. In this area of the spectrum, Council asks and listens to the community.

Council obtains feedback from the community regarding views, solutions, alternatives and proposals to inform and influence the outcome of Council decisions and actions. We will make use of local knowledge and expertise in planning and implementation ensuring meaningful engagement takes place.





Phase Three – Refining ideas/suggestions into Strategy

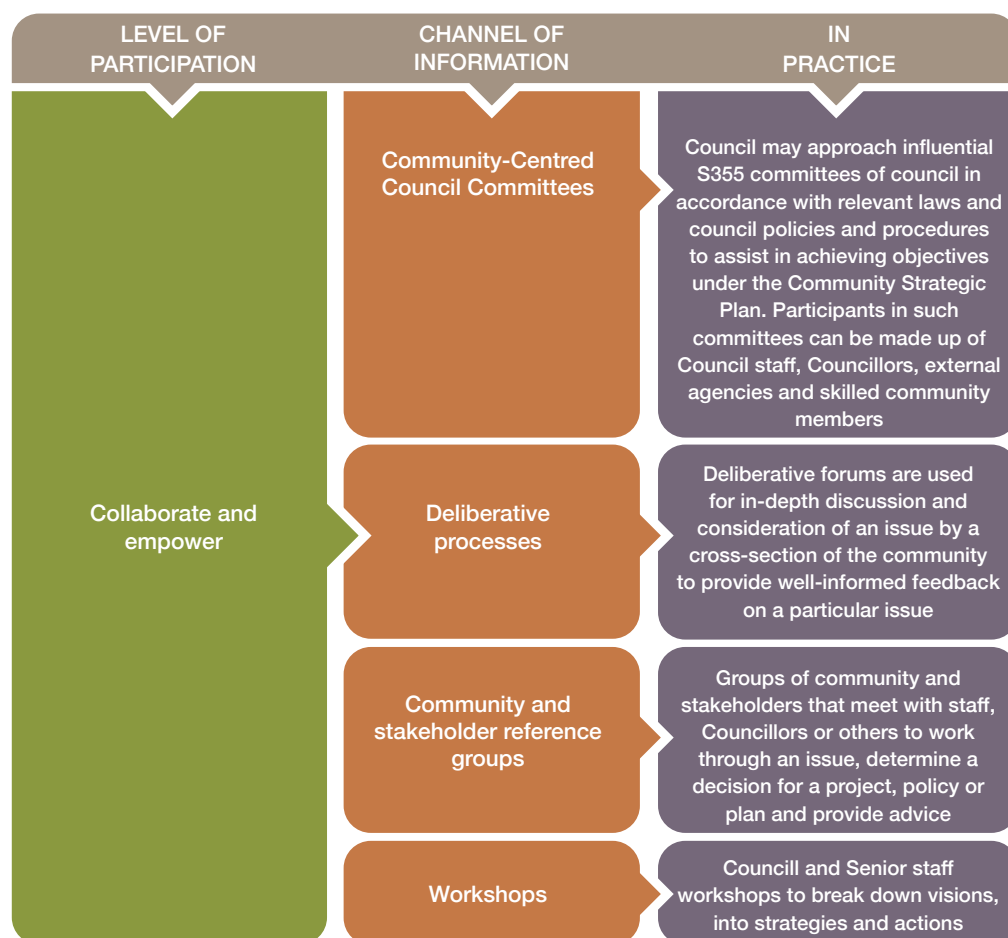
Collaborate and Empower

In this area of the spectrum networks, government agencies, organisations, businesses, key stakeholders and community members work together to identify preferred solutions and alternatives once issues and interests are well understood, leading to an agreed outcome.

In local government the elected Council is responsible for making policy, strategic and

budget decisions. As such, empower has limited application and refers to community development and community capacity building initiatives whereby Council provides opportunities and resources for communities to contribute their skills and talents.

Community members in this area of the spectrum are empowered to become more involved in building their own future to foster and sustain positive change.





Phase Four – Evaluate the process and level of public participation

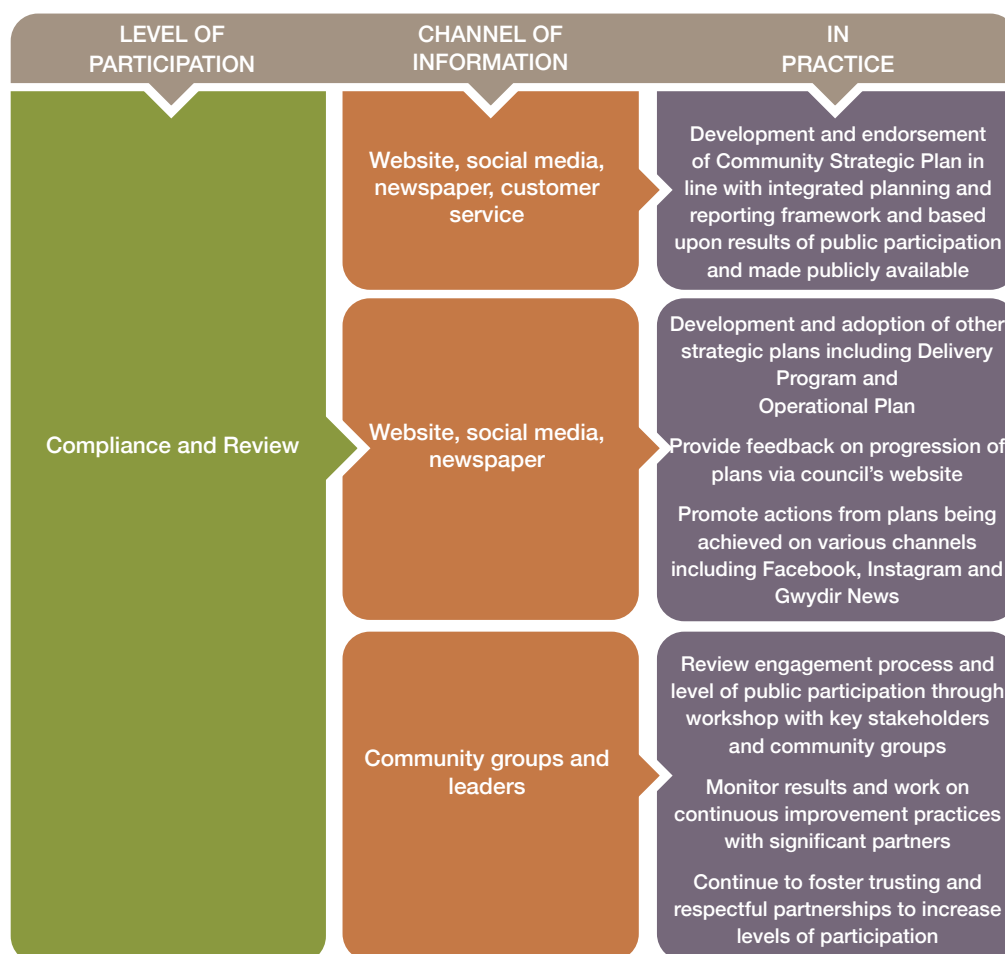
Assess the level of Impact

The level of community input is directly related to the nature, complexity and the expected level of impact on the community due to the issue, plan or project presented. Not all issues require public participation. The community will become involved according to its perception of the seriousness of the issue.

It may be necessary to re-evaluate the level of impact and vary the engagement activities and level of public participation due to a misalignment or change in the situation. It is also important to gauge the receptiveness of the organisation to community feedback and the resources that will be available.

There are three levels of impact that can affect public participation

- **Low** – Small change or improvement to a facility or service at the local level. Little effect on the community. Low or no risk of controversy
- **Medium** – Loss of or significant change to a facility or service at the local level or less significant impact across the Gwydir Shire Local Government Area (LGA). Potential for controversy.
- **High** – Significant change that is considered of high value across the Gwydir Shire (LGA) or a large part of the Shire. Highly controversial issue or project.





EVALUATION AND MEASUREMENT

To measure and evaluate the effectiveness of our engagement, we assess:



These evaluation results will be used to improve future engagement strategies and methods.

This strategy will be reviewed within three months of local government elections, as part of the broader review of the Community Strategic Plan, or as required in the event of legislative changes or requirements.

6.4 Executive Services Report

File Reference: NA

Delivery Program

Goal: 5. Organisational management

Outcome: 5.1 Corporate management

Strategy: 5.1.3 Administrative and support functions

Author: Max Eastcott, General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report is for reception.

TABLED ITEMS Nil

BACKGROUND

Building Services – Yearly report November 2024

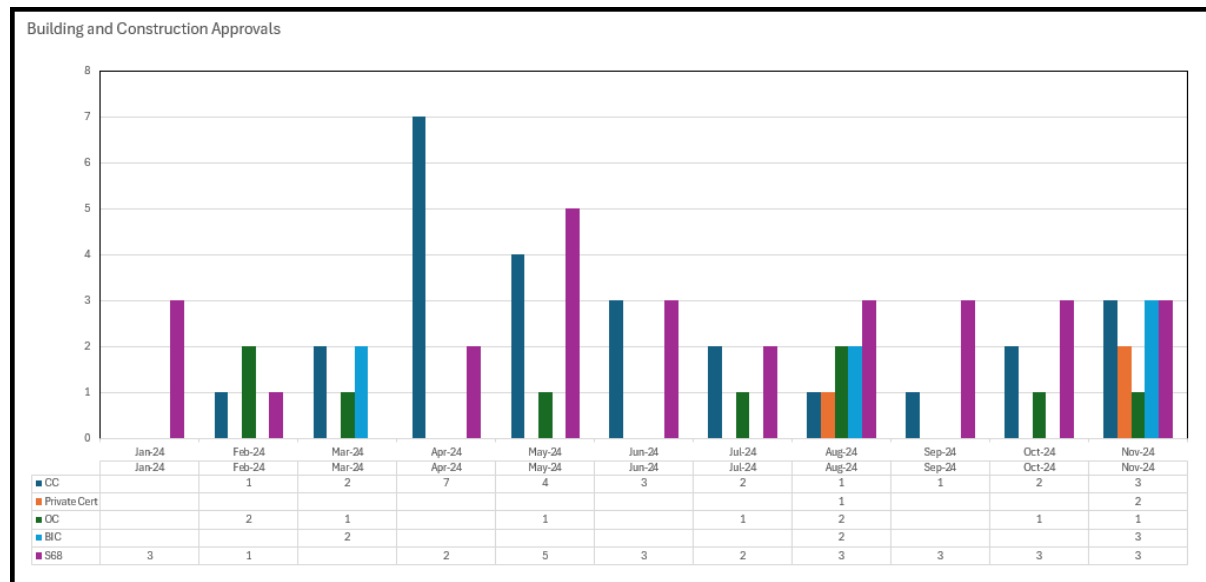
The Department continues to receive enquiries and provide advice on a range of planning and building matters including:

- Minor structure construction e.g., sheds
- Commercial opportunities and construction
- Basix (Building Sustainability Index)
- Bushfire requirements
- Building construction standards and requirements
- Stormwater
- Licensing and owner builder requirements
- Fees and charges

The department receives all building related applications via the NSW Planning Portal. It is mandatory that all applications for Construction Certificates (CC), Complying Development (CDC), Principal Certifier Appointments (PCA), Occupation Certificates (OC) and Building Information Certificates (BIC) be lodged with Council via the NSW Planning Portal. Section 68 (S68) Applications are currently lodged directly with Council but as of 1st January will be through the Planning Portal.

There are currently *91 active* Construction Certificate and Principal Certifier Appointment approvals that are at varying stages of the assessment/construction process and working towards the completion, and issue of an Occupation Certificate.

The graph below summarises the approvals for the current year and the following table shows the details of the approvals that have been issued for the month of November.



CONSTRUCTION CERTIFICATES

No.	Property Description	Development/Work	\$
CC 2024/27	32 Plunkett Street Warialda	3-bay shed with attached awing for vehicle and miscellaneous storage	\$55,000
CC 2024/30	67 Riddell Street Bingara	3-bay barn style shed with bathroom	\$40,000

COMPLYING DEVELOPMENT CERTIFICATES

No.	Property Description	Development/Work	\$
CDC 5/2024	2 Bridger Lane Bingara	Installation of a 40kW battery system with solar feed in.	\$20,000

OCCUPATION CERTIFICATES

No.	Property Description	Development/Work
OC 20/2021	8-14 Brigalow Street Bingara	Garage/Storage shed

BUILDING INFORMATION CERTIFICATES

No.	Property Description	Development/Work
BIC 6/2024	27 Geddes Street Warialda	Review unauthorised work – alterations and additions to dwelling
BIC 7/2024	4 Junction Street Bingara	Review unauthorised work – cement slab for proposed shed
BIC 8/2024	Twin Creeks Road Coolatai	For purpose of Approval to Occupy when no final inspection completed – WITHDRAWN by applicant

PRIVATE CERTIFIER – CERTIFICATE REGISTRATION

No.	Property Description	Development/Work
CC	33-35 Maitland Street	Public Administration Building

2023/48/1	Bingara	
CC 2023/48/2 Modification	33-35 Maitland Street Bingara	Public Administration Building – Modification due to omission of plans in CC 2023/48/1

SECTION 68 APPROVALS

No.	Property Description	Development/Work
S68 23/2024	67 Riddell Street Bingara	Water supply, sanitary plumbing and drainage for toilet and handbasin
S68 26/2024	36 Holden Street Warialda	2024 Warialda Christmas Carnival – amusement rides
S68 27/2024	169 Melrose Estate Road Warialda	Install onsite sewerage management system, sanitary plumbing and drainage in association with new dwelling

NO. OF COMPLAINTS/INSPECTIONS November 2024

Type	No.	Yr. to Date	Actioned	Pending
Construction/Building & Building Maintenance	53	288	269	19

NOTE - 10 of the open items are the result of annual repairs and maintenance inspections of the aged accommodation units and are general non urgent repairs.

Building Maintenance

The Department continues to receive requests to carry out minor maintenance and these are generally dealt with in a timely manner. Otherwise, the works are scheduled into maintenance staff building activities including new works for attention.

MAJOR PROJECTS WORKED ON**Unit 2, Whitfeld Place**

Refurbishment of Unit 2 is being undertaken at the end of lease. Works to be completed include replacement of floor covering, painting and general maintenance.

Living Classroom – Wellness and Interpretive Centre

Work is progressing on the construction of the building. Scaffolding has been installed on the main building as per Safework NSW requirements to enable the roofing works to be carried out. Construction of the second building known as the common room has commenced and the framing has been completed.



Scaffolding installed for roofing works



Scaffolding installed around main building



Common Room – framing completed

OFFICER RECOMMENDATION

THAT the report be received.

ATTACHMENTS

Nil

COUNCIL RESOLUTION:

THAT the report be received.

(Moved Cr Rachel Sherman, Seconded Cr Michael Collins)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

6.5 Technical Services Report - November 2024

File Reference: NA

Goal: 5. Organisational management

Outcome: 2.1 Our economy is growing and supported

Strategy: 2.1.1 Plan for and develop the right assets and infrastructure

Author: Alexander Eddy, Director of Engineering Services

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report is for reception

TABLED ITEMS Nil

BACKGROUND

The Monthly Technical Services report has been identified by Council as the process of reporting the activities carried out monthly by the Technical Services Department. This report is for the month of X 2024.

COMMENT

Warialda CBD Park

Works have been ongoing at the Warialda CBD Park with the backfill of the site to natural level now complete. The timber fence between the site and the Post Office has been erected.

Negotiations continue with Telstra and the Department of Communities and Justice for the acquisition of land for a footpath to join the CBD park with Stephen Street.

Landscaping improvements are expected to commence late January 2025.



Warialda CBD Park

County Boundary Road Upgrade

The County Boundary Road sealing project is jointly funded by the Federal Government's Roads of Strategic Importance (ROSI) Program (\$9.75 million) with Council contributing an additional \$2.44 million.

Stage 3 of the construction works were completed in November 2024. Construction of the remaining Stage 4 subgrade is well underway. There is now 9 km of the 12.3 km long project completed with the project scheduled to be all completed by April 2025 and is tracking under budget.

Croppa Creek Road Rehabilitation

This project is jointly funded by the State Governments Restart NSW Fund (\$7.057 million) with Council contributing \$200,000 and DRFA flood damage funding of \$500,000. The Restart NSW Fund was established in 2011 to enable the funding and delivery of high priority infrastructure projects that improve economic growth and productivity.

Work has commenced with the construction of the five new causeways on Croppa Creek Road now almost completed by Finn Valley Civil Pty Ltd from Heatherbrae NSW.

The final site restoration works around the causeways are expected to be completed by January 2025 with road construction crews to establish to site early 2025.

Bingara Administration Building Site Earthworks

Filling the site in preparation for the start of the construction of the building is almost complete. This work has will required the import and compaction of approximately 3,500 tonnes of granite fill. Work has been delayed by areas of wet subgrades needing to be replaced and periods of poor weather and is expected to be completed by early December 2024.

Maintenance

General maintenance continues on Regional and State roads, including vegetation control, slashing, whipper snipping and spraying of guideposts and guard rails and sign maintenance.

Seal maintenance is ongoing on all State, Regional and Local Roads as potholes continue to develop.

All parks and gardens continue to be maintained. Mowing, weed control, irrigation, hedging, and trimming are routinely undertaken as well as daily cleaning of the public toilets. Staff continue to maintain our sporting fields and facilities for use of various sporting groups and schools. Management Plans are currently being developed for Gwydir Oval, Warialda Recreation Ground and Nicholson Oval with a targeted completion and implementation of February 2025.

A maintenance management system for urban maintenance is currently being developed by a contractor for Parks and Gardens similar to that already being used for Council's road network. This will allow for better documentation of works identification and completion and allow easier monitoring and reporting of work carried out. This system is almost complete and due to be trialled in January 2025.

Maintenance Grading and Resheeting

During November maintenance grading or resheeting was carried out on the following roads

- Bundilla Road

- Innesvale Road
- Blue Nobby Road
- Peates Road
- Yallaroi Road
- Goat Road
- Tucka Tucka Road
- Girraween Road
- Gulf Creek Road
- Towarra Road
- Glenarthur Road
- Munsies Road
- Fairview Road
- Trevallyn Road
- Boonery Park Road
- Thornleigh Road
- Woodburn Emelio Road
- Mungle Road
- Forest Creek Road
- Buckie Road
- Hybla Lane
- Upper Bingara
- Wendouree Road

Slashing

During November slashing was carried out on the following roads

- Cobbadah Road
- Allan Cunningham Road
- Killarney Gap Road
- Gulf Creek Road
- Horton Road
- Bundarra Road
- Copeton Dam Road
- Bingara Airstrip Road
- Croppa Moree Road
- Getta Getta Road
- Bruxner Way

- IB Bore Road
- Mosquito Creek Road

Asset Protection Zone Maintenance

Regular slashing work is being undertaken APZs in Bingara, Coolatai and Warialda with another round programmed for December 2024.

Roads Maintenance Council Contract – Works Orders issued by TfNSW

All Work Orders issued by Transport for New South Wales (TfNSW) are quality assurance schedule of rates projects carried out by Council staff under the Roads Maintenance Council Contract with TfNSW.

Works Proposals, seal designs and documentation have now been submitted for this years bitumen resurfacing Program, with Work Orders now issued for all other ordered works. Heavy patching works on MR63 Fossickers Way are now well underway with only one patch remaining, to be completed before the Christmas break. Heavy Patching works on HW12 Gwydir Highway will resume after the Christmas break with completion scheduled by the end of January. The bitumen resurfacing Program has now been scheduled for completion in January, due to delays with TfNSW returning Work Orders to start works.

Wendouree drainage works are well underway with all pipe culvert extensions now completed, as well as rock armouring sedimentation controls. The culvert crew is currently working with the concreting contractor at the large box culvert, finalising the preparation of foundations underneath the base slab. Works were slightly delayed after the discovery of Southern Purple Spotted Gudgeon (a threatened species of freshwater fish) whilst dewatering the culvert site. After liaising with Department of Primary Industries Fisheries, an ecologist safely relocated four live fish from the site into Halls Creek. Controls have now been put in place to ensure no further harm to the fish is undertaken for the remaining duration of works. The pavement crew are still scheduled to start early in the New Year, with an aim to have the Project completed by the end of February.

Routine maintenance continues each week undertaking inspections, rest area services, vegetation control, guardrail repairs and bitumen repairs.



Southern Purple Spotted Gudgeon relocated from the box culvert site

Water and Sewer

Water and Sewerage operators carry out routine operational tasks such as water testing, grounds maintenance at the water treatment plants, reservoirs, both sewerage treatment plants, sewer pump stations, Warialda truck wash and truck wash ponds.

Reactive maintenance includes service line repairs, water main breaks and sewer blockages. All tasks are recorded and entered into a central database. The database is used to identify common failures areas for planning of repairs, to detail asset condition rating and is also used to collate annual performance reports for NSW Government.

Warialda sewerage treatment works had annual EPA inspection on 18th November 2024. The annual licence period ends 31st October each year. The annual reports and returns must be submitted for Both Warialda and Bingara Sewerage treatment works before 31st December 2024.

November 2024 Water and Sewer Works Summary

Classification	Bingara	Gravesend	Horton	Warialda	Total
Hydrant Repairs	1				1
Mains Replacements				1	1
Meter Replacements	2				2
New Service Line	1				1
Service Line Repairs	4	1		6	11
Sewer Block	3			9	12
Sewer Main Repairs	1			3	4
New Sewer Connection				1	1
New Water Connection				1	1
Main Break	1			2	3
Equipment Repairs	2	1		1	4
Customer Request Response	1			1	2
Other Work	16	3	2	7	28
Total	32	5	2	32	71

Other work was undertaken at Moffatt Park, Recreation Ground and the Fire Shed in Gravesend, Upper Horton, The Living Classroom, Warialda Truckwash, Bingara swimming pool, The Roxy, CWA Park, Cunningham Park – EV Charger, Bingara Lookout and reservoirs and the cemeteries in Bingara and Warialda.



Nicholson Oval – Irrigation water connection



New Amenities Block in Upper Horton

Warialda Truck Wash

Warialda truck wash facility was used by 162 trucks during November with an average wash down time of 67 minutes and total water used was 1228kL. The estimated income for the reporting period of November is \$14,333.88 less monitoring fees and expenses.

Grants Projects

Name	Funding Program	Status	Funding Acquittal
Long Run Skate Park	NSW Open Spaces	Complete	Complete
Batterham Lookout	Local Roads and Community Infrastructure Phase 1	In Progress	Final Claim to be submitted
Upper Horton Amenities Building	Local Roads and Community Infrastructure	Complete	Final Claim to be submitted

	Phase 3		
Bingara Showground Camp draft arena Upgrade	Stronger Country Communities Rd 5	Complete	Final Claim to be submitted
CWA Park Playground Upgrade	Stronger Country Communities Rd 5	Complete	To be submitted



Á
Turf installed at CWA Park playground upgrade



EV Charging station on CWA Park Road

Bingara Showground

In November a grant application was submitted to Crown Reserves Improvement Fund for the following items.

Summary

Jockey Club change room refurbishment - internal estimate attached	\$ 141,619.44
Public address system - Quotation attached	\$ 38,215.00
Canteen refurbishment	\$ 109,148.50
*Layton Structural Quotation	
*High Styles Kitchens Quotation	
*Hayes Electrical Quote	
Site office supply and installation	\$ 47,933.00
*Building purchase (Bluesky quotations attached)	
*Installation - piers and concrete (Council estimate)	
*electrical - 100m underground power (Hayes Electrical Quote attached)	
TOTAL	\$ 336,915.94

The applications are assessed from November to April 2025 and successful applicants will be notified in May 2025. Successful projects will need to be completed by 30th June 2026.

A user group meeting was held in November, where all groups present supported the grant application. The showground was used by Bingara Pony Club and Gwydir River Run for their annual Christmas parties in November.

Workshops and Depots

Workshop Services and Jobs	Sept	Oct	Nov
Total number of services in Workshops	35	27	17
Total number of repairs in Workshops	177	149	159

Major Repairs and maintenance undertaken in the workshops during November included:

P1981 Mower - deck repairs

P1805 Tag trailer - replace brake booster

P1917 Truck – replace clutch

P1081 Tractor - fit new viscos hub fan, fit new fan belt and turbo hose

P1950 Kubota - hydraulic repairs

P1475 Rubber-tired roller – coolant system repairs

P1634 Truck - fuel system repairs

P1981 Mower - radiator repairs

P1690 Grader - change out tire

P2054 Mower - fit new blades repairs to gearbox mount fit new rubbers

P1933 Lime spreader - fit new cab lift ram repair leak in air/conditioner
P1713 Jet master -fit new alternator, fit new fan and fan belt fit new control box to rear light board
P1663 Rock crusher - gearbox refurbishment
P1788 Grader - clean radiator
P1081 Tractor - transmission overheating
P1140 Grid roller -fabricate and install new hold down clamps for blocks
P1787 water cart fit new clutch remove radiator and clean
P1446 Jet patcher - electrical repairs to patcher controls, replace air bags in rear suspension and fit new pinion seal to front diff.
P1887 Truck - replace PTO pump and drive
P1693 Roller - air/conditioner repairs
P1855 Mower - deck repairs
P1716 Utility - fit new alternator
P1467 Excavator - repairs to buckets
P1638 Utility - install new brake pads and front brake rotors
P1692 Backhoe - radiator repairs
P1722 Tractor - install new front seals and wheel bearings
P1718 Truck - repairs to hoist
P1866 Tractor - install new PTO solenoid

CONCLUSION

The activities carried out by the Technical Services Department are in line with the 2024/25 Management Plan and as otherwise directed.

CONSULTATION

Consultation is carried out within the Technical Services Department during the monthly Technical Services Team Meetings and with other relevant persons.

OFFICER RECOMMENDATION

THAT the report be received.

ATTACHMENTS

Nil

COUNCIL RESOLUTION:

THAT the report be received.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

6.6 Monthly Action Progress Report October 2024

File Reference: NA

Delivery Program

Goal: 5. Organisational management

Outcome: 5.1 Corporate management

Strategy: 5.1.2 Information Management Systems

Author: Casey McClymont, Public Officer, IP&R, Government Elections

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

That the report be noted.

TABLED ITEMS Nil

BACKGROUND

The Office of Local Government requires regular progress reports to be presented at council meetings regarding the 2024/25 Operational Plan.

OFFICER RECOMMENDATION

THAT the report be received.

ATTACHMENTS

1. October 2024 Monthly Action Progress Report [6.6.1 - 27 pages]

COUNCIL RESOLUTION:

THAT the report be received.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Monthly Action Progress Report October 2024/2025







Goal 1: A healthy and cohesive community

A liveable community has pride of place, ease of access, community harmony, a mobile and healthy population that participates in community life, a feeling of safety and security, a strong vibrant cultural base and places to relax, study and play.



1.1: We have healthy and inviting spaces and places

We have access to a range of high quality health care services. All residents are supported in living a healthy and active life through the opportunity to participate in recreation activities.




1.1.2: Encourage and enable healthy lifestyle choices

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.1.1.2	Support Gwydir Shire's health initiatives	Community Assets Manager	In Progress	20%		
1.1.2.1	Oversee the operation of Council's Aquatic Centres	Community Assets Manager	In Progress	15%	Both pools are leased. Bingara pool is operational and Warialda scheduled to open Sunday 3 November 2024.	
1.1.2.2	Annual swimming pool inspection program	Building Services Manager	Not Started	0%		
1.1.2.3	Conduct Council's Category B Enforcement agency functions under the Food Act 2003 (NSW) by the specified due dates	Planning & Environment Team Leader	In Progress	41%	Inspection program is being implemented	






In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.1.2.4	Implement a strong Wellness and Enablement plan within the Gwydir Shire Council through the CHSP program	Manager of Aged Care	In Progress	50%	Ongoing as core business	
1.1.2.7	Warialda Memorial Swimming Pool Improvements - Local Roads and Community Infrastructure Program Phase 3 (LRCl)	GLR & Communications Team Leader	In Progress	60%	The external mural is scheduled to be completed by end November. Council Technical Services staff are undertaking this project.	








1.1.3: Provide the right places, spaces and activities

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.1.3.1	Big River Dreaming - Finalise the construction of the Wellness and Interpretive Centre	General Manager	In Progress	50%		
1.1.3.2	Be a centre of leadership in child development, education and care as well as support for families and community	Social Services Manager	In Progress	35%		
1.1.3.3	Annual Tree Planting Program	Leading Hand Maintenance	In Progress	50%		


In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.1.3.6	Build our reputation as 'best choice' for families, children and young people to discover their abilities and reach their potential in life	Social Services Manager	In Progress	30%		
1.1.3.7	Enhance the overall Resident experience at Naroo Frail Aged Hostel by embedding an active Leisure and Lifestyle program with residents focusing on wellness	Manager of Aged Care	In Progress	75%	New staff members x 2 have been recruited to the position and are working extremely well. Resident feedback is very positive.	
1.1.3.8	Hope Street Wialda CBD Park Construction - Local Roads and Community Infrastructure Program Phase 3 (LRCI)	Engineering Services Director	In Progress	90%		
1.1.3.9	Landscaping Improvements - Wialda Street Tree Upgrade - Local Roads and Community Infrastructure Program Phase 3 (LRCI)	Engineering Assets Coordinator	In Progress	30%	Works in design stage	
1.1.3.11	Progress Gwydir Shire Council Disability Action plan with committee.	Integrated Planning Reporting & Governance Officer	In Progress	35%		

In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.1.3.12	Provide exceptional care, embracing authentic partnerships with families and ensuring the 'voice of the child' is central to our service processes.	Social Services Manager	In Progress	45%		
1.1.3.13	Provide high levels of hygiene to councils community assets and facilities	Community Assets Manager	In Progress	15%	Council facilities continue to be well presented and maintained.	
1.1.3.14	State Drought Stimulus Package - CBD Improvements - Warialda footpath upgrades	Engineering Assets Coordinator	Completed	100%		
1.1.3.15	COVID-19 Economic Stimulus Package - Phase 1 - Batterham Lookout Makeover	Town Utilities and Plant Manager	In Progress	85%		
1.1.3.18	Warialda Footpath Program - Local Roads and Community Infrastructure Program Phase 3 (LRCI) - Construction/replacement of non-compliant cycle/walking paths	Engineering Services Director	Completed	0%		
1.1.3.20	Implement Council's library programs and initiatives	Community Assets Manager	In Progress	15%	Ongoing	
1.1.3.22	Warialda GYM (Squash Courts) - Re-roofing of lower roof	Building Services Manager	Not Started	0%		


In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.1.3.23	Bingara Arts Centre (Toy Library) - Painting & R&M	Building Services Manager	Not Started	0%		



1.2: Our community is an inviting and vibrant place to live

Our community is strong, safe and connected with equal access to the services and facilities that ensure a great quality of life for all ages. Community pride and a sense of belonging are fostered through having a caring and connected community, with suitable programs and activities for all ages and abilities. Our residents' lives are enriched through access to lifelong learning opportunities as well as activities and events that celebrate our culture and encourage participation.

1.2.1: Enable accessible and affordable lifestyle options


Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.2.1.1	Meet Council's property management obligations	GLR & Communications Team Leader	In Progress	15%	8 Olive Pyrke Terrace is vacant and advertised for rental.	

1.2.2: A shared responsibility for community safety

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.2.2.1	Comply with and report on Council's Companion Animal Management requirements	Planning & Environment Team Leader	In Progress	25%	information is being compiled during the reporting period	
1.2.2.2	Implement Child Safe Standards as per legislative requirements	Integrated Planning Reporting & Governance Officer	In Progress	95%		

In  Progress  Complete  Deferred  Not Updated  Not Started

1.2.3: Celebrate our creativity and cultural expression

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
1.2.3.1	Roll out the planned schedule of events reviewing the concept, target audience and success of each event	Media and Communications Officer	In Progress	15%	Complete for Honey Festival. Upcoming events Bingara and Warialda Christmas Carnivals.	

In  Progress  Complete  Deferred  Not Updated  Not Started






Goal 2: Building the business base

A productive community provides people with positive choices for investment, employment and study. An innovative, diverse and resilient economy requires collaboration between local people and other levels of government to ensure that funding for infrastructure and economic development exists to support market strength and diversity.










2.1: Our economy is growing and supported

Our business community is prepared for future growth and challenges. We welcome new business development opportunities and work with private enterprise to establish strategic partnerships aligned to the creation of employment and industry in our community. Tourism is embraced by all facets of our community and Gwydir Shire Council is seen as a destination of choice for travellers.








2.1.1: Plan for and develop the right assets and infrastructure

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.1.2	Annual water meter replacement program	Town Utilities and Plant Manager	In Progress	20%	20 meters replaced after September reads were undertaken.	
2.1.1.3	Annual Pump replacement program	Town Utilities and Plant Manager	In Progress	75%		
2.1.1.6	2024/2025 Building Services Repairs and Maintenance Program	Building Maintenance Supervisor	Not Updated	0%		
2.1.1.7	December 2020 Flood Disaster works program	Engineering Assets Coordinator	Completed	100%	Works are complete	
2.1.1.10	North Star Hall Improvements - Restumping - Local Roads and Community Infrastructure Program Phase 3 (LRCI)	Building Services Manager	In Progress	10%		





In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.1.14	November 2021 Flood Disaster works program	Engineering Assets Coordinator	In Progress	50%	Work currently underway.	
2.1.1.15	Provide accommodation options to our community and visitors	Community Assets Manager	In Progress	15%		
2.1.1.16	Annual Renewals Program - Sewer mains relining/replacement	Town Utilities and Plant Manager	In Progress	5%		
2.1.1.16	Bingara Court House - Re-Roofing	Building Services Manager	Not Started	0%		
2.1.1.16	Plunkett Street Aged Units - Refurbishment	Building Services Manager	Not Started	0%		
2.1.1.16	Warialda Memorial Hall - Investigation, underpinning & repairs	Building Services Manager	In Progress	10%		
2.1.1.16	Warialda Office - Kitchen & Courtyard Refurbishment	Building Services Manager	In Progress	10%		
2.1.1.17	Annual Heavy Plant Replacement Program	Town Utilities and Plant Manager	In Progress	40%		
2.1.1.18	Annual Light Plant Replacement Program	Town Utilities and Plant Manager	In Progress	20%	4 Utilities have been purchased and 2 delivered in early October 2024.	




In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.1.23	Town Streets - kerb replacement and pavement enhancement program	Leading Hand Maintenance	In Progress	10%		
2.1.1.25	Resheeting and bitumen sealing of entire length of Wearnes Road, Bundarra	Engineering Services Director	In Progress	70%		
2.1.1.32	Heavy Vehicle Safety & Productivity Program Round 7 and Fixing Local Roads Program Sealing of IB Bore Road from North Star to Moree Plains Shire	Engineering Services Director	In Progress	70%		
2.1.1.34	Develop 10 year stormwater plan	Road Maintenance Council Contracts Project Manager	In Progress	90%		
2.1.1.36	Deliver RMCC annual works program	Road Maintenance Council Contracts Project Manager	In Progress	5%		
2.1.1.38	March 2021 Flood disaster works program	Engineering Assets Coordinator	In Progress	90%	Works underway.	
2.1.1.39	Bingara Administration Centre - Furniture & Furnishings (including blinds)	Building Services Manager	Not Started	0%		


In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.1.40	Croppa Creek Road Upgrade Super Patch of entire length of road with 50mm nominal corrector and new bitumen seal	Engineering Services Director	In Progress	0%		
2.1.1.41	Regional Emergency Road Repair Fund Assorted maintenance and capital renewal activities across the shire	Engineering Services Director	In Progress	20%		
2.1.1.42	Federal Government - Roads of Strategic Importance Program - Sealing of 12.3km of County Boundary Road from end of existing seal to Croppa Moree Road.	Engineering Services Director	In Progress	60%		
2.1.1.43	Sealed Rural Roads Capital Works Program Heavy patching and bitumen resealing of sealed roads at various locations across the LGA	Engineering Services Director	Deferred	0%		


In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.1.44	Road Infrastructure Disaster Recovery - Events AGRN960, 987, 1034 Heavy patching, pothole repairs, gravel resheeting and drainage structure replacements across the LGA	Engineering Assets Coordinator	In Progress	30%	Awaiting approval from TfNSW for AGRN1034 Claims. Consultants have nearly completed preparing a claim for damages for AGRN1119 from April 2024	
2.1.1.45	Resheeting of gravel roads at various location across the LGA Unsealed Roads Capital Works Program	Engineering Services Director	In Progress	0%		
2.1.1.46	Heavy patching and bitumen resealing of streets in Warialda and Bingara Urban Roads Rehabilitation - local Roads and Community Infrastructure Phase 4 Part B	Engineering Assets Coordinator	In Progress	10%	Project currently in scoping and design phase.	



2.1.2: Support the growth of our business community

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.2.1	Develop links and implement programs to improve the local economy	Community Assets Manager	In Progress	15%		

In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.2.3	Finalise the strategy for small scale industrial land development.	General Manager	In Progress	70%		

2.1.3: Promote our community as the place to visit, live, work and invest


Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.1.3.1	Build on key relationships with stakeholders to enhance the Gwydir Shire tourism profile	Organisation & Community Services Director	In Progress	15%		
2.1.3.2	Assist in the creation of an environment in which a sustainable level of population and economic growth can occur to benefit local business and tourism	Integrated Planning Reporting & Governance Officer	In Progress	35%		

In  Progress  Complete  Deferred  Not Updated  Not Started


2.2: We are skilled and have access to excellent educational opportunities

Our lives are enriched through access to quality education which enables the development of a skilled workforce and the uptake of local job opportunities.

2.2.1: Increase the range of opportunities to work locally

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.2.1.1	Continue to be proactive in attracting skilled staff, especially Registered Nurses into the Aged Care sector and work towards 24-hour Registered Nurses on site at Naroo Frail Aged Hostel	Integrated Planning Reporting & Governance Officer	In Progress	80%		

2.2.2: Build on our quality education and training opportunities (including through the GLR)

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
2.2.2.1	Implement and manage the Gwydir Learning Region program	Community Assets Manager	In Progress	15%	Ongoing	

In  Progress  Complete  Deferred  Not Updated  Not Started



Goal 3: An environmentally responsible Shire

A sustainable community is characterised by our appreciation of natural surroundings and biodiversity. This is supported by responsible planning and management practices and the lifestyle actions we agree to, to reduce our impact on the natural environment and to conserve valuable resources.


3.1: Our community understands and embraces environmental change

We respect and value our natural environment, understand the effects of our actions and make wise decisions to retain balance. We endeavour to use all our natural resources wisely with a view to minimising the impact on our natural environment.

3.1.1: Encourage respectful planning, balanced growth and good design

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.1.1.1	Implement Development Control Plan based on the Department of Planning NSW standard format including report to Council and Community Consultation	Planning Officer	In Progress	50%		
3.1.1.2	Local Environment Plan review to be completed and implemented	Planning Officer	In Progress	95%		
3.1.1.3	Conduct/Monitor/Review Gwydir Shire Housing Study	Planning Officer	Not Updated	0%		

3.1.2: Respond to our changing environment

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.1.2.1	Annual Telemetry & Technology upgrades	Town Utilities and Plant Manager	In Progress	10%		

In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.1.2.2	Implement Gwydir and Inverell Shire's Regional Drought Resilience Plan	Planning & Environment Team Leader	Deferred	0%		

3.1.3: Value, protect and enhance our natural environment

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.1.3.1	North West Weed Action Program -Gwydir Shire	Planning & Environment Team Leader	In Progress	80%	Report has been submitted	
3.1.3.2	Gwydir River Foreshore - Management Action Plan	Planning & Environment Team Leader	In Progress	25%	inspections are being conducted and materials distributed as supplied	
3.2.2.1	Annual Water Main Replacement Program	Town Utilities and Plant Manager	Not Started	0%		

3.2: We use & manage our natural resources wisely



We take responsibility for the management and consumption of our valuable resources and recognise the impact that our actions have both today and on future generations.

3.2.1: Develop a clean energy future


Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.2.1.1	Audit Streetlighting coverage across the local networks throughout the Shire	Planning & Environment Team Leader	In Progress	10%	Data has been received from Essential Energy	

In  Progress  Complete  Deferred  Not Updated  Not Started

3.2.2: Use our water wisely

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.2.2.3	Water treatment plant improvements	Town Utilities and Plant Manager	In Progress	20%	pneumatic valves refurbishment will be undertaken in November 2024	
3.2.2.4	Gravesend Water Treatment Plant - Stage 2 - Department of Primary Industries and Environment (DPIE)	Town Utilities and Plant Manager	In Progress	20%		

3.2.3: Reduce, reuse and recover waste

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
3.2.3.1	Implement Gwydir Shire Council's Waste Management Strategy	Planning & Environment Team Leader	In Progress	25%	Strategy is being implemented	

In  Progress  Complete  Deferred  Not Updated  Not Started


Goal 4: Proactive regional and local leadership

A collaborative community is informed, has responsible decision making and a sound financial position supported by capable leaders, functional assets and efficient operations to meet the changing needs of the community.


4.1: We are an engaged & connected community

Our thoughts and ideas are valued; we are empowered with the knowledge and have the opportunity to participate. The Council provides the community with timely information about local issues and includes opportunities for the community to participate in initiatives. Community consultation continues throughout the period of the Community Strategic Plan to ensure that residents are engaged and connected.


4.1.1: Encourage an informed community

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.1.1.1	Provide effective communication initiatives to service the community	Media and Communications Officer	In Progress	15%	Council continues to collaborate with Gwydir News. Council is also working with TRAX FM and STA FM to set up repeater stations in Gwydir Shire to enable residents and visitors to receive more information and entertainment.	



4.1.2: Enable broad, rich and meaningful engagement to occur

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.1.2.1	Consistently engage with communities, moving from transactional to transformational relationships	Integrated Planning Reporting & Governance Officer	In Progress	65%	Surveys have been drafted and approved. Will be distributed to the community late Nov/Dec.	


In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.1.2.2	Conduct a review of the effectiveness of communication channels use throughout Gwydir Shire to the wider community. And identify improvements on how Gwydir Shire communicate events and happenings within the community	Media and Communications Officer	In Progress	0%	Council staff are currently reviewing its Media Policy and Strategy. This review will be completed by end December 2024 and presented to Council at its Ordinary Meeting for comment.	

4.1.3: Build on our sense of community

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.1.3.2	Grow relationships with governments, the corporate sector, community organisations and volunteers to enhance the educational experience	Social Services Manager	In Progress	40%		
4.1.3.3	Value and embrace the knowledge and experience of our families as they grow through our services	Social Services Manager	In Progress	50%	Rural Outreach visited to offer support to families regarding healthy relationships, Child protection week and RUOK Day were recognised, Another orientation to preschool was held and Childrens week was celebrated.	


In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.1.3.4	Enhance the value of hope, achievement and aspiration for our young people, children and their families	Social Services Manager	In Progress	45%	The Bingara Preschool School Based Trainee completed the Certificate III in Early Childhood Education and Care. The School Based Trainee completed the last work placement this month, with an Assessor visit and then submitted all the remaining written tasks required. The School Based Trainee was congratulated on this achievement by all team members. The Bingara Preschool also supported a TAFE work placement student. The TAFE assessor visited, and this student was able to complete the final work placement criteria for her Certificate111 in Early Childhood Education and Care. The Bingara Preschool supports and mentors the Trainees and work placement students to be involved in the Bingara Preschool Curriculum during the work placement hours and Assessor visits.	

4.2: We work together to achieve our goals




We respect our community leaders who listen to and act on our behalf, and value our community's knowledge, experience and ideas which help us implement our vision for the future together.

4.2.1: Build strong relationships and shared responsibilities

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.2.1.1	Review and manage programs and initiatives to connect with, and value other cultures	Community Assets Manager	In Progress	15%	Ongoing	

In  Progress  Complete  Deferred  Not Updated  Not Started

4.2.2: Work in partnership to plan for the future

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Progress Key
4.2.2.1	Acquire, disseminate and apply new knowledge to grow evidence informed practice	Social Services Manager	In Progress	40%	Social Services Assistant attended training in Strengthening Children and Teens against Anxiety - the information gained will be disseminated to all of our other Social Services.	
4.2.2.2	Create comprehensive and collaborative models of care and support services that drive successful, responsive and individualised outcomes for families	Social Services Manager	In Progress	40%		
4.2.2.3	Implement emerging technologies and best practice processes to improve efficiency	Social Services Manager	In Progress	50%		

In  Progress  Complete  Deferred  Not Updated  Not Started





Goal 5: Organisational management

The main objective of organisational management is to ensure maximum outputs within minimum resources and effort. Effective organisational management ensures smooth and coordinated functioning of the Council bringing additional benefit to the community, staff and Councillors.



5.1: Corporate management

Good corporate management is about having the right processes for making and implementing strategic decisions.


5.1.1: Financial management and accountability systems

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.1.1	Complete all legislative reporting requirements for Community Home Support Program (CHSP)	Manager of Aged Care	In Progress	90%	Reports are due for CHSP/CT and Aged Care by 31st October and will be submitted on time awaiting full auditors report to attach to financials for CHSP/CT.	
5.1.1.2	Complete all legislative reporting requirements for NSW Transport (CHSP)	Manager of Aged Care	Completed	100%		
5.1.1.3	Complete all Naroo Aged Care Prudential reporting and Quality Indicator reporting within the set timeframes	Manager of Aged Care	In Progress	70%	Quality Indicator report has been submitted. Prudential letters will be sent to Residents and Family when auditors report available.	
5.1.1.4	Complete the works for the Aged Care Approvals Round grant monies as per the grant agreement	Manager of Aged Care	In Progress	40%	Works are progressing. Progress to Date: <ul style="list-style-type: none"> • Site establishment - 12 July 2024 • Demolition completed - 18 September 2024 • Ground work complete - 25 September 2024 • Concrete slab pour - 11 October 2024 	



In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.1.14	Review policies and procedures associated with contracts and procurement in line with LG Procurement regulations, including staff training.	Chief Financial Officer	In Progress	30%		
5.1.1.15	Review and maintain existing corporate accounting practices within the organisation to ensure regulatory compliance and promote responsible financial management.	Chief Financial Officer	Not Updated	0%		



5.1.2: Information management systems

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.2.1	Administer and support Council corporate applications, networks and systems.	Business Improvement & IT Manager	In Progress	30%		



In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.2.4	Manage Council's GIS systems and data in accordance with legislative requirement, with a focus to improve the delivery and use of information	Business Improvement & IT Manager	In Progress	30%		
5.1.2.5	Manage Council's corporate Records and Archive Facilities and Record Management Framework in accordance with legislative requirements.	Business Improvement & IT Manager	In Progress	30%		




5.1.3: Administrative and support functions

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.3.1	Assess and implement solutions that increase efficiencies and quality, whilst reducing costs, to improve processes and systems within Council.	Business Improvement & IT Manager	In Progress	30%		
5.1.3.2	Develop, monitor and maintain Council's Integrated Planning and Reporting requirements	Integrated Planning Reporting & Governance Officer	In Progress	25%		






In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.3.4	Undertake Service Reviews as outlined in the Delivery Program for the financial year.	Business Improvement & IT Manager	In Progress	30%		
5.1.3.5	Review mandatory training requirements to maintain operational effectiveness and compliance.	Org Services Admin & Training Coordinator	Not Started	0%		

5.1.4: Workforce planning






Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.4.1	Build a culture that empowers staff to learn, teach, lead and succeed	Social Services Manager	In Progress	50%	Two staff are now studying the Diploma in Early Childhood Education. Two staff have completed traineeships in Early childhood and three staff are progressing through their bachelor's degree in early childhood teaching.	
5.1.4.2	Implement and report on the actions included in the 2022-2026 Workforce Plan	Integrated Planning Reporting & Governance Officer	In Progress	65%		
5.1.4.3	Development of Human Resources Development processes to manage change and meet individual and organisational needs	Human Resource Officer	In Progress	20%		

In  Progress  Complete  Deferred  Not Updated  Not Started

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.4.4	Provide and support Naroo Aged care staff with necessary training and education	Manager of Aged Care	In Progress	80%	Education plan in place. Clinical Educator delivers education modules on a weekly basis. Altura Learning is available for staff to access for learning opportunities.	
5.1.4.5	Undertake Workforce Planning to ensure that there is an appropriately skilled workforce to meet future challenges and opportunities.	Human Resource Officer	In Progress	65%		
5.1.4.6	Build on key internal relations with staff wellbeing and engagement	Integrated Planning Reporting & Governance Officer	Deferred	10%		
5.1.4.7	Registered Nurse 24/7 to meet Royal Commission into Aged Care recommendations	Manager of Aged Care	In Progress	40%	Work continues with Labour Agreement and The Placing Company to attract overseas nurses to Warialda.	
5.1.5.9	Conduct Council Salary System Review	Human Resource Officer	In Progress	25%		

In  Progress  Complete  Deferred  Not Updated  Not Started

5.1.5: Provide responsible internal governance

Action Code	Action Name	Responsible Position	Status	Progress	Comments	Traffic Lights
5.1.5.1	Embed Workplace Health & Safety into business as usual practice throughout the organisation.	Business Improvement & IT Manager	In Progress	30%		
5.1.5.6	Embed the recommendations from the Royal Commission into Aged Care in both CHSP and Narro Frail Aged Care Hostel	Manager of Aged Care	In Progress	38%	Actions are implemented as Department progresses.	
5.1.5.10	Develop relationships with key stakeholders to ensure council has access to relevant and effective training opportunities.	Org Services Admin & Training Coordinator	Not Started	0%		
5.1.5.11	Integrate and ensure Council's operations and practices align with the risk management framework.	Business Improvement & IT Manager	In Progress	25%		
LCR	Meet all of Councils Legislative Compliance & Reporting requirements as set by the Office of Local Government (OLG)	Integrated Planning Reporting & Governance Officer	In Progress	50%	Annual report and State of our Shire report will go to November council meeting for endorsement.	

In  Progress  Complete  Deferred  Not Updated  Not Started

6.7 Council's Investment Report

File Reference:	NA
------------------------	----

Delivery Program

Goal: 5. Organisational management

Outcome: 5.1 Corporate management

Strategy: 5.1.5 Provision of responsible internal governance

Author: Helen Thomas, Chief Financial Officer

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

At each monthly Ordinary Meeting, the Council is presented with the schedule relating to Investments, as at the end of the previous month.

TABLED ITEMS Nil

BACKGROUND

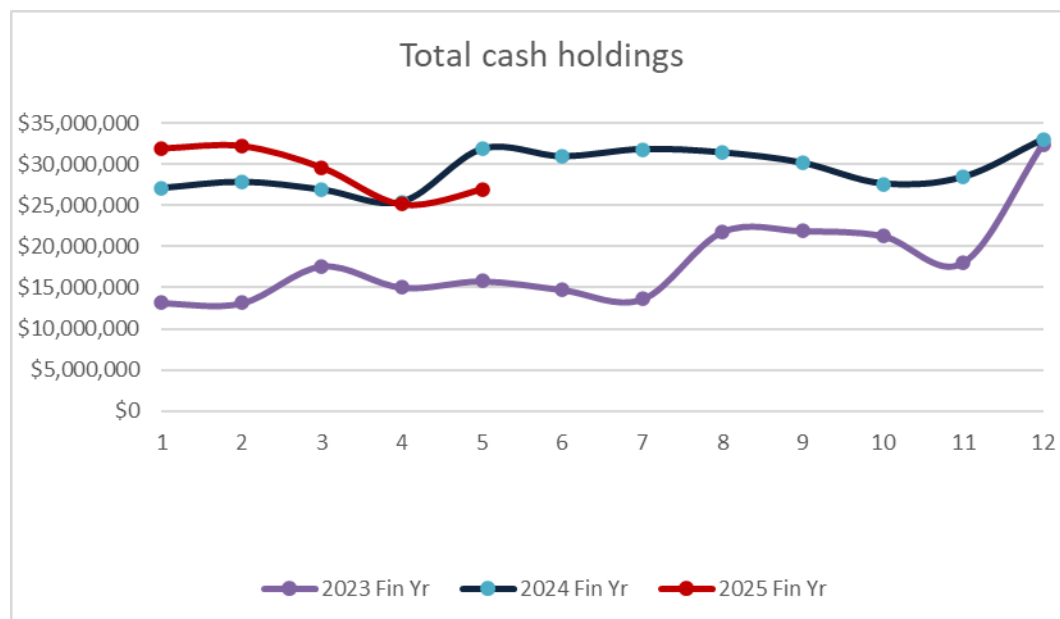
In accordance with Clause 19(3) of the Local Government (Financial Management) Regulation 1993, the following information provides details of Council's funds invested as at 30 November 2024.

Cash and Investments

Total Investments	
Managed Funds	\$3,470,073.93
Grand Total Investments	\$3,470,073.93

Total Cash and Investments	
Investments	\$3,470,073.93
Cash at bank	\$23,503,848.35
Grand Total Cash and Investments	\$26,973,922.28

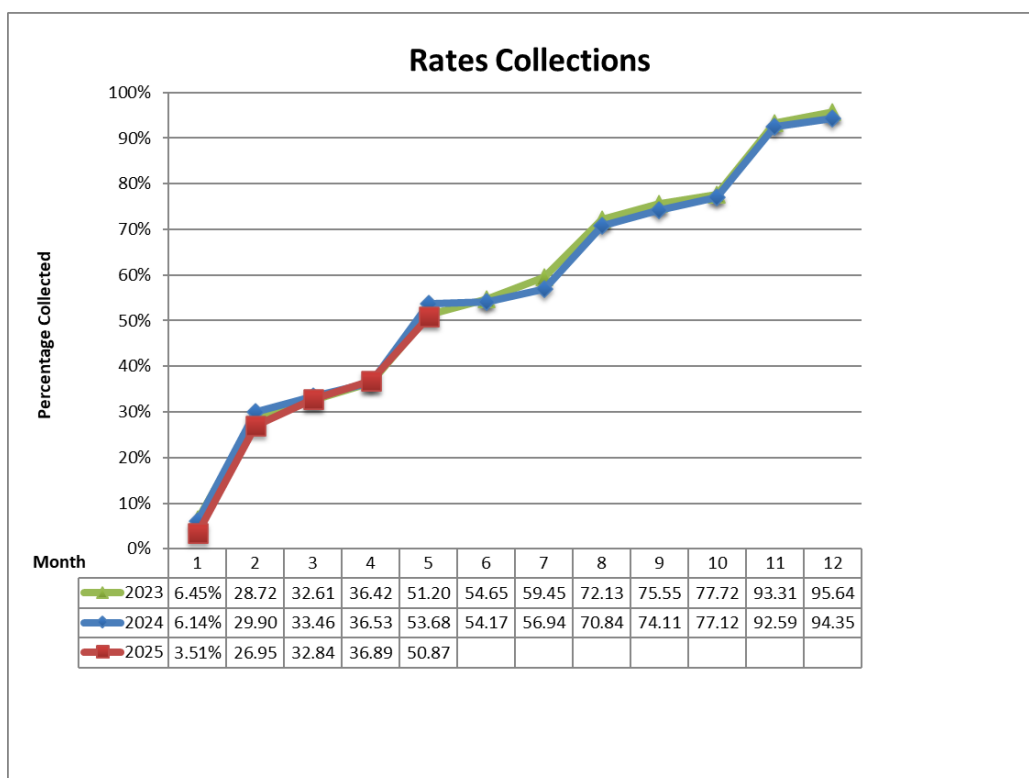
General Fund Cash	
Total cash and investments	\$26,973,922.28
LESS:	
Water fund*	-\$1,523,818.00
Sewer fund*	-\$1,393,841.00
Waste fund*	-\$4,747,876.00
Other restrictions:	
Employee leave entitlements*	-\$1,000,000.00
Bonds and deposits	-\$1,566,237.68
Unexpended grants*	-\$7,090,193.00
Developer contributions	-\$514,426.00
Asset Replacement Program	-\$731,451.00
Internal Restrictions*	-\$6,628,610.00
Discretionary General Fund Cash	\$1,777,469.60



I, Helen Thomas, CFO and Responsible Accounting Officer for Gwydir Shire Council, certify that the Council's investments have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's Investment Policy, as amended.

RATES COLLECTIONS

The graph below represents a comparative of the percentage collections for the current year against the two previous rating years. The current years collections are up to 30th November 2024.



OFFICER RECOMMENDATION

THAT the November Monthly Investment and Rates Collection report be received.

ATTACHMENTS

Nil

COUNCIL RESOLUTION:

THAT the November Monthly Investment and Rates Collection report be received.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

6.8 Draft Gifts and Benefits Policy

File Reference: NA

Delivery Program

Goal: 5. Organisational management

Outcome: 5.1 Corporate management

Strategy: 5.1.1 Financial Management and accountability systems

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends the adoption of the Gifts and Benefits Policy.

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the Draft Gifts and Benefits Policy is adopted.

ATTACHMENTS

1. Draft Gifts and Benefits Policy [6.8.1 - 3 pages]

COUNCIL RESOLUTION:

THAT the Draft Gifts and Benefits Policy is adopted.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council Gifts and Benefits Policy

Department: Finance

Responsible Manager: General Manager

Date Adopted: 30 May 2024

File Ref: 24/15199

Version No: 1.2

Next Review: May 2027

Pages: 3

1. Objective

To assist Councillors and staff to determine the appropriate action to follow the respect to the acceptance or rejection of gifts and benefits.

2. Policy

Council officials, at some stage in their career may be offered a gift or benefit in the course of their work. The gift or benefit could be offered innocently in good faith or could be an attempt of influence. Feelings of obligation can arise if council officials accept a gift or benefit. Once such a gift is accepted, a council official can be compromised. Individuals attempting to corrupt council officials often start with small inducements that appear to have no improper motive behind them.

Corruptly receiving a gift or a benefit is an offence under both the common law and NSW legislation. The offence extends to the offering or seeking of a gift or benefit.

1. Councillors and staff members should not (directly or indirectly) seek or demand from any person or body any preset or promised future reward, payment, gratuity, gift, donation concession, or other benefit for themselves, or for any other person or body (including Council):
 - In connection with the performance of their office or duties.
 - In relation to services performed (or to be performed) by the Council, or which might tend (or be seen) to influence them in their official capacity.
2. Councillors and staff should not accept a gift or benefit of more than token value.

OFFERS OF MONEY IN ANY FORM SHOULD NEVER BE ACCEPTED

3. Any councillor or staff member who is offered a gift or benefit against their will should report the incident in writing to the general manager. Such report should include:
 - Date, time and place of the incident.
 - To whom the gift or benefit was offered
 - Who offered the gift and benefit and contact details (if known)
 - The response to the offer
 - Any other relevant details of the offer
4. If the situation arises where a gift of more than token value cannot reasonably be returned or refused, the person receiving the gift should hand it over as property of the Council.
5. Gifts of token value may be accepted by councillors and staff provided they do not create a sense of obligation in the receiver that will influence, or appear to influence, the exercised of his/her official duties. (For the purpose of this policy, token value is taken to be less than \$50. If more than one gift or benefit is involved the cumulative value should not exceed \$50 over a 12-month period.)
6. Councillors and staff should take reasonable steps to ensure that members of their family and relatives do not receive benefits which could give the appearance of an indirect attempt to secure influence or favour.
7. Councillors and staff should decline any offer which is individually targeted and not available generally to other councillors and employees or industry participants who share a common

task or purpose. However, Councillors and staff may accept token gifts/benefits given in appreciation e.g.:

- a councillor receiving some flowers.
 - a childcare worker receiving a token gift at Christmas time e.g. cake or soap.
 - a cup of coffee offered to an outdoor staff member.
 - A plate of sandwiches offered as a working lunch.
8. A Gifts & Benefits Register is maintained in Pulse where employees and Councillors who receive a gift or benefit of more than token value must complete the form within Pulse.

A report will be presented to Council each year giving details of entries in the Gifts & Benefits Register for the previous period. Furthermore, managers will be asked at Senior management meetings as a standing item, if they have been made aware of any such Gifts or Benefits that need to be recorded.

3. Related Documents

Local Government Act 1993

Fraud and Corruption Policy

4. Revision Record

Date	Version	Revision Details	Officer
February 2009	1.1	Document creation	Kristy Smith
April 2024	1.2	Document updated	Graham Cutmore

6.9 Draft Keeping of animals policy

File Reference: NA

Delivery Program

Goal: 1. A healthy and cohesive community

Outcome: 1.1 We have healthy and inviting spaces and places

Strategy: 1.1.2 Encourage and enable healthy lifestyle choices

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends the adoption of the Keeping of animals Policy.

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the Keeping of Animals Policy is adopted.

ATTACHMENTS

1. Draft Keeping of Animals Policy [6.9.1 - 11 pages]

COUNCIL RESOLUTION:

THAT the Keeping of Animals Policy is deferred for consideration at the February 2025 Council Meeting for a more definitive explanation of what the term 'is not considered appropriate' means.

(Moved Cr Scot Crispin, Seconded Cr Adrian Willmot)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council Keeping of Animals Policy

Department: Planning and Environment Services

Responsible Manager: Planning and Environment Team Leader

Date Adopted:

File Ref: 12/8014

Version No: 1.2

Next Review: Jul 2027

Pages: 11

Table Of Contents

1. Overview	3
1.1 Objective	3
1.2 Purpose.....	3
1.3 Scope	3
1.4 Background	3
2. Policy	4
2.1 General	4
2.2 Table of Requirements.....	4
2.2.1. Site Distances ¹	4
2.2.2. Keeping of Animals – Table of Animals NOT Permitted.....	9
2.3. Compliance, monitoring and review	10
3. Related Documents.....	11
4. Revision Record.....	11

1. Overview

1.1 Objective

This policy objective is to establish the Council's position in relation to acceptable Keeping of Animals.

1.2 Purpose

This Policy aims to provide minimum standards for the keeping of animals to:

- a) reduce adverse impacts on adjoining properties
- b) protect and promote the welfare of animals
- c) protect the welfare and habitat of wildlife
- d) minimise the disturbance of or damage to protected vegetation.

1.3 Scope

The Keeping of Animals Policy (the policy) applies to any animal(s) kept on residential land within the Gwydir Shire Council local government area.

Animal includes a mammal, bird, reptile, amphibian or fish but does not include a human being (as defined by the *Prevention of Cruelty to Animals Act*).

The Policy applies to land zoned RU5 Village under the Gwydir Local Environment Plan (LEP)

The Policy may also be used where animals(s) are kept in non-residential areas where the keeping of animal(s) is causing or has the potential to cause impacts on adjoining lands.

The Policy applies to keeping of animals for hobby or companion purposes. Keeping of animals for commercial breeding or racing purposes is beyond the scope of the Policy and may require development consent.

1.4 Background

Council may exercise controls over the keeping of animals under the following NSW legislation:

- Local Government Act 1993
- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Protection of the Environment Operations Act 1997
- Public Spaces (Unattended Property) Act 2021
- Companion Animals Act 1998
- Gwydir Local Environmental Plan 2013

2. Policy

2.1 General

The “Advisory Table” provides a guide to appropriate numbers for keeping of animals that Council may consider when required to address any impact created by the keeping of any animal species.

Animals must be kept in a manner that is:

- a) clean and healthy for people and the animal
- b) prevented from escaping
- c) free from promoting harbourage of vermin, including flies and/or insects
- d) free of offensive odours, noise and/or dust
- e) free of wastes, including body wastes having the potential to produce pollution impacts
- f) free of any other impacts upon neighbouring residents, including safety risks.

While Council provides this information as a guideline, the NSW *Government's State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* outlines required setbacks for the structures required for keeping of animals in NSW. Structures which do not comply with the SEPP will require development consent.

2.2 Table of Requirements

The following table provides a guideline for the keeping of animals in residential land and may be used in conjunction in maintaining a health and safe environment for the keeping of animals.

The maximum number of animals are a guide. Enforcement action may be taken where less than the number are kept and unhealthy, unsafe or any other adverse impacts are being produced. Animal includes any non-human being or living creature.

The keeping multiple species of animals will potentially impact the maximum number of each species kept. This will be determined on a case by case basis taking into account the factors listed in this policy under Section 2.3.

2.2.1. Site Distances¹

The distances indicated in the second column of the table are to be measured in metres from the animal yard or enclosure to the nearest dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food. **In the event that a dwelling, or development, is subsequently legally erected within the prescribed distance, the animal is to be located to restore the required distance.**

The distances specified (except in the case of pigs) may be varied at a meeting of the Council and notified in writing to the occupier of premises in a particular case.

¹ Also refer to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Species	Maximum Number	Minimum Distance (from certain buildings)	Requirements
Any other species not listed			<p>Contact with Council is recommended before introduction to residential areas.</p> <p>The keeping of the animals must not cause any of the impacts listed in Section 2.3.</p>
Alpacas/Llamas (hembra, cria)	1 per 500m ²	9 metres	<p>The keeping of alpacas/llamas in residential properties of less than 2,000m² is not considered appropriate.</p> <p>A greater separation distance may be required by Council in particular cases.</p> <p>Fencing must be strong and durable to prevent escape.</p>
Bees	2 Hives	9 Metres Hives should not be located within 100m of schools, childcare centres, hospitals or other public facilities.	<p>Must be kept according to Department of Primary Industries requirements.</p> <p>The NSW Department of Primary Industries is the regulatory authority under the NSW Biosecurity Act. For further information on the keeping of bees and / or to report nuisance bees refer to the www.dpi.nsw.gov.au. Competition by feral honeybee, <i>Apis mellifera</i> is listed as a key threatening process under Schedule 3 of the Threatened Species Conservation Act.</p>
Cats	4 Over the age of 6 months	Appropriate distance to avoid nuisance to adjoining premises	<p>Cats should be kept in numbers and breeds appropriate to the size of the property and should be kept indoors at night.</p> <p>Cats should wear collars with a tag displaying their name and owners address and/or phone number with a bell attached.</p> <p>The Companion Animals Act, 1998 requires that cats must be registered and microchipped from 12 weeks of age and must wear a collar with a name tag displaying the cats name and the address and/or phone number of the owner.</p> <p>Where complaints are received, the criteria in Appendix 2 will be used.</p> <p>Pet Foods should not be left outside. They can be a source of nourishment for foxes and other animals.</p> <p>Pests including fleas, ticks, flies, lice, and wild rodents must be controlled.</p> <p>Note: Under the Companion Animals Act, Council does not have any regulatory powers to restrict roaming cats, unless incontrovertible evidence is available that shows the cat is causing a nuisance to neighbours.</p>

Species	Maximum Number	Minimum Distance (from certain buildings)	Requirements
Cattle (cow, ox, heifer, steer, calf, bullock, and/or buffalo)	1 per 2000m ²	9 metres	<p>The keeping of cattle in residential properties of less than 2,000m² is not considered appropriate.</p> <p>A greater separation distance may be required by Council in particular cases.</p> <p>Fencing must be strong and durable to prevent escape. Stables and sheds must be hard paved and graded to drain.</p> <p>With regard to cattle, manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.</p>
Cockatoos	2	Appropriate distance to avoid nuisance to adjoining premises	Cockatoos are generally not appropriate as domestic pets as they often present a significant noise nuisance.
Dogs	4 Over the age of 6 months	Appropriate distance to avoid nuisance to adjoining premises	<p>Dogs should be kept in numbers and breeds appropriate to the size of the property.</p> <p>Dog owners are responsible for ensuring that yards are kept in a healthy condition and faeces is suitably disposed of when exercising dogs in public areas.</p> <p>Pet Foods should not be left outside. They can be a source of nourishment for foxes and other animals.</p> <p>Pests including fleas, ticks, flies, lice, and wild rodents must be controlled.</p> <p>Owners should remain aware of any noise nuisance created by barking dogs as they are subject to noise and nuisance.</p>
Ferrets	4	3 metres	The keeping of ferrets is not recommended; however, where proper care (including appropriate secure cages) is available, the keeping of ferrets may be undertaken provided no nuisance is created. Cages should be adequate to prevent escape.
Geese, Turkeys & Ducks	2	9 metres	Poultry, domestic and guinea fowl requirements apply

Species	Maximum Number	Minimum Distance (from certain buildings)	Requirements
Goats (doe, wether and kid)	1 per 500m ²	9 metres	The keeping of goats in residential properties of less than 2,000m ² is not considered appropriate. A greater separation distance may be required by Council in particular cases.
Greyhounds	4	Appropriate distance to avoid nuisance to adjoining premises	Greyhounds must be registered under the Greyhound Racing Act 2017. Dog owners are responsible for ensuring that yards are kept in a healthy condition and faeces is suitably disposed of when exercising dogs in public areas. Greyhounds must satisfy the muzzling requirements of the requirements of the Companion Animals Regulation 2018 Owners should remain aware of any noise nuisance created by barking dogs as they are subject to noise and nuisance dog restrictions under Protection of the Environment Operations Act, 1997 & The Companion Animals Act, 1998
Horses (mare, gelding, colt, filly, foal, hinny, mule, donkey and/or ass)	1 per 2000m ²	9 metres	The keeping of horses in residential properties of less than 2,000m ² is not considered appropriate. A greater separation distance may be required by Council in particular cases. Fencing must be strong and durable to prevent escape. Stables and sheds must be hard paved and graded to drain. With regard to horses, manure shall be raked up daily and placed in suitable, fly proof containers, or other suitable means, approved by Council until removed from the site. All manure containers shall be cleaned and disinfected at least once every seven (7) days.
Pet rats, mice & guinea pigs	4 of each variety	3 metres	Rats and mice are to be kept indoors only in appropriate cages which are to be kept odour free. Care should be taken to prevent excessive breeding and must not be released into the environment.
Pigs	Nil	N/A	Pigs are Prohibited in residential zones. For zones where pigs are permitted other restrictions may apply, please contact Council for more information.
Poultry, other than fowls, including peafowl and other pheasants	10	9 metres	Poultry, domestic and guinea fowl requirements apply

Species	Maximum Number	Minimum Distance (from certain buildings)	Requirements
Poultry, domestic and guinea fowl	10	4.5 metres Council can however require the keeping of domestic poultry or fowl have a greater distance in some cases.	<p>Keeping of poultry must not create a nuisance or be dangerous or injurious to health. Poultry yards must at all times be kept clean and free from offensive odours. Council may, insist on the keeping of domestic poultry or guinea fowl at a greater distance than 4.5 metres in particular cases.</p> <p>Roosters are not permitted in residential areas</p> <p>Poultry yards must be enclosed to prevent escape of poultry.</p> <p>Yards must be kept clean and free from odours and vermin.</p> <p>The base of poultry enclosures must be paved with concrete or mineral asphalt unless situated on clean sand.</p> <p>Relevant clubs or associations may be contacted for advice to assist Council in resolving disputes.</p>
Pigeons	60 pairs – Registered racing pigeon owners 10 pairs – Non registered owners	9 metres	<p>Cages and aviaries must be of appropriate size and regularly cleaned.</p> <p>The State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 – outlines design particulars for the construction of aviaries that do not require Development Consent of the Council.</p> <p>All birds should be kept in accordance with the NSW Animal Welfare Code of Practice Number 4 – Keeping and Trading of Birds Registered bird breeders may keep more breeding/show birds but are subject to the requirements of the Protection of the Environment Operations Act.</p> <p>A National Parks and Wildlife permit is required to keep more than 19 protected birds, or if you wish to sell a protected bird.</p> <p>Noisy birds should be restricted in number and are subject to the requirements of the Protection of the Environment Operations Act.</p>
Rabbits	4	3 metres	<p>Must be domestic breed and kept in cage. Must not be released into environment.</p> <p>Live virus vaccines, eg fibroma (myxomatosis) vaccine, are prohibited without approval under clause 17A of the Biosecurity Regulation.</p>
Roosters	Prohibited in residential areas and village zones.	N/A	The keeping of roosters is not considered appropriate in residential areas due to noise.

Species	Maximum Number	Minimum Distance (from certain buildings)	Requirements
Reptiles	As appropriate in the circumstances with appropriate licences.	Appropriate distance to avoid nuisance to adjoining premises	National Parks and Wildlife Act, 1974 requires a Reptile Keeper's Licence to be held for anyone who keeps captive-bred reptiles. It is against the law to take reptiles from the wild. Advice on the keeping of reptiles should be sought from the National Parks and Wildlife Service in all cases. All species must be adequately housed to prevent escape. The keeping of snakes may cause concern to neighbours.
Sheep (ewe, wether, hogget & lamb)	1 per 500m ²	9 metres	The keeping of sheep in residential properties of less than 2,000m ² is not considered appropriate. A greater separation distance may be required by Council in particular cases.

2.2.2. Keeping of Animals – Table of Animals NOT Permitted

The following table provides a guideline for the keeping of animals in residential land and may be used in conjunction in maintaining a health and safe environment for the keeping of animals.

Species/Animal	Reason
Billy Goats	Aggression
Bulls	Aggression
Pigs	Local Government Prohibition
Rams	Aggression
Roosters	Noise
Jack	Aggression
Stallions	Aggression
Machos	Aggression

2.3. Compliance, monitoring and review

Council may take compliance or enforcement action to address any impact produced by the keeping of any animal(s), regardless of the number being kept or the distance from a dwelling.

An impact may include:

- a) noise
- b) odour
- c) effluent discharge
- d) drainage
- e) dust
- f) insect or pest generation and/or nuisance
- g) attract and/or harbour vermin
- h) roaming
- i) potential health risk
- j) potential safety risk
- k) visual impact

Where Council decides to take action to address any impact, such action will be undertaken in accordance with the Council's policies and procedures.

This policy will be reviewed at least once every term of Council.

Staff must maintain all records relevant to administering this policy in Council's recordkeeping system.

3. Related Documents

- *Prevention of Cruelty to Animals Act 1979*
- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *Protection of the Environment Operations Act 1997*
- *Public Spaces (Unattended Property) Act 2021*
- *Companion Animals Regulation 2018*
- *Gwydir Local Environmental Plan 2013*
- *Biosecurity Act 2015 (NSW)*
- *Greyhound Racing Act 2017*
- *Councils Code of Conduct*

4. Revision Record

Date	Version	Revision Details	Officer
Sept 2008	1.0	Document creation	ES Manager
July 2012	1.1	Document modified	Kirsty Smith
June 2024	1.2	Document reviewed	Saul Standerwick

6.10 Draft Waste Collection Policy

File Reference: NA

Delivery Program

Goal: 3. An environmentally responsible shire

Outcome: 3.2 We use and manage our natural resources wisely

Strategy: 3.2.3 Reduce, reuse and recover waste

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends the adoption of the Mobile Garbage Bin & Waste, Recycling, & Food Organics & Garden Organics Collection Policy

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the Mobile Garbage Bin & Waste, Recycling, & Food Organics & Garden Organics Collection Policy is adopted.

ATTACHMENTS

1. Draft Waste Collection Policy [6.10.1 - 11 pages]

COUNCIL RESOLUTION:

THAT the Mobile Garbage Bin & Waste, Recycling, & Food Organics & Garden Organics Collection Policy is adopted.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council

Mobile Garbage Bin & Waste, Recycling, & Food Organics & Garden Organics Collection Policy

Department: Planning and Environment Services

Responsible Manager: Planning and Environment Team Leader

Date Adopted:

File Ref: 14/14011

Version No: 1.2

Next Review: Jul 2027

Pages: 11



Table Of Contents

Overview.....	3
1.1 Objective	3
1.2 Definitions	3
2. Policy	4
2.1 Issue of Mobile Garbage Bins (MGB)	4
2.1.1. Residential.....	4
2.1.2. Commercial/non-rateable	4
2.1.3. Cost of Service and Upgrades	4
2.2 Collection of Mobile Garbage Bins (MGB)	5
2.2.1. Presentation	5
2.2.2. Frequency	5
2.2.3. Public Holidays.....	5
2.2.4. Material to be collected.....	5
2.3 Contamination	8
2.4 Weight.....	8
2.5 Reinstatement of Bins	8
2.5.1. Council Responsibility.....	8
2.5.2. Customer Responsibility	8
2.6 Stolen Mobile Garbage Bins (MGB).....	8
2.7 Damaged or Destroyed Mobile Garbage Bins (MGB)	9
2.8 Ownership and Bailment of Mobile Garbage Bins (MGB)	9
2.8.1. Ownership	9
2.8.2. Bailment	9
2.8.3. Responsibility as Bailees	9
2.8.4. Return of MGBs.....	9
2.8.5. Council's Right to Terminate Bailment.....	9
2.8.6. Identifying MGBs	9
2.9. Compostable Liners for Kitchen Caddy.....	10
2.10. Other Waste Management Services	10
3. Related Documents.....	11
4. Revision Record.....	11

Overview

1.1 Objective

This policy details Council's requirements for the kerbside collection of General Waste, Recycling and Food Organics and Garden Organics within the Shire.

This policy serves to ensure clear guidelines and responsibilities related to the issuing, replacement and maintenance of MGBs. It specifies under what circumstances the council will bear the cost of replacement, and when the responsibility for payment falls on the contractor or customer. This policy details the MGB allocations for the different types of services and upgrades. It also covers procedures for stolen or damaged MGBs and the provision of compostable liners for Kitchen Caddy.

It is the responsibility of customers to adhere to these guidelines and to refer to the council's contamination policy and annual fees and charges schedule for additional information. The council is committed to delivering efficient and cost-effective waste collection and processing services to the community.

1.2 Definitions

Term	Definition
MGB	Mobile Garbage Bin
FOGO	Food Organics and Garden Organics
Standard Bin Allocations	
Domestic Waste collection	1 x 140L general waste red lidded MGB 1 x 360L recycling yellow lidded MGB 1 x 240L FOGO Green lidded MGB
Commercial & Non – Rateable Waste Collection	Minor 1 x 240L general waste red lidded MGB 1 x 360L recycling yellow lidded MGB
	Small 2 x 240L general waste red lidded MGB 2 x 360L recycling yellow lidded MGB
	Medium 4 x 240L general waste red lidded MGB 4 x 360L recycling yellow lidded MGB
	Large 7 x 240L general waste red lidded MGB 7 x 360L recycling yellow lidded MGB

2. Policy

2.1 Issue of Mobile Garbage Bins (MGB)

2.1.1. Residential

A residential property upon confirmation of levying of the domestic waste collection charge will be issued with a 140L Red lidded MGB for general waste collected weekly upon presentation to the kerbside. A 360L or 240L Yellow lidded MGB for eligible recyclable materials and a 240L Green lidded MGB for FOGO. The collection of the latter two MGBs are on alternating fortnights. An optional kitchen caddy and roll of caddy liners may be issued with the FOGO MGB if required by the resident.

2.1.2. Commercial/non-rateable

A Commercial or Non-Rateable service, upon confirmation of levying of the corresponding charge for the waste collection, will be issued with the required number of the following MGBs. 240L Red lidded MGB for general waste collected weekly upon presentation to the kerbside. A 360L or 240L Yellow lidded MGB for eligible recyclable materials. A 240L Green lidded MGB for FOGO will be supplied with no additional charge for eligible services. The collection of the latter two MGBs are on alternating fortnights. An optional kitchen caddy and roll of caddy liners may be issued with the FOGO MGB if required by the customer.

2.1.3. Cost of Service and Upgrades

The cost of MGB services and any upgrades to MGB sizes or types are subject to the council's approved fees and charges. Customers should refer to the most recent fee schedule for information on service costs and potential upgrades.

The cost of MGB services and any upgrades to MGB sizes or types are subject to the council's approved fees and charges. Customers should refer to the most recent fee schedule for information on service costs and potential upgrades.

- i. **Domestic Waste Services:** with the levying of the annual upgrade charge the Domestic Waste Collection general waste services can be upgraded to either an additional 140L general waste MGB, or a 240L general waste MGB (which requires the return to the council of the 140L general waste MGB)
- ii. **For Commercial and Non-Ratable services:** the charges are levied based on the amount of waste generated at the property. If a kerbside collection is utilised the issuing of MGBs will correspond up to the size of the levy. A 'minor' service includes one 240L Red lidded MGB for general waste and a 360L Yellow lidded MGB for eligible recyclable materials. A 'small' service includes up to two 240L Red lidded MGB for general waste and up to two 360L Yellow lidded MGB. A 'medium' service includes up to four 240L Red lidded MGB for general waste and up to four 360L Yellow lidded MGB. A 'large' service includes up to seven 240L Red lidded MGB for general waste and up to seven 360L Yellow lidded MGB. Alternative sized MGBs and configurations of services are available upon application and subject to availability.
- iii. **Cardboard Collection Cages:** the cardboard collection cages are distributed throughout the Shire and are for the use of residents and business based in the Shire. Their use is conditional on they are limited to uncontaminated

flattened cardboard only. The use of the cardboard cages is included at no additional cost.

- ii. **Cardboard Collection Cages:** this service may be altered or withdrawn without notice by the Council.

2.2 Collection of Mobile Garbage Bins (MGB)

2.2.1. Presentation

- i. MGBs should be presented at the kerbside the night before the scheduled collection.
- ii. MGBs should be presented at the kerbside at a distance of 1m apart.
- iii. MGBs should be presented with their lids closed
- iv. MGBs should be presented facing the road (i.e. wheels and handle towards house).
- v. MGBs should be presented at least 1 metre clear from trees and obstructions such as cars, power poles

2.2.2. Frequency

- i. Collections are weekly for general waste
- ii. Collections are alternating weeks (fortnightly) for recycling and FOGO services.
- iii. Alternative collection options may be available upon application and subject to availability and additional charges.

2.2.3. Public Holidays

Collections that fall on a public holiday will occur as scheduled.

2.2.4. Material to be collected

- i. **Red lid is for general household waste.**
Once waste from your bin is collected, it is buried in landfill where it will never be used again. That is why it is important to minimise what you place in your red lid bin where possible.

General waste includes:

- Nappies
- Small broken items (e.g. ceramics and crockery)
- Plastic bags, film and wrappers
- When placing items in your waste bin please remember items which **CANNOT** be disposed of in your garbage bin include (but are not limited to):

- No asbestos
- No hazardous materials or chemical substances
- No paints or thinners
- No gas bottles
- Building materials
- No Car batteries and parts
- Syringes and medical waste
- Any item too large to fit in the bin
- Excessive Weight over 55 Kilograms

ii. **The yellow lid is for recycling**

Once your recyclables from your bin are collected, they are sorted into product categories. From there they are sent to manufacturers to be turned into brand new products. Your recycling service saves valuable resources from being buried in landfill where they will never be used again.

Acceptable items include:

- Plastic bottles and containers
- Paper, cartons and cardboard
- Glass bottles and jars
- Tin and aluminium cans
- When placing items in your recycling bin, please:
- Do not place recyclable items in plastic bags
- Flatten cardboard
- Rinse all containers (use your washing up water when finished)
- Remove lids from bottles and jars
- No e-waste (electrical items)

Items which *CANNOT* be disposed of in your recycling bin include (but are not limited to):

- Bagged recycling
- Foam
- Plastic bags
- Plastic film and wrappers
- Unwanted or broken items

- Broken glass
- Ceramics
- Clothing/Rags or second-hand items
- Electronic goods
- Foam
- Paint or chemical containers
- General Waste
- FOGO waste

iii. **Organics collection service will be the lime green lid and a small kitchen caddy for food scraps**

Residents should use this bin for disposing of their food scraps that they collect in their kitchen caddy. These scraps can include raw and cooked food like meat and vegetables, paper towels, tea bags and coffee grounds.

Larger garden organics such as tree stumps and large branches can be taken to your local landfill for appropriate disposal.

When placing items in your garden and kitchen organics bin:

- No plastic bags or rubbish
- Ensure sticks and branches placed in the bin are a maximum of 1m in length
- Grass clippings
- Leaves
- Twigs & branches
- Prunings & flowers
- Food scraps
- Bones
- Plastic bags cannot be used as an alternative, even if they are labelled as biodegradable, as they may not break down quickly enough for composting.

Items which *CANNOT* be disposed of in your organics bin include (but are not limited to):

- Plastic bags
- Dirt, rocks and soil
- Tree trunks and logs
- Nappies

- Building materials
- Broken Glass
- Ceramics
- Timber/Building Materials

2.3 Contamination

Reference to the council's contamination policy should be noted, as MGBs found to be contaminated may not be eligible for collection. Contaminated MGBs are subject to the terms outlined in the contamination policy.

2.4 Weight

Reference to the council's contamination policy should be noted, as MGBs in excess of the specified maximum weights for the corresponding bin size will not be collected.

2.5 Reinstatement of Bins

2.5.1. Council Responsibility

The council will initially provide the required MGBs to eligible properties and businesses in accordance with this policy and in line with the services levied. The council is responsible for replacing MGBs that are damaged during normal use and wear and tear at no cost to the property or business owner. If the contractor is responsible for damage to an MGB the contractor will bear the cost of the repair or replacement of the MGB.

2.5.2. Customer Responsibility

Property or business owners are responsible for the cost of replacement when the damage or loss of a MGB is due to their negligence, misuse, or any other action that damages the MGB. This includes damage or destruction that results from exceeding the weight load limit for the MGB. For cases of theft see section 2.6.

2.6 Stolen Mobile Garbage Bins (MGB)

If a MGB is stolen, a police report number must be provided to the council before a replacement MGB is issued. The council may investigate the matter further before issuing a replacement MGB. The council will cover the cost of replacement in the first instance unless the MGB was stolen as a result of the customer's gross negligence, recklessness or misconduct. Any subsequent requests to cover the costs for replacement for stolen MGBs by the same customer or for the same property, business or non-rateable service, is at the discretion of the Council and may be subject to conditions.

In the case of a rental premises, it is recommended that the MGBs are checked and verified to be on the premises at the end of a tenancy. The owner will be liable for replacement costs for any missing MGBs in these circumstances.

2.7 Damaged or Destroyed Mobile Garbage Bins (MGB)

In the event of a damaged or destroyed MGB, the customer should report the damage or destruction to the council or the waste hotline. The council will assess the damage or destruction and direct its contractor to repair or replace the MGB if it is deemed to be necessary for the serviceability or functioning of the MGB. The repair or replacement cost will be covered by the council, unless section 2.5.2 applies, or if damage or destruction was the result of the contractors' actions, the cost will be covered by the contractor.

2.8 Ownership and Bailment of Mobile Garbage Bins (MGB)**2.8.1. Ownership**

MGBs provided by the council are the property of the council and are entrusted to customers for the specific purpose of waste collection. While in the possession of customers, the MGBs remain the property of the council, and ownership does not transfer to the possessor.

2.8.2. Bailment

The arrangement between the council and customers regarding the use of MGBs is a bailment. This bailment is a temporary transfer of possession and not a transfer of ownership. Customers are entrusted with the MGBs for the duration of their use in accordance with the council's policies for the property the MGBs were issued to.

2.8.3. Responsibility as Bailees

As bailees, customers are responsible for the safekeeping and proper use of the MGBs while they are in their possession. This includes preventing theft, damage due to negligence, or any misuse that may result in harm to the MGB. The MGB is bailed to the customer for the property it is issued to. The MGBs are not to be transferred to another property without the explicit consent of the council.

2.8.4. Return of MGBs

At the end of the MGB's service life or when the customer no longer requires the MGB, it is the responsibility of the owner to arrange the return the MGB to the council in a reasonable and satisfactory condition. The council reserves the right to inspect the MGB upon its return and may charge for any excessive damage that occurred while in possession of the property or business owner, or for the replacement of the MGB.

2.8.5. Council's Right to Terminate Bailment

The council retains the right to terminate the bailment and request the return of the MGB at any time if the customer is found to be in violation of the terms of council policy, including misuse, deliberate damage, contamination, or failure to return the MGB upon request.

2.8.6. Identifying MGBs

You may help identify your bin by writing your property number on the inside of the lid. Bins are also stamped with a unique number that is recorded against your property to allow future identification should it be lost or stolen.

2.9. Compostable Liners for Kitchen Caddy

Customers in need of compostable liners for their kitchen caddy can request them by calling the waste hotline. A roll of compostable liners will be delivered to the property on the next collection day. For customers receiving a FOGO service, there is no additional charge for compostable liners.

2.10. Other Waste Management Services

- 2.10.1.** Street/Reserve/Park Litter Bins will be installed and serviced at locations where it has been determined by Council that there is a need for this service. It is an offence to dispose of household rubbish in these bins.
- 2.10.2.** Council owns and operates a Transfer Station at North Star and a Waste Management Centres at Bingara, Coolatai, Croppa Creek, Upper Horton and Warialda. The ratepayers and residents can dispose of waste at these facilities during opening times in accordance with the law and any signs posted or direction given by staff.
- 2.10.3.** Warialda Rail and Gravesend landfills are restricted to residents living in their respective catchment areas.
- 2.10.4.** Council in conjunction with external bodies will provide residents with information on waste minimisation, eg composting.
- 2.10.5. Household Chemicals** Old and leftover chemicals around the home can be hazardous to the health of our families, animals and our environment. In conjunction with the NSW Environmental Protection Agency (EPA) and the Northern Inland Regional Waste Group, there is an Annual Household Chemical CleanOut day. For more information, please refer to Council's website www.gwydir.nsw.gov.au
- 2.10.6. Mobile** phones can be dropped off at Council branch offices or participating retail outlets for recycling.
- 2.10.7. Unwanted or Expired Medicines** can be returned to any pharmacy at any time.
- 2.10.8. Printer and Toner Cartridges** can be taken to Council branch offices or participating retail outlets for recycling.
- 2.10.9. Disposal of Sharps.** Sharps are not recyclable and must not be placed in the recycling bin. Sharps must be placed in a strong, sealed container such as a soft drink bottle before taking them to be disposed of.

Places in which they can be disposed of:

- Bingara Landfill 2668 Killarney Gap Road, Bingara, NSW 2404

- Bingara Medical Centre 94 Maitland St, Bingara NSW 2404
- The Bingara Pharmacy 42 Maitland St, Bingara NSW 2404
- Warialda Landfill Rubbish Depot Road, Warialda, NSW 2402
- Warialda Multipurpose Centre Hospital 146 Long St, Warialda NSW 2402
- Warialda Medical Centre 22 Hope St, Warialda NSW 2402
- Warialda Pharmacy 36 Hope St, Warialda NSW 2402

3. Related Documents

4. Revision Record

Date	Version	Revision Details	Officer
June 2009	1.0	Document creation	Patsy Cox
August 2014	1.1	Document modified	Kirsty Smith
June 2024	1.2	Document reviewed	Emma Mills

6.11 Draft Local Orders Policy

File Reference: NA

Delivery Program

Goal: 1. A healthy and cohesive community

Outcome: 1.2 Our community is an inviting and vibrant place to live

Strategy: 1.2.2 A shared responsibility for community safety

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends the adoption of the Local Orders Policy.

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the Local Orders Policy is adopted.

ATTACHMENTS

1. Draft Orders Policy [6.11.1 - 15 pages]

COUNCIL RESOLUTION:

THAT the Local Orders Policy is adopted.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council Local Orders Policy

Department:	Planning and Environment Services
Responsible Manager:	Planning and Environment Team Leader
Date Adopted:	17 March 2004
File Ref:	
Version No:	1.2
Next Review:	Jul 2027
Pages:	15

Table Of Contents

1. Overview	3
1.1. Objective	3
1.2. Purpose.....	3
1.3. Scope	3
1.4. Aim.....	3
1.5. Amendments	3
1.6. Revocation of Policy	3
2. Policy.....	4
2.1. Criteria which council must consider when determining whether or not to give an order	4
2.2. Other matters relating to Orders	5
2.3. Orders Under Other Acts	7
2.4. Failure to Comply	7
2.5. Do I need an approval to carry out work?	8
2.6. Can Council Carry out Works	8
2.7. Can I appeal.....	8
2.8. Compensation	8
3. Appendix 1	10
4. Related Documents	15
5. Revision Record	15

1. Overview

1.1. Objective

To establish the Council's policy position in relation to the issuing of Local Orders.

This Policy is to advise the public of Council's criteria, which it must take into consideration in determining whether to give particular orders.

1.2. Purpose

The main purpose of the Policy is to advise the public on criteria which Council must consider when determining whether to give a particular order under Section 124 of the Local Government Act, 1993 and the Local Government (General) Regulation 2021, and Division 9.3 of the Environmental Planning and Assessment Act 1979, dealing with Orders.

The Policy also provided information on the main provisions of the Local Government Act and Regulations for the giving of orders by Council.

1.3. Scope

The Gwydir Shire Council Local Orders Policy applies to the whole of the Gwydir Shire Council area.

1.4. Aim

The aim of the policy is:

- a) to ensure consistency and fairness in the manner in which Council deals with issuing of orders;
- b) to make the Council's Policies and requirements for orders readily accessible and understandable to the public;
- c) to establish a system which can effectively resolve disputes and conflicts as they arise.

1.5. Amendments

Amendment No.	Date Adopted	Minute No.	Date Commenced	Notification

1.6. Revocation of Policy

The Policy will be automatically revoked at the expiration of twelve months after the declaration of the poll of the next General Election, unless the Council revokes it sooner.

2. Policy

2.1. Criteria which council must consider when determining whether or not to give an order

2.1.1. Criteria to be considered

The decision as to whether notification of a proposed Order will be given will depend on the circumstances of the breach having regard to:

- the impact on the amenity of adjoining and nearby properties;
- the impact on the general public;
- issues of public safety;
- issues of public health;
- the need to complete outstanding works;
- those matters contained within Column 2 of Section 124 of the Local Government Act, 1993 and/or Division 9.3 of the Environmental Planning and Assessment Act 1979;
- those matters contained within Section 125 of the Local Government Act, 1993; and,
- those matters contained within the Local Government (General) Regulation 2021.

2.1.2. Additional Criteria to be Considered

Council will also consider the additional criteria as set out in the following table.

Order No	Description	Criteria
15	Control the flow of surface waters.	<ul style="list-style-type: none"> • Defective septic system • Defective roofing, including guttering, down-piping or drainage. • Insufficient roofing, guttering, down-piping or drainage.
18	Keeping of dogs within the urban areas of the Shire.	<ul style="list-style-type: none"> • Keeping more than 4 dogs without consent on a premises. (See Keeping of Animals Policy)

21	Premises are not kept in a safe or healthy condition.	<ul style="list-style-type: none"> • Lack of adequate lighting or ventilation. • Accumulation of vegetation or rubbish or refuse which harbors vermin. • Vegetation matter likely to be a fire hazard. • Structure unsound. • Inadequate bathing, washing or cooking facilities. • Illegal/unauthorised or different use of premises.
22	Control of waste from premises	<ul style="list-style-type: none"> • Unsatisfactory/unauthorised discharge of effluent. • Human or trade waste storage facilities and/or associated drainage are defective or not being properly maintained. • Trade waste treatment devices and associated drainage are defective or not being properly maintained.
27	Items placed on footpath	<ul style="list-style-type: none"> • Within 450 mm of building. • High items to be adequately secured.

2.2. Other matters relating to Orders

2.2.1. Matters to be Considered Prior to Giving an Order

Council must ensure that:

- any matters which fall within bounds of Section 124 and 125 of the Local Government Act, 1993, and/or Division 9.3 of the Environmental Planning and Assessment Act 1979, are investigated. Where it has been established beyond reasonable doubt that a breach of either of these Sections has occurred. The Council Officer will advise the owners and/or occupier and/or person responsible for that breach of its intention to give an Order to cease that breach. In determining whether to take such action, the Council Officer must take into consideration the matters raised in Section 6 of this Policy.
- the type and circumstances of the order and the person on whom the order will be served are described in the Table to Section 124 and/or Division 9.3 of the Environmental Planning and Assessment Act 1979; or
- those matters contained within the Local Government (General) Regulation 2021.
- the activity constitutes a public nuisance under Section 125 of the Local Government Act 1993, and

- the relevant provisions of the Act, Regulation, Local Approvals Policy and any additional criteria, as set out in Part 2(6), of this Policy, have been considered.

2.2.2. What Must be Done Before an Order is Served?

Council must issue a notice of intention to serve the order which provides the following information:

- the name of the person for whom the order is intended;
- the terms of the proposed order;
- how long the person will have to comply with the proposed order;
- an opportunity for the person to make representations to Council to explain why a proposed order should not be given or that the terms of, or period for compliance are, unreasonable;
- how, when and to whom representations can be made;
- right of appeal to the Land and Environmental Court and time period within which an appeal may be made.

2.2.3. How do I make Representation?

Any person (or their barrister, solicitor or agent) on whom the proposed order is to be served may make representation to Council.

Representations can be made in writing or orally to the Council, a nominated Committee or Council Officer. Council must hear and consider any representations made regarding proposed orders.

After hearing the representation to Council, nominated Committee or Officer can proceed with the proposed order, make modifications to the order or not give the order.

Note: If modifications are made to the order as a result of the representations a further notice of intention is **NOT** required.

2.2.4. Exemptions

The procedures normally observed before giving orders do not apply to orders given, and expressed to be given, in an emergency and in the case of Order No. 15, when the cessation of an activity is ordered because it constitutes a life threatening hazard, a threat to public healthy or public safety and is not regulated under any other Act or by a public authority.

2.2.5. What Information is in the Order?

Any order should contain:

- reasons for the order, except in urgent cases when reasons must be given the next working day;
- any relevant provisions of the Act, Regulations and Local Approvals Policy and Local Orders not complied with;
- the period in which the terms of the orders are to be complied with;

- notice of the right to appeal against the order or part of the order; and
- the time period within which an appeal can be made including both periods where it is a “particulars at work” order;
- notice that it is an offence not to comply with an order and the maximum penalty;
- notice that if the order is not complied with, Council can undertake the work and recover costs.

In addition, an order may specify the standard a premises is to meet, the nature of work that would meet the specified standard and the time period (not exceeding three months) within which particulars of work must be submitted.

2.2.6. Consideration of Proposed Works

Council has 28 days to consider the proposed works and can:

- accept the proposed works without modifications and order the completion of the works immediately;
- accept the proposed works with modifications;
- reject the proposed works.

If Council is still not satisfied with the proposed works, then it must within three months prepare a schedule of works and order the person to carry out those works.

2.2.7. Recovery of Expenses

Council can recover any expenses in preparing particulars of work to be completed.

2.2.8. Heritage Items

Council must consider the impact of the order on a heritage item and must notify the Heritage Council of its intention to serve an order if the item is listed in the Register of the National Estate, included as an item under the Heritage Act 1977 or identified as a heritage item in the Gwydir Local Environment Plan. See Section 142 Local Government Act 1993.

2.2.9. Orders Under Other Acts

Council is able to give orders under other Acts provided authority has been given. The relevant provisions of that Act will apply in such circumstances.

2.2.10. Failure to Comply

The person is guilty of an offence under the Local Government Act for failure to comply with an order. The maximum penalties that apply to particular orders are as follows:

Order Number	Penalty Units Individual	Penalty Units Corporation
any of orders Nos 1, 3, 5 and 7–12	50	100
15, 16 or 17	100	200
18–25 or 27–29	20	20
30	The same penalty as the penalty imposed for carrying out the activity the subject of the approval otherwise than in accordance with the approval.	The same penalty as the penalty imposed for carrying out the activity the subject of the approval otherwise than in accordance with the approval.

The value of a penalty unit is established under Section 17 of the Crimes (Sentencing Procedure) Act 1999 and is currently \$110 (June 2024).

2.2.11. Do I need an approval to carry out work?

A person who carries out work in compliance with an order does not have to make an application for approval of the work.

The occupier of land must within 2 days of the order being served allow the owner to do the necessary work. However, if the occupier does not permit the owner to do the work, the owner is not considered guilty of an offence for failure to comply.

2.2.12. Can Council Carry out Works

If a person does not comply with the terms of an order then Council can carry out the works and recover the costs.

2.2.13. Can I appeal

A person may appeal to the Land & Environment Court within 28 days of the order being served.

The order operates while the appeal is being heard in the Land & Environment Court.

2.2.14. Compensation

The only time a building owner is entitled to compensation is if Council orders the demolition of a building (Order No. 1), or repair or make structural alterations to a building (Order No. 3),

that is located in a proclaimed catchment district which causes or is likely to cause the pollution of a water supply.

3. Appendix 1

What Orders May Be Given

A council may order a person to do or to refrain from doing a thing specified in Column 1 of the following table if the circumstances specified opposite it in Column 2 of the Table exist and the person comes within the description opposite it in Column 3 of the Table.

Note:

This section does not affect the power of a council to give an order (or a notice or direction) under the authority of another Act.

For example, some of those Acts and the orders (or notices or directions) that may be given include:

Food Act 2003 (by delegation) improvement notice or prohibition order

Protection of the Environment Operations Act 1997 environment protection notices

Public Health Act 2010 direction concerning maintenance or use of certain regulated systems

Roads Act 1993 order preventing the passage of traffic along a road or tollway
order for the removal of an obstruction or encroachment on a road

Swimming Pools Act 1992 order requiring owner of swimming pool to bring it into compliance with the Act

A person who fails to comply with an order is guilty of an offence - see sec 628.

Orders requiring or prohibiting the doing of things to or on premises

Column 1 To do what?		Column 2 In what circumstances?	Column 3 To whom?
1	To demolish or remove a building	(a) - (c) (Repealed) (d) Building is erected in a catchment district and causes or is likely to cause pollution of the water supply	Owner of building
2	(Repealed)		
3	To repair or make structural alterations to a building	(a), (b) (Repealed) (c) Building is erected in a catchment district and causes or is likely to cause pollution of the water supply	Owner of building
4	(Repealed)		

5	<p>To take such action as is necessary to bring into compliance with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919</p> <p>a camping ground, caravan park or manufactured home estate</p> <p>a moveable dwelling or manufactured home</p> <p>(Repealed)</p> <p>a place of shared accommodation</p> <p>a hairdressers shop or beauty salon</p> <p>a mortuary</p> <p>a water meter on premises</p> <p>a water supply or sewerage system on premises, but only in relation to any work that is not plumbing and drainage work within the meaning of the Plumbing and Drainage Act 2011</p>	<p>Failure to comply with relevant standards or requirements set or made by or under this Act or under the Local Government Act 1919</p>	<p>Owner, occupier or manager or, in the case of a water meter, water supply or sewerage system in respect of which a defect occurs in work due to faulty workmanship of, or defective material supplied by, a licensed contractor (being the holder of a licence in force under the Home Building Act 1989 authorising the holder to contract to do the work) within 12 months after the work is carried out or the material is supplied, the licensed contractor</p>
6	(Repealed)		
7	To fence land	<p>Public health, safety or convenience renders it necessary or expedient to do so and there is no adequate fence between the land and a public place</p>	Owner or occupier of land
8	To identify premises with such numbers or other identification in such manner as is specified in the order	<p>Premises have a frontage to or entrance from a road and there are no markings that can readily be seen and understood from the road</p>	Owner or occupier of land
9	To fence, empty, fill in or cover up a hole or waterhole in the manner specified in the order	<p>Hole or waterhole is or may become dangerous to life</p>	Owner or occupier of land
10	To remove or stack articles or matter, to cover articles or matter, to erect fences or screens or to plant trees	<p>Land is in the immediate vicinity of a public place and is used for the storage of articles or matter so as to create or be likely to create unsightly conditions</p>	Owner or occupier of land

11	To do or to refrain from doing such things as are specified in the order to prevent environmental damage, to repair environmental damage or to prevent further environmental damage	<p>Work carried out on land has caused or is likely to cause environmental damage, being damage to the physical environment that is caused by—</p> <p>(a) drainage, or</p> <p>(b) drainage works, or</p> <p>(c) obstructing a natural watercourse other than by a work constructed or used under a water management work approval granted under the Water Management Act 2000,</p> <p>not being environmental damage arising from premises, works or equipment the subject of a licence issued under the Protection of the Environment Operations Act 1997 or the subject of a notice or direction issued by a regulatory authority under that Act</p>	Owner or occupier of land
12	To do such things as are necessary to control the flow of surface water across land	Other land, or a building on the land or other land, is being damaged or is likely to be damaged	Owner or occupier of land
13, 14	(Repealed)		

Orders requiring that premises be used or not used in specified ways

Column 1 To do what?		Column 2 In what circumstances?	Column 3 To whom?
15	Not to conduct, or to cease conducting, an activity on premises (whether or not the activity is approved under this Act)	<p>The activity constitutes or is likely to constitute:</p> <p>(a) a life threatening hazard, or</p> <p>(b) a threat to public health or public safety</p> <p>and is not regulated or controlled under any other Act by a public authority</p>	Any person apparently engaged in promoting, conducting or carrying out the activity
15A	(Repealed)		

16	To cease the use of premises or to evacuate premises	A person to whom order No 15 is given has failed to comply with the order	The person to whom order No 15 is given
17	To leave premises or not to enter premises	A person to whom order No 15 is given has failed to comply with the order	Any person
18	Not to keep birds or animals on premises, other than of such kinds, in such numbers or in such manner as specified in the order	Birds or animals kept on premises are— (a) in the case of any premises (whether or not in a catchment district)—of an inappropriate kind or number or are kept inappropriately, or (b) in the case of premises in a catchment district—birds or animals (being birds or animals that are suffering from a disease which is communicable to man or to other birds or animals) or pigs	Occupier of premises
19	To use or not to use a tennis court as specified	Actual or likely annoyance or threat to the safety of neighbours or users of a public place	Occupier of land

Orders requiring the preservation of healthy conditions

Column 1 To do what?		Column 2 In what circumstances?	Column 3 To whom?
20	To do such things as are specified in the order to put premises, vehicles or articles used for the manufacture, preparation, storage, sale, transportation or other handling or use of or in relation to food into a clean or sanitary condition	The premises, vehicle or article is not in a clean or sanitary condition	Owner or occupier of premises or owner or operator of vehicle or article
21	To do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition	The land or premises are not in a safe or healthy condition	Owner or occupier of land or premises

22	To store, treat, process, collect, remove, dispose of or destroy waste which is on land or premises in the manner specified in the order, provided that it is not inconsistent with regulations made under the <i>Protection of the Environment Operations Act 1997</i>	Waste is present or generated on the land or premises and is not being dealt with satisfactorily, and is not regulated or controlled by, or subject to, a licence or notice granted or issued under the <i>Protection of the Environment Operations Act 1997</i>	Owner or occupier of land or premises, owner of or person responsible for the waste or for any receptacle or container in which the waste is contained
22A	To remove or dispose of waste that is on any residential premises or to refrain from keeping waste on those premises	The waste is causing or is likely to cause a threat to public health or the health of any individual	Owner or occupier of the premises
23	To connect premises to a water supply by a specified date	The premises are situated within 225 metres of a water pipe	Owner or occupier of land
24	To connect premises with a sewerage system by a specified date	The premises are situated within 75 metres of a sewer	Owner or occupier of premises
25	Not to use or permit the use of a human waste storage facility on premises after a specified date	It is necessary for the purpose of protecting public health	Owner or occupier of premises

Orders requiring the protection or repair of public places

Column 1 To do what?		Column 2 In what circumstances?	Column 3 To whom?
26	(Repealed)		
27	To remove an object or matter from a public place or prevent any object or matter being deposited there	<p>The object or matter:</p> <p>(a) is causing or is likely to cause an obstruction or encroachment of or on the public place and the obstruction or encroachment is not authorised by or under any Act, or</p> <p>(b) is causing or is likely to cause danger, annoyance or inconvenience to the public</p>	Person causing obstruction or encroachment or owner or occupier of land from which the object or matter emanates or is likely to emanate

28	To take whatever steps are necessary to prevent damage to a public place and to repair damage to a public place	There is actual or likely damage:	
		(a) by excavation or removal of material from or adjacent to the public place, or	Person responsible for the excavation or the removal of the material
		(b) by a work or structure, or	Owner or person entitled to the benefit of the work or structure
		(c) by surface drainage or irrigation	Owner or occupier of land from which surface drainage flows or from which spray emanates
29	To alter or repair a work or structure on, over or under a public place	It is in the public interest to do so	Owner of the work or structure

Orders requiring compliance with approval

Column 1 To do what?		Column 2 In what circumstances?	Column 3 To whom?
30	To comply with an approval	The approval is not being complied with	Person entitled to act on the approval or person acting otherwise than in compliance with the approval

4. Related Documents

Food Act 2003

Protection of the Environment Operations Act 1997

Public Health Act 2010

Roads Act 1993

Swimming Pools Act 1992

Water Management Act 2000

5. Revision Record

Date	Version	Revision Details	Officer
2004	1.1	Document Created	Glen Pereira
June 2024	1.2	Document reviewed	Saul Standerwick

6.12 Draft Addressing a Council Meeting Policy

File Reference: NA

Delivery Program

Goal: 4. Proactive regional and local leadership

Outcome: 4.1 We are an engaged and connected community

Strategy: 4.1.1 Encourage an informed community

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends adoption of the Addressing a Council Meeting Policy.

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the draft Addressing a Council Meeting Policy is adopted....

ATTACHMENTS

1. Draft Addressing a Council Meeting Policy [6.12.1 - 8 pages]

COUNCIL RESOLUTION:

THAT the draft Addressing a Council Meeting Policy is adopted....

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council

Addressing a Council Meeting Policy

Department: Executive & Governance

Responsible Manager: General Manager

Date Adopted: 5 October 2016

File Ref: 16/17376

Version No: 1.1

Next Review: Jul 2027

Pages: 8

Contents

Addressing a Council Meeting 3

Procedure for Addressing Meetings..... 4

Declaration 6

Addressing a Council Meeting

Thank you for your request to address a council meeting.

Please find attached:

1. Procedure for Addressing Council Meetings
2. Blank Declaration Form (*please fill out*)
3. Addressing the Meeting form (*please fill out*)

Please complete the Addressing the Meeting form with the points you wish to make in your address and return it by email to mail@gwydir.nsw.gov.au or in person to either the Warialda or Bingara Council Offices.

Please advise the Council Public Officer or General Manager by 4:00 pm three (3) days prior to the Council meeting that you are requesting to address.

Please complete and bring the signed Declaration Form with you to the meeting and give it to the General Manager.

Procedure for Addressing Meetings

Anyone can request permission to address a meeting, providing that the number of speakers is limited to three in support of any proposal and three against. Any request must be approved by the Chair of the meeting that you want to address.

Any request about an issue or matter on the Agenda for the meeting can be lodged with the General Manager or Public Officer up until 4:00 pm three (3) days prior to the Council meeting that you are requesting to address.

Prior to the meeting the person who has requested permission to address the meeting will need to provide the Public Officer with a written statement of the points to be covered during the address in sufficient detail so as to inform the Councillors of the substance of the address and a written copy of any questions to be asked of the Council in order that responses to those questions can be provided in due course.

In addition, prior to addressing the meeting a person addressing Council or Committee will be informed that they do not enjoy any privilege and that permission to speak may be withdrawn should they make inappropriate comments.

It should be noted that speakers at meetings of the Council or Committee do not have absolute privilege (parliamentary privilege). A speaker who makes any potentially offensive or defamatory remarks about any other person may render themselves open to legal action.

Prior to addressing the meeting the person will be required to sign the following statement:

“I (name) understand that the meeting I intend to address on (date) is a public meeting. I also understand that should I say or present any material that is inappropriate, I may be subject to legal action. I also acknowledge that I have been informed to obtain my own legal advice about the appropriateness of the material that I intend to present at the above mentioned meeting”.

Should a person fail to sign the above statement then permission to address either the Council or Committee will not be granted.

Where permission is to be granted the Council or Committee, at the appropriate time, will suspend only so much of the Standing Orders to allow the address to occur.

The Chairperson will then call the person up to the speaking area. The person addressing the meeting needs to clearly indicate:

- His or her name;
- The organisation or group they are representing (if applicable);
- Details of the issue to be addressed and the item number of the report in the Business Paper;
- Whether they are opposing or supporting the issue or matter (if applicable) and/or the action they would like the meeting to take;
- The interest of the speaker (e.g. affected person, neighbour, applicant, applicants spokesperson, interested citizen etc).

Each person then has five minutes to make his or her address. Those addressing the Council will be required to speak to the written statement they have submitted.

Permission to address Council is not to be taken as an opportunity to refute or otherwise the points made by previous speakers on the same issue.

The Council or Committee can extend this time if they consider it appropriate, however, everyone needs to work on the basis that the address will be for five minutes only.

Councillors may have questions about the address so people are asked to remain in the speaking area until the Chairperson has thanked them. When this occurs, they should then return to their seat.

Declaration

Addressing Gwydir Shire Meetings

Note:

This declaration must be signed and witnessed and given to Council's General Manager (or his representative) prior to the meeting you wish to address

ATTENTION:

Mayor
General Manager

I understand that the meeting I
intend to address on 20...
is a public meeting. I also understand that should I say or present any material
that is inappropriate, I may be subject to legal action. I also acknowledge that I
have been informed to obtain my own legal advice about the appropriateness
of the material that I intend to present at the above-mentioned meeting.

Dated / /

Signed

Speaker's Signature

Signed

Witness' Signature

.....

Name of Witness

Addressing Gwydir Shire Meetings

You must provide the following details to address council:

Name:

Organisation or group Represented:.....

Your Address:

Contact Details: Telephone

Email

Title of the Item in the Business Paper:

Your interest in this matter

(eg. Affected person, neighbour, applicant, applicant's spokesperson,
interested citizen)

**If you will be asking any questions during your address, please provide
below along with the main points you want to raise?** (in order that
responses to those questions can be provided)

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Revision Record

Date	Version	Revision Details	Officer
Oct 2016	1.0	Document creation	Carmen Southwell
May 2024	1.1	Document modified	Bronwyn Wilson

6.13 Draft Activities in Public Places Policy

File Reference: NA

Delivery Program

Goal: 2. Building the business base

Outcome: 2.1 Our economy is growing and supported

Strategy: 2.1.3 Promote our community as the place to visit, live, work and invest

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends the adoption of the draft Activities in Public Places Policy.

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the draft Activities in Public Places Policy is adopted.

ATTACHMENTS

1. Draft Activities in Public Places Policy [6.13.1 - 13 pages]

COUNCIL RESOLUTION:

THAT the draft Activities in Public Places Policy is adopted.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council

Activities in Public Places Policy

Department: Environmental Services

Responsible Manager: Planning & Environmental Team Leader

Date Adopted:

File Ref: 12/8006

Version No: 1.4

Next Review: Jul 2027

Pages: 13

Contents

1. Introduction	3
2. Application of the policy.....	3
3. Objectives	4
4. Definitions	4
5. Use of footpaths by shopkeepers	5
6. Footpath dining	6
7. Street festivals and fairs	8
8. Commercial filming.....	10
9. Other activities	10
10. Enforcement.....	12

1. Introduction

The commencement of the Roads Act in 1993 enables Council to grant an approval for the limited use of Council's footpaths and similar areas. This policy has consequently been prepared for the variety of activities carried out on footpaths and roadways under Council's control by establishing a series of guidelines, procedures and approvals with which prospective applicants would need to familiarise themselves.

The policy has been introduced to encourage, where appropriate, outdoor eating areas in a manner which will contribute to the commercial viability of an area and at the same time enhance the ambience and streetscape of the township. The issue of a conditional approval is designed to create a harmonious atmosphere between residents, visitors and business operators in regard to the use of Council's footpath.

The policy also outlines the procedural arrangements for business operators to obtain Council approval for the limited use of the footpath adjacent to their business premises for the purpose of displaying goods for sale to the public.

The policy does not extend to the granting of an approval to use Council's footpath or roadway for the commercial sale of goods unrelated to a particular business.

In addition, the policy outlines the requirements for a range of other activities including commercial filming, street stalls, busking, street festivals, fairs and other special events. The spirit of the policy is to ensure that activities undertaken for commercial gain will be subject to an appropriate fee fixed by Council, whereas activities carried out by non-profit organisations will not incur a fee. Intentionally the policy provides for some flexibility insofar as the need for an application is concerned, in the belief that activities such as those outlined in section 9 can function effectively without Council involvement provided that all appropriate guidelines are complied with by the operator.

In those circumstances involving an activity which Council believes requires some degree of regulating and/or coordinating, any approval issued by Council will be under the provisions of the Roads Act 1993.

2. Application of the policy

This policy applies to the Gwydir Shire Council area and regulates the following activities under the relevant provisions of the Roads Act 1993 in regard to the granting of an approval for the restricted use of Council's footpath for both commercial or non-profit use respectively.

- (a) use of footpaths by shopkeepers, for the storage of a variety of goods and articles which may include but not be limited to flowers, fruit and vegetables, clothing, electrical or hardware equipment on the footpath directly outside their specific premises;
- (b) footpath dining, by way of the granting of a conditional approval in regard to the limited use of the footpath directly outside an existing food business;
- (c) busking and street theatre;
- (d) public addresses, preaching and religious services;
- (e) information and promotional displays;

- (f) street collections, Fundraising and badge/pin days;
- (g) street stalls operated by charities and non-profit organisations;
- (h) street festivals and fairs;
- (i) commercial filming.

3. Objectives

- 3.1** To ensure that residents and visitors are able to enjoy the unique natural attractions and lookouts of the Shire and it's towns with no adverse impact from the above activities.
- 3.2** To allow for the operation of footpath dining areas in public places in such a way that they provide open social meeting places that do not adversely impact on the amenity of residents and visitors.
- 3.3** To enable Council to give consideration to the multiple use of footpaths in a manner which complements the best interest of the business community, residents and visitors.
- 3.4** To ensure that Council receives an income for the commercial use of public places under its control.
- 3.5** To ensure that activities undertaken by non-profit organisations are appropriately regulated and coordinated.

4. Definitions

"Public place" is defined under the Local Government Act 1993, and means—

- (a) a public reserve, public bathing reserve, public baths or public swimming pool, or
- (b) a public road, public bridge, public wharf or public road-ferry, or
- (c) a Crown reserve comprising land reserved for future public requirements, or
- (d) public land or Crown land that is not -
 - i. a Crown reserve (other than a Crown reserve that is a public place because of paragraph (a), (b) or (c)), or
 - ii. a common, or
 - iii. land subject to the Trustees of Schools of Arts Enabling Act 1902, or
 - iv. land that has been sold or leased or lawfully contracted to be sold or leased, or
 - v. land that is declared by the regulations to be a public place for the purposes of this definition.

“Approved” means approved by Gwydir Shire Council or previously by either Bingara or Yallaroi Shire Councils.

“Food business” means a restaurant, cafe, coffee lounge or takeaway food shop for which development consent has been granted by Council and any outdoor seating would be complementary to existing internal seating.

5. Use of footpaths by shopkeepers

Council's policy has been prepared on the basis that most footpaths in the Council's area are approximately 3.5 metres wide. This section has been included to outline the procedural arrangements that business proprietors will need to follow in order to obtain Council approval to use the footpath directly outside their premises for the display of goods for sale. The goods involved will vary depending on the type of business but may include but not be limited to flowers, clothing, shoes, hardware and electrical items, fruit and vegetables.

- 5.1. An approval under the Roads Act 1993 shall be obtained by a business proprietor seeking to use a portion of Council's footpath for the purpose of the display of goods for sale.
- 5.2. Any commercial use of Council's footpath must be ancillary to an existing business. Any use which is unrelated to an existing business is prohibited, eg. hot dog vendors, itinerant flower sellers.
- 5.3. An application for an approval shall be made using the prescribed application form and by payment of the appropriate application fee.
- 5.4. Continuation of the approval for the ensuing year shall be subject to payment of the prescribed annual rental and an assessment of the activity by Council during the previous year.
- 5.5. The rental fee for the area involved shall be determined by Council as set out in Council's annual fees and charges. The rental fee shall be paid to Council annually in advance upon the rendering by Council of an account. Notwithstanding the enforcement provisions outlined in Section 9, an approval will be cancelled if the appropriate annual rental fee is not paid.
- 5.6. Unless cancelled, an approval shall remain in force for one year or the remaining part of the rental year following the initial payment. Notwithstanding the enforcement provision outlined in Section 9, an approval will be cancelled if the appropriate annual rental fee is not paid.
- 5.7. The application fee and annual rental fee are not refundable.
- 5.8. Proof of current public liability insurance and indemnity acceptable to Council will be required.
- 5.9. An approval may be transferred to a new proprietor upon notification to Council and production of the appropriate public liability insurance cover.
- 5.10. In order to achieve the objectives of the policy in terms of creating an atmosphere which provides for commercial activities which do not adversely impact on the amenity of residents and visitors, the following requirements will be taken into consideration in the assessment of all applications:

- (a) a 2.5 metre wide unobstructed section of footpath shall be maintained at all times;
- (b) goods displayed shall extend no further than 700mm from the shopfront and shall not extend beyond the property side boundaries;
- (c) goods displayed shall relate only to the business conducted at the premises;
- (d) the holder of the approval shall maintain the display area in a clean and tidy condition;
- (e) all goods or display stands shall be secure and finished so as not to cause injury to pedestrians and shall be removed from the footpath when the premises are closed;
- (f) public address systems, cash registers and the like are prohibited.

5.11. The Council reserves the right to cancel an approval at any time if any condition/s of an approval are being breached.

5.12. An application for an approval for the footpath adjacent to a Classified Road, will only be considered after the applicant has obtained the written approval of the Roads and Traffic Authority.

Note: None of the aforementioned requirements restrict an applicant for a new business indicating in the development application an intention that the new business will incorporate the partial use of Council's footpath. Under such circumstances no additional application or fee is required and Council will consider this issue as part of the overall assessment of the development application.

6. Footpath dining

This section has been included to outline the procedural arrangements that food business proprietors will need to follow in order to obtain Council approval under the Roads Act 1993 to use the footpath directly outside the premises as an outdoor eating area. Council's policy has been prepared on the basis that most footpaths in the Council's area are approximately 3.5 metres wide.

- 6.1.** An approval under the Roads Act 1993 shall be obtained by a food business proprietor seeking to use a portion of Council's footpath for the purpose of footpath dining.
- 6.2.** An application for an approval shall be made using the prescribed application form and by payment of the appropriate application fee.
- 6.3.** Continuation of the approval for the ensuing year shall be subject to payment of the prescribed annual rental, a review of the circumstances relating to the consumption of alcohol and an assessment of the activity by Council during the previous year.
- 6.4.** The rental fee for the area involved shall be determined by Council as set out in Council's annual fees and charges. The rental fee shall be paid to Council annually in advance upon the rendering by Council of an account. Notwithstanding the enforcement provision outlined in Section 9, an approval will be cancelled if the appropriate annual rental fee is not paid.
- 6.5.** The application fee and annual rental fee are not refundable.

- 6.6. Proof of current public liability insurance and indemnity acceptable to Council will be required.
- 6.7. An approval may be transferred to a new proprietor upon notification to Council and production of the appropriate public liability insurance cover.
- 6.8. In order to achieve the objectives of the policy in terms of creating an atmosphere which provides for commercial activities which do not adversely impact on the amenity of residents and visitors, the following requirements will be taken into consideration in the assessment of all applications:
 - a) A two metre wide unobstructed section of footpath shall be maintained at all times. In some instances this distance may be increased or reduced subject to a merit based assessment by Council;
 - b) Tables, chairs, umbrellas, pot plants and any other furniture may only be placed on that part of the footpath adjacent to the business premises and shall not extend beyond the property side boundaries, without the prior written approval of the adjoining landholder and/or lessee;
 - c) The canopy of umbrellas or any other furniture shall not project beyond the designated permit area;
 - d) The canopy of any umbrella/s shall have a minimum clearance above footpath level of two metres;
 - e) All umbrella/s shall be securely anchored so that they will not be displaced by wind or inclement weather conditions;
 - f) The designated permit area, together with tables, chairs and any other associated furniture, shall be maintained in a clean condition at all times;
 - g) All tables, chairs and other furniture shall be removed from the footpath when the premises are closed;
 - h) All tables, chairs and other furniture shall be of an approved structural and aesthetic quality with such details being included in the application;
 - i) At the expiration of the approval period, the operator shall remove all outdoor furniture, tables and chairs and reinstate any damaged footpath area/s at their own expense;
 - j) Council street furniture is provided for community use and shall not be used as part of a footpath dining area;
 - k) Food and drink preparation equipment is not permitted on the footpath.
 - l) No entertainment or amplified music is permitted in the designated area. The consumption of alcohol is only permitted where it is served with a meal and satisfies a merit based assessment. This assessment will include whether it is served with a meal from the premises, whether the concurrence of the Liquor Administration Board and Local Area Commander NSW Police Service, is provided as appropriate in regard to existing liquor licensed and non-liquor licensed premises respectively. Any approval will

be subject to appropriate signage and limited to those persons consuming a meal. Where there is an alcohol free zone in place it would be inappropriate to permit the consumption of alcohol at footpath dining venues in these zones. Details of current alcohol free zones can be obtained from the Council.

- m) Statutory authorities have the right of access at all times to utilities and the like to effect repairs or to maintain their equipment.

- 6.9. An application for an approval for footpath dining area adjacent to a Classified Road, will only be considered after the applicant has obtained the written approval of the Roads and Traffic Authority.

Note: None of the aforementioned requirements restrict an applicant for a new business indicating in the development application an intention that the new business will incorporate footpath dining. Under such circumstances no additional application or fee is required and Council will consider the issue of footpath dining as part of the overall assessment of the development application.

7. Street festivals and fairs

Council recognises that street festivals and other special events are an important part of community life and a well organised and successful event benefits the community in many ways. Council's expectation in regard to large scale festivals is that organisers will take into consideration the amenity of local residents in planning the various activities associated with the particular event. In the community interest, street festivals, fairs and other special events of a significant size organised by recognised community groups require the submission of an application to Council at least three months prior to the date/s of the event.

In the case of major events/festivals involving the erection of stages, public road closures, food stalls or fireworks displays, consultation with Council officers and any other relevant agencies prior to the submission of an application is encouraged. The written application package shall include the following:

- completion of festival/special events application form
- details of the program and times including all events and activities to be undertaken and any proposed street closures, a sketch plan of the area clearly indicating the location of stalls, toilets, street closures, etc.
- **a completed 'hold harmless agreement'**¹
- a signed undertaking for the provision of insurance cover Council recognises that not all of the following activities will be part of every festival, however any approval issued by Council will be subject to the submission of the following specific details not less than 20 working days prior to the commencement of the festival/event.
- The siting of all stalls and facilities or activities including:

¹ A 'hold harmless agreement' is a formal document which legally prevents the applicant from recovering damages from another party (the Council), for injuries or losses arising from the negligence of the applicant.

- amusement devices
- fireworks displays
- animals
- crowd control barriers
- first aid facilities
- electrical facilities and cabling
- fire safety
- provision of rubbish receptacles and clean up arrangements of surrounding area/s after the event
- traffic control
- parking
- food facilities including cooking and/or heating facilities
- security
- stability of signs, structures, seating and stages
- use of private property
- toilet facilities
- environmental management

Any appropriate licences/permits/approvals from relevant government agencies must be submitted to Council prior to any approval being issued by Council. Such permits may include some or all of the following:

- Permits from the Workcover Authority in regard to amusement devices and fireworks displays
- Approval from the Police in regard to the consumption of alcohol
- Approvals from Roads and Traffic Authority/Police in regard to proposed road closures
- It should be noted that a deposit may be required to cover the cost of Council carrying out street cleaning and/or rubbish removal due to the event
- In the interests of public safety the use of glass containers for drinking purposes is to be avoided.

8. Commercial filming

An application for commercial filming on streets, parks and reserves under Council control is required. This policy does not apply to national park areas which are subject to a separate policy by the appropriate state authority. An application for commercial filming shall indicate the details of the location, time and date/s of filming, equipment involved, size of film crew and support team.

Adequate notice is to be given to Council, depending on the scale of the activity but as a guide a minimum of two weeks is required. Should consent be granted by Council, some or all of the following requirements may be imposed:

- 8.1. Differential fees and notice periods will be determined for the different categories of commercial filming such as advertising, fashion shoots, television programs, documentaries and major feature films. If a street closure is required three months notice is necessary to allow for consideration by the Local Traffic Committee.
- 8.2. Proof of current public liability insurance and indemnity acceptable to Council will be required.
- 8.3. The applicant shall cover all costs associated with barricade hire, etc. and shall be responsible for any repairs or reinstatement of Council property.
- 8.4. The applicant is to exercise good risk management practices at all times so as to avoid injury or loss to others and any damage occurring on the location as a result of filming will be repaired or replaced at the expense of the applicant.
- 8.5. Appropriate approvals being obtained from all relevant authorities including police, ambulance, fire brigade, etc.
- 8.6. A bond to cover the possibility of damage to Council property or assets.
- 8.7. Gwydir Shire Council is to be acknowledged in all feature film, documentaries or TV production credits.

9. Other activities

This section has been included to provide assistance to those members of the community wishing to undertake any of the following activities:

- Busking and street theatre
- Public addresses
- Information and promotional displays
- Preaching and religious services
- Street collections and badge/pin days
- Street stalls
- Street stalls for political purposes

The above activities are permissible in public places within the Shire except for areas designated by appropriate Council signage or where the activity has the potential to create a nuisance or a hazard to pedestrians or vehicular traffic.

Other than street stalls, no application or notification to Council is required to be submitted by members of the community wishing to undertake these activities, however operators should familiarise themselves with the contents of this section in order that their activity does not adversely impact on residents, visitors or the business community.

9.1. The following locations may not be used for any of the above activities:

- a) any designated area except with Council's written approval;
- b) within five metres of a bus stop, pedestrian crossing, taxi stand or intersection;
- c) any area adjacent to residential premises or to a school or place of public worship;
- d) all parks and reserves, except with Council's written approval;
- e) a traffic carriageway or footpath unless at least a 2.5m width remains available for public movement.

9.2. An individual or group carrying out these activities should be aware that if they cause offence or obstruction they will be subject to action by authorised Council officers or police.

9.3. An individual or group carrying out these activities should be aware that they are to exercise good risk management practices at all times so as to avoid injury or loss to others.

9.4. This policy does not include any approval which may be necessary from State or Federal authorities.

9.5. Public address systems are prohibited.

9.6. The immediate surrounding area is to be left in a clean and tidy condition and kept clear of hazards.

In addition to the requirements of this policy outlined in Section 9.1 - 9.6: **A busker shall not:**

- a) obstruct or hinder the passage of pedestrians or vehicles
- b) create any nuisance or objectionable noise
- c) affix any matter or thing or mark or draw on any footway

A busker may solicit money by placing a receptacle on the ground but shall not ask members of the public for money or approach the public for the purpose of selling goods.

Street Stalls

This sub-section has been included to ensure that Council's footpaths are used by charity and non-profit organisations in a manner which does not adversely impact on residents and/or visitors, while at the same time providing an equitable opportunity for fundraising for all appropriate organisations. Council generally encourages one stall to be conducted at any one time.

An application in the form of a letter shall be forwarded at least 14 days before the event to Council indicating the name of the organisation, together with the date/s, location and brief description of goods to be sold at the proposed stall/s sold such as plants, clothing, food, etc.

Any subsequent approval issued by Council for a street stall shall be subject to the requirements of the policy outlined in Section 9.1 - 9.6, together with the following additional requirements:

- 9.7. Street stalls may be set up and operated by non-profit community groups for the sale of goods or services. In order to provide equitable access, groups should limit their stalls to no more than one per month in any township.
- 9.8. The consent of the business or organisation outside which the stall is to be situated must be obtained.
- 9.9. The organisation conducting the stall must display a sign on the stall, not on the footpath, indicating its name.
- 9.10. No other signage will be permitted and the stall must not obstruct or inconvenience pedestrian or vehicular traffic by maintaining a minimum unobstructed footpath area of two metres.
- 9.11. Street stalls selling food (e.g. sausage sizzles) shall comply with the requirements of the food regulations.

Street stalls for political purposes

- 9.12. No application or notification to Council is required.
- 9.13. There is no limit on the number of political party information stalls held in any one township on any one day.
- 9.14. Only one standard 2m x 1m table to be used.
- 9.15. No more than three people to be in attendance at any one time.
- 9.16. No fund raising activities are to be carried out.
- 9.17. The organisation conducting the stall must display a sign on the stall, not on the footpath, indicating its name.
- 9.18. No other signage will be permitted and the stall must not obstruct or inconvenience pedestrian or vehicular traffic by maintaining a minimum unobstructed footpath area of two metres.

10. Enforcement

Appropriate action will be taken by Council (in consultation with the police when necessary) when:

- 10.1. An activity that requires approval under this policy is conducted without an approval being obtained.
- 10.2. An activity is being undertaken not in accordance with condition/s of consent.

10.3. The requirements for activities covered by this policy are not followed. Dependent on circumstances, action taken by Council may include:

- cancellation of approval;
- a request or warning that the activity cease or move to a permitted area;
- the impounding of goods or other articles;
- the issue of a penalty infringement notice (on the spot fine).
- Further legal action including through the Courts
- Recover any enforcement costs allowable under law.

Related Documents

Local Government Act 1993

Roads Act 1993

Revision Record

Date	Version	Revision Details	Officer
2004	1.1	Document created for Bingara Shire Council	Human Resources
2008	1.2	Document reviewed for Gwydir Shire Council after amalgamation	Kirsty Smith
2021	1.3	Document reviewed and updated	Saul Standerwick
2024	1.4	Document reviewed	Saul Standerwick

6.14 Draft Self-Enforcing Infringement Notice Scheme (SEINS) Policy

File Reference: NA

Delivery Program

Goal: 3. An environmentally responsible shire

Outcome: 3.2 We use and manage our natural resources wisely

Strategy: 3.1.3 Value, protect and enhance our natural environment

Author: General Manager

STAFF DISCLOSURE OF INTEREST Nil

IN BRIEF/SUMMARY RECOMMENDATION

This report recommends the adoption of the Self-Enforcing Infringement Notice Scheme (SEINS) Policy

TABLED ITEMS Nil

BACKGROUND

The draft policy is attached for consideration.

OFFICER RECOMMENDATION

THAT the Self-Enforcing Infringement Notice Scheme (SEINS) Policy is adopted.

ATTACHMENTS

1. Draft Self- Enforcing Infringement Notice Scheme (SEIN S) [6.14.1 - 6 pages]

COUNCIL RESOLUTION:

THAT the Self-Enforcing Infringement Notice Scheme (SEINS) Policy is adopted.

(Moved Cr Rachel Sherman, Seconded Cr Sean Coleman)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil



Gwydir Shire Council SEINS Policy

Department: Planning and Environment Services

Responsible Manager: Planning and Environment Team Leader

Date Adopted: June 2024

File Ref: 12/8017

Version No: 1.1

Next Review: June 2027

Pages: 6

Table Of Contents

1. Aim of Policy	3
2. Background	3
3. Warnings.....	3
4. Issuing Fines	3
5. Payment or Appeal	4
6. Review Procedures	4
3. Non-Payment Action	5
4. Inquiries from Councillors.....	6
5. Cancellation of Infringement Notices	6
6. Reprisals.....	6
7. Revision Record.....	6

1. Aim of Policy

The policy has been developed to clarify and make consistent the procedures undertaken by council officers when issuing and reviewing penalty infringement notices. The policy also identifies the rights of individuals in receipt of a penalty infringement notice and the involvement of council staff and councillors in ensuring an open and equal approach is undertaken in all dealings.

2. Background

The Self-Enforcing Infringement Notice Scheme (SEINS) provides for the issuing of penalty infringement notices for particular offences.

Briefly, the Scheme allows certain law enforcement in New South Wales not to be automatically referred for determination by a court unless the individual so desires. It is an automated administrative process of enforcement and associated revenue collection.

SEINS is administered by the Infringement Processing Bureau, New South Wales Police Service. The Infringement Processing Bureau (IPB) has commercialised its services and undertakes, on behalf of government authorities, the processing of infringement notices on a commercial basis.

The scheme is continually audited by the IPB and in certain circumstances by the Ombudsman Office and the Independent Commission against Corruption.

The Environmental Services Department is responsible for most compliance matters within council therefore issue the majority of penalty infringement notices. Infringement notices are never issued unless an offence has been committed and, in all cases, contemporaneous notes are taken, in certain circumstances photographic evidence and or samples are also taken.

3. Warnings

Generally prior to issuing a fine council officers will give a verbal warning, which is noted. However there are certain fines where this is not possible due either to community expectation or the nature of the fine. For example companion animals are an issue which has strong community support for enforcement. These infringement notices generally relate to dogs wandering in public places, attacking, barking or not microchipped and registered as required.

Littering (from a vehicle) and parking infringement notices by their nature are unable to be issued a verbal warning. Although the littering issue has experienced extensive education campaigns and parking is addressed through sign posting as an effective means of prior notification.

When a new regulatory policy is developed e.g. "A" Frame Signs, an education program is undertaken where relevant customers are advised of the policy either through advertising, letterbox drops or verbal advice from council officers. On completion of the education program regulatory patrols commence and should previous warnings be ignored an infringement notice is issued.

4. Issuing Fines

No special dispensation is given when issuing infringement notices. Infringement notices can be issued to members of the public, businesses, organisations, local or state government contractors, councillors and council staff.

There are three parts to an infringement notice. Part A is the original source document and is forwarded to the Revenue NSW for loading on to the computer data base the lower section of part A

is used for note taking. Additional notes are either kept on the reverse side of Part B or recorded in the officers' notebook.

Part B is the duplicate and is retained in the infringement book for future reference and auditing. Council keeps an infringement book for 5 years. Part C is the triplicate and customers copy. This part is not entirely identical to that of Part A & B in that a copy of the contemporaneous note section is not provided. Part C is either handed to the offender, placed on an illegally parked vehicle, or mailed to the offender.

It is a two-part notice. The top portion is the offender's record of the infringement and also sets out the methods of disposal of the infringement available to the offender. The lower portion is the pay in slip or butt portion. It is designed to be detached and submitted with payment.

5. Payment or Appeal

Under the legislation an individual has four options available for disposal of an infringement notice.

- 1) Pay the infringement notice penalty amount within the prescribed period (21 days from date of service). Payment may be made in the form prescribed on the payment slip, online, phone, Bpay or Service NSW centre.

Payments are unable to be made at Councils Customer Service Centre.

- 2) Nominating another person - another person can be nominated for the fine notice to be issued to the person responsible for the offence. This can be completed online at www.service.nsw.gov.au/finesonline. For example, in the case of a parking infringement, the person who was responsible for your car on that particular day, or in the case of a building site the subcontractor responsible for breaching development consent.
- 3) Representation to Revenue NSW requesting the matter to be reviewed and special consideration is given due to exceptional circumstances; Immediately upon receipt of the representation to the IPB the maturity date of the offence will be extended. The matter is generally dealt with by Revenue NSW however there may be situations where the matter is referred to council for comment. In these instances, a review panel will make a decision and advise Revenue NSW of the outcome.
- 4) Elect to have the matter heard in court. The reverse side of Part C, the notice, contains the court election, which the individual must complete and return to Revenue NSW should they wish to defend the matter before a Magistrate.

6. Review Procedures

Only written representations will be considered, except where it is clear that the Council Officer had made an error in issuing the notice, or where processing has resulted in the incorrect issue of a notice. In any case this action is required to be recorded on file and the correct procedure in advising Revenue NSW followed. All written representation is to be forwarded to Revenue NSW, due to auditing requirements no written representations will be accepted by council.

1. Review Panel

The panel consists of two council staff, the General Manager and the Environmental Services Manager. The panel will carefully read and adjudicate all cases on their individual merits. Discretion, commonsense, fairness and consistency will be used when making a decision and the resultant effect on public attitude towards the council will always be borne in mind. Reference will always be made to Part B of the notice to ensure an offence is disclosed.

Where considered necessary reference will be made to the Guidelines, relevant Acts, Regulations and Legislation. Comments of the issuing officer will be sought whenever considered necessary for the clarification of either offence details or aspects raised within the representation.

Final adjudication will fall within one of the following categories;

- (i) Penalty to Stand - Where an offence is disclosed and no leniency is extended.
- (ii) Caution - Where an offence is disclosed and leniency is extended.
- (iii) No Action - Where no offence is disclosed.

Due to timeframe restrictions imposed by Revenue NSW decisions will be finalised and forwarded to the Environmental Services Manager for noting within 2 days. For audit purposes all comments and decisions made by the review panel and or Manager shall be recorded and where the penalty is to stand a brief statement as to why will be submitted to Revenue NSW.

2. Conflict of Interest

It is unacceptable for reviewing officers to handle representations in which they have a personal interest, or where it may be construed that they have a personal interest e.g. representation by family, friends, etc. In such cases an alternative officer shall review the matter. In circumstances where a conflict of interest is raised with one or both of the panel officers the Environmental Services Manager shall adjudicate. In the case of a conflict within the Environmental Services Manager position the particular matter will be referred to the General Manager for noting.

3. Non-Payment Action

Should the infringement notice not be satisfied within the prescribed period of 21 days, a courtesy letter (or reminder of the outstanding penalty) is forwarded to the offender. The courtesy letter offers the same four options of disposal as the original notice.

If the infringement notice remains unsatisfied, after a further statutory period of 21 days from the courtesy letter, the matter is referred to the Revenue NSW for further action. On receipt of the particulars Revenue NSW, issue the offender an Enforcement Order. Along with the Order an administration fee is added to the penalty. The Order is mailed to the offender, whom is given 28 days to pay.

Should the enforcement order be ignored Revenue NSW directs Transport for NSW to, if the individual is a customer, place a sanction on either the individuals license or vehicle registration. Along with the sanction a further administration cost is added to the penalty.

If the offender continues to avoid payment the matter is then referred to the Sheriff's Office where a Property Seizure Order is issued. Officers are then sent to the address of the offender where demand for immediate payment is made. Should the individual plead financial difficulty an application can be made to the Revenue NSW requesting permission to finalise the matter in instalments. Alternatively seizure of personal property will be carried out where it is placed at public auction and monies equaling the total penalty are obtained.

*** Administration fees are subject to CPI increases.**

4. Inquiries from Councillors

To ensure to the community that council has an open and transparent system in dealing with infringement notices all inquiries from Councillors are submitted through the General Manager to the responsible Manager. A written reply shall be provided to the subject councillor within 48 hours and a copy of the reply will be submitted for inclusion within the council reports. Councillors are unable to direct the cancellation of a penalty infringement notice, nor are Councillors able to contact council officers regarding the issuing of any penalty notice. Any officer contacted by a Councillor on such matters has a duty to report the matter to their manager and/or the General Manager.

5. Cancellation of Infringement Notices

There are two positions within council that have authority to cancel a penalty notice once it has been issued these include the General Manager and the Environmental Services Manager. For auditing purposes all directions for cancellations are recorded.

The cancelling of a fine while "writing up" is able to be undertaken only in circumstances where a technical or administrative error has occurred (e.g. incorrect registration details recorded). In these circumstances the issuing officer is able to set the notice aside following the processes set by Revenue NSW.

6. Reprisals

Due to the nature of issuing penalty notices reprisals against issuing officers is always a concern. To minimise such reprisals the following procedures are undertaken;

- I. Identifying Details – no information shall be given to the general public regarding the issuing officer's details all inquiries are to be referred to either the Environmental Services Manager.
- II. Records - when scanning or placing photocopied penalty notices on file the issuing officer's name shall be removed from the notice. This will prevent applicants maliciously using Section 12 of the Local Government Act or the Freedom of Information Act to gain identifying information. The only available process for obtaining the issuing officers details is through the court elect option.

7. Revision Record

Date	Version	Revision Details	Officer
22 Feb 2007	1.0	Document creation	Kristy Smith
June 2024	1.1	Document modified	Saul Standerwick

7 COUNCILLORS' REPORTS

Cr Willmot

Cr Willmot advised the meeting that he has been hearing positive reports from the community about the signage that has been placed on the façade of the Warialda Memorial Swimming Pool.

Cr Sherman

Cr Sherman raised the following issues:

The meeting was advised that the need for public toilets in the proposed BBD Park has been confirmed with her by members of the community;

That the Bicentenary of Cunningham's trek through Gwydir Shire is being commemorated in March 2027 and that the Warialda Historical Society would like to start the initial celebration planning in the near future and would like Council's assistance to seek grant funding; and;

Cr Sherman requested an update on whether the Council has any positive feedback regarding the Warialda VIC being able to issue Country Rail Tickets, which was provided outlining that the State Government was reluctant to issue any new agency agreements until a review of the current process has been completed.

Cr Collins

Cr Collins requested that appropriate parking delineation lines be marked outside the Warialda Chemist Shop to assist in the efficient use of the space.

Cr Galvin

Cr Galvin advised the meeting that she has attended numerous school end of year assemblies over the previous few weeks.

General Manager

The Meeting was advised of the following matters:

That the February 2025 Council Meeting will now be held on Thursday 20th February 2025 rather than the following Thursday;

It is proposed to organise a series of community consultation meetings across the Shire commencing in February 2025 and Councillors will be advised of the dates and locations once confirmed; and;

The meeting was advised that a Councillor representative is required for the North West Regional Weeds Committee. Cr Sherman indicated that she is willing to be nominated.

CFO

The meeting was advised that the Naroo Manager has secured an additional \$400,000 to complete the Naroo upgrade work following a 33% increase in material costs on the project.

The meeting was also requested to nominate a Councillor representative, who can't be the Mayor, on the Council's Audit, Risk and Improvement Committee (ARIC). Cr Willmot indicated that he is willing to be the nominee.

8 COMMITTEE OF THE WHOLE - CONFIDENTIAL ITEMS**COUNCIL RESOLUTION:**

THAT the Council resolve into Confidential Session, Committee of the Whole and that in the public interest and in accordance with Section 10A (2) xxx of the Local Government Act, 1993, the public and press be excluded from the meeting to consider Item(s) listed on the Agenda.

(Moved Cr Scot Crispin, Seconded Cr Sarah Crump)

CARRIED

For: Cr Adrian Willmot, Cr Michael Collins, Cr Rachel Sherman, Cr Scot Crispin, Cr Sean Coleman, Cr Sarah Crump and Cr Tiffany Galvin

Against: Nil

8.1 Adoption of the Recommendations of the Confidential Session

The meeting was re-opened to the public at 12.24 pm.

The meeting was advised that there no recommendations from the Confidential Meeting.

9 CLOSURE

The meeting closed at 12.25 pm.