

BUSINESS PAPER

ORDINARY MEETING

THURSDAY 3RD DECEMBER 2020

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AGENDA - ORDINARY COUNCIL MEETING

3rd December 2020

1.	OPEN ME	ETING	
2.	Apologie	S AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	
3.		ATION OF MINUTES Meeting held on Thursday, 22nd October 2020.	
4.	Disclosui	RES OF INTERESTS	
5.	Mayoral	Minute(s)	
	Item 1	Delegation of Authority to the General Manager (S12-25.1) Page 1	
6.	REPORTS OF COMMITTEES		
	_	of the Council Chambers Development Sunset Committee Vednesday, 18th November 2020 (C14-3.25)	
	Meeting o	of Manex held on Tuesday, 24th November 2020 (C14-3.4)	
	_	of the Roads Committee Ionday, 30th November 2020 (TO BE TABLED)(C14-3.28)	
7.	REPORTS 1	TO COUNCIL	
REPOI	RTS OF DELE	GATES	
	Item 1	North Western Library Co-Operative AGM (L2-5) Page 1	
POLIC	Υ		
	Item 1	Vacation Care Policies – Audit Review July 2020 (V1-2) Page1	

7.	KEPOKIS IO	COUNCIL	CONTINUED
REPOF	RTS OF THE GEN	NERAL MANAGER	
	Item 1	Outstanding Reports Checklist (C14-7.4)	Page 1
	Item 2	Committee/Delegates Meetings (C14-2)	Page 4
	Item 3	Christmas Closure (C14-1)	Page 5
REPOF	RTS OF THE DIV	ISIONAL MANAGER FINANCE AND ADMINISTRATION	
	Item 1	Réconciliation Certificate – October 2020 (B1-10.16)	Page 1
	Item 2	Statement of Rates and Annual Charges as at 20th November 2020 (R1-4)	Page 4
	Item 3	Dementia Special Unit in Warren Representative (H8-1)	Page 6
	Item 4	Review of Council's 2019/2020 Operations (A1-4.38)	Page 8
	Item 5	North Western Library Co-Operative 2021/2022 Contribution (L2-5)	Page 19
	Item 6	North Western Library Co-Operative Agreement (L2-5)	Page 21
	Item 7	Council Bank Account Signatories (B1-5)	Page 33
REPOR	RTS OF THE DIV	ISIONAL MANAGER ENGINEERING SERVICES	
	Item 1	Warren Showground, Renewal of the Ron McCalman Pavilion (S7-6)	Page 1
	Item 2	Warren Levee Bank Rehabilitation (F8-1)	Page 8
	Item 3	Tender – Supply and Delivery of Passenger, Truck and Earthmoving Tyres (T3-1)	Page 25
REPOF	RTS OF THE MAI	NAGER HEALTH & DEVELOPMENT	
	Item 1	Vacation Care – Audit Report and Review (V1-2)	Page 1
	Item 2	Warren War Memorial Swimming Pool (S19-2)	Page 15
	Item 3	Construction of Council Houses Lot 58 DP872884 8 Deacon Drive a Lot 52 DP872884 21 Deacon Drive Warren (P16-18.26, P16-18.25)	
	Item 4	Development Application Demolition and Rebuilding of the McCalman Pavilion Warren Showground (P16-20.23) P	age 110

MATTERS OF URGENCY
Nil.
CONFIDENTIAL MATTERS Nil.
CONCLUSION OF MEETING

Notices of Motions/Questions with Notice

8.

PRESENTATIONS

Nil.

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

(S12-25.1)

RECOMMENDATION:

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

A. Council Meeting and Operations

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

B. General Administration

- 1. To approve recommendations of the Joint Consultative Committee.
- 2. To disclose Council records in line with the Government Information (Public Access) Act 2009 (GIPA Act) Warren Shire Council Publication Guide in consultation with Council's Public Officer.
- 3. To enter into Pipeline Agreements with the State Rail Authority or its successor.

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

4.	To exercise the power of entry and to authorise other employees of Council to have that
	power of entry under:

- (a) The provisions of the Local Government Act, 1993 Section 191, 191A, 192 and 193.
- (b) The provisions of Section 119E of the Environmental Planning and Assessment Act, 1979.
- (c) The provisions of Section 28 of the Swimming Pools Act, 1992.
- (d) The provisions of Section 66 of the Rural Fires Act, 1997 (in line with Service Level Agreement).
- (e) The provisions of Section 37 of the Food Act, 2003.
- (f) The provisions of Sections 47 and 72 of the Public Health Act, 1991.
- (g) The provisions of Section 164 of the Roads Act, 1993.
- (h) The provisions of Section 42 of the Impounding Act, 1993.
- (i) The provisions of Sections 111 and 196 of the Protection of the Environment Operations Act, 1997
- (j) The provisions of Sections 43, 44 and 50 of the Noxious Weeds Act, 1993.
- (k) The provisions of the Companion Animals Act, 1998.
- 5. To exercise the powers of an authorised officer/person and appoint such persons under:
 - (a) The Local Government Act, 1993;
 - (b) The Impounding Act, 1993;
 - (c) The Roads Act, 1993;
 - (d) The Food Act, 2003;
 - (e) The provisions of the Protection of the Environment Operations Act, 1997
 - (f) The Swimming Pools Act, 1992;
 - (g) The Public Health Act, 1991;
 - (h) The Rural Fires Act, 1997 (in line with Service Level Agreement);
 - (i) The Noxious Weeds Act, 1993;
 - (j) The Mines Inspection Act, 1901;
 - (k) The provisions of the Companion Animals Act, 1998;
 - (I) The Environmental Planning and Assessment Act 1979.
- 6. To give approval to "approved forms" as defined by the Local Government Act, 1993.

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

- 7. To issue references under Council letterhead.
- 8. To authorise and undertake any necessary arrangements for the attendance of practical, technical and professional staff at any relevant course, seminar, congress meeting and conference but such approved attendance must be within budget limitations.
- 9. To approve annual, sick, long service, special leave and leave without pay for Council employees.

C. Finance

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

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

- 11. To prepare and lodge applications for the payment of a Library Subsidy in accordance with Section 13 of the Library Act, 1939.
- 12. To authorise expenditure of Council for works and services required in accordance with the adopted annual budget of Council up to a maximum of \$150,000.
- 13. To initiate, negotiate and authorise royalty agreements on Council's behalf with local landholders for the acquisition of resources in the performance of Council's works programme.
- 14. To engage (or dismiss) contractors on an hourly, daily, weekly or monthly basis for works in accordance with Council's Work Programme.
- 15. To authorise the hire of Council's plant and resources for private works at comprehensive hire rates or at suitably negotiated rates.
- 16. To write off accrued interest on rates and charges payable by a ratepayer who is paying by instalments in accordance with the provisions relating to the annual rate levy, Council's policy.
- 17. To destroy Council records in accordance with the provisions of the State Records Act 1998 (NSW).
- 18. To expend Council's maintenance votes in accordance with, and subject to the limits as adopted by Council in the annual budget.

D. Roads

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

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

7. To approve the movement of stock, machinery or any other materials along or across any Council controlled road or through any built up area of the Shire, subject to any provisions of the Roads Act, 1993.

E. Town Planning/Building Control

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

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

- 13. To consider the applications and to issue unconditionally or subject to conditions or refuse applications for the occupation of caravans or other temporary accommodation on building sites.
- 14. To grant or refuse the extension/renewal of building approvals issued by Council.
- 15. To approve the variation of building lines where such variation is of a minor significance.
- 16. To accept or reject certifications submitted under Section 93 of the Local Government Act, 1993.
- 17. To approve Development Applications for all developments/classes of buildings where no substantial community objection is registered.
- 18. To refuse Development Applications that do not comply with legislation, Council's LEP or DCP.
- 19. To authorise, where appropriate, the determination of Land and Environment Court matters by an Assessor of the Court.
- 20. To grant a departure from a development standard pursuant to the various Development Control Plans where that provision is available and where such departure is considered to be in accordance with the overall aims and objectives of the relevant plan.
- 21. To serve any notices or orders or intention of any notice or order under the provisions of the Local Government Act and Regulations, Environmental Offences and Penalties Act and Regulations, Public Health Act and Regulations, Food Act and Regulations, Protection of the Environment Act, 1997 and regulations.
- 22. Pursuant to any delegation from the Director-General of the Department of Health to issue clean up notices under Section 51 of the Food Act, 1989.
- 23. Pursuant to any delegation from the Director-General of the Department of Health to serve Orders for Closure under Section 52 of the Food Act, 1989.
- 24. To approve or refuse applications for the installation of waste treatment devices and human waste storage facilities under Section 68 of the Local Government Act, 1993.
- 25. To issue Undertaker and Mortuary approvals pursuant to Section 68 of the Local Government Act, 1993.
- 26. To authorise the carrying out of work by Council pursuant to Section 678 of the Local Government Act, 1993.
- 27. To reject applications for approval pursuant to Section 85 of the Local Government Act, 1993.

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER

CONTINUED

F. BUSHFIRE/EMERGENCY SERVICES

- To authorise the release of Council plant and other resources to assist fire fighting and emergency work.
- 2. To authorise the use of Council resources to support the Warren Local Emergency Management Committee, Warren Local Emergency Operations Controller or Warren State Emergency Service Local Controller.
- 3. To authorise the use of Council's resources and exercise the powers conferred under Section 36 of the Environmentally Hazardous Chemicals Act, 1985.
- 4. To make Council appointments to the Warren Local Emergency Management Committee pursuant to the State Emergency Rescue and Management Act, 1989.

G. Impounding/Stock Control/Saleyards

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

H. Miscellaneous Operational Matters

- 1. To determine applications for use of public roads for walkathons, charitable collections, motorcar trials, bicycle races and the like where the involvement of the Warren Local Traffic Committee is not specifically required.
- 2. To determine the conditions of use of Council's parks gardens and reserves and other places in accordance with section 632 of the Local Government Act, 1993.
- 3. To vary the dates of opening and closing of the Warren Pool Complex.
- To impose and enforce any necessary restrictions to the water supplies of Warren, Nevertire and Collie.
- 5. To issue pavement concessions for aircraft wishing to use the Warren Aerodrome in accordance with the guidelines issued by the Department of Transport.

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

- 6. In consultation with the Mayor the authority to approve or refuse applications for mineral explorations throughout the Shire unconditionally or subject to any appropriate conditions.
- 7. To approve the free utilisation of Council plant and equipment to charitable, service, voluntary and community organisations within the Shire in accordance with Council's policy.
- 8. To issue NOTAMS advices to the CASA in accordance with appropriate legislative requirements.

PURPOSE

Council's Interim General Manager commenced duties on Tuesday 3rd November, 2020 and requires delegations to undertake this role.

BACKGROUND

The provisions of Local Government Act state:

"377 General power of the council to delegate

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:
 - (a) the appointment of a general manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders to provide services currently provided by members of staff of the council,
 - (j) the adoption of an operational plan under section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - (I) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

- (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
- (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
- (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
- (s) the making of an application, or the giving of a notice, to the Governor or Minister,
- (t) this power of delegation,
- (u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:
 - (a) the financial assistance is part of a specified program, and
 - (b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council."

REPORT

That in accordance with the provisions of Section 377 of the Local Government Act, 1993 Council is required to delegate to the Interim General Manager, Stephen Glen delegated authority to exercise or perform on behalf of Council the powers, authorities, duties and functions required of this position.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

Nil.

STAKEHOLDER CONSULTATION

Nil.

OPTIONS

Nil.

Mayoral Minute

to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER CONTINUED

CONCLUSION

Delegations of Authority are required for the General Manager.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION /ATTACHMENTS

Nil.



COUNCIL CHAMBERS DEVELOPMENT SUNSET COMMITTEE

Attached are the Minutes of the meeting of the Council Chambers Development Sunset Committee held on Wednesday, 18th November 2020.

RECOMMENDATION:

That the Minutes of the Meeting of the Council Chambers Development Sunset Committee held on Wednesday 18th November 2020 be received and noted and the following recommendation be adopted:

ITEM 4.1 COUNCIL BUILDING ADDITION

(S1-1.15/1)

That:

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

Minutes of the Council Chambers Development Sunset Committee
Meeting held in the Council Chambers, 115 Dubbo Street, Warren on Wednesday,
18th November 2020 commencing at 3.10pm

Present: Councillor Milton Quigley (Chair)

Councillor Pauline Serdity Councillor Katrina Walker

Stephen Glen (General Manager)
Darren Arthur (Manager of Finance)

Maryanne Stephens (Manager of Health and Development)

Blake Derrett (Consultant)
Cassy Mitchell (Minute taker)

ITEM 1 APOLOGIES

Nil.

ITEM 2 CONFIRMATION OF MINUTES

(C14-3.25)

MOVED Serdity/Walker that the Minutes of the Meeting held on Monday 9th September 2020 be accepted as a true and correct record of that meeting.

Carried

ITEM 3 BUSINESS ARISING FROM MINUTES

- What projects will be completed.
- Costings to bring the building to completion.

ITEM 4.1 STATUS UPDATE AND FINANCIALS

(S1-1.15/1)

MOVED Walker/Serdity that:

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

Carried

ITEM 5 GENERAL BUSINESS ITEMS

1. Councillors undertook an inspection of the building extensions.

There being no further business the meeting closed at 3.55pm.



MANEX MINUTES

Attached are the Minutes of the meeting of Manex held on Tuesday, 24th November 2020.

RECOMMENDATION:

That the Minutes of the Meeting of Manex held on Tuesday, 24th November 2020 be received and noted.

ITEM 7 OPERATIONAL PROCEDURES

(12-11.1)

That:

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

ITEM 8 FOODIES NIGHT MARKETS – REQUEST FOR FOOD MARKETS

(13-23)

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

ITEM 9 REQUEST FOR A MONTHLY CHURCH SERVICE TO BE HELD IN MACQUARIE PARK (P1-7.6)

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

Minutes of the Manex Committee Meeting held in the Council Chambers, Administration Building, Warren, on Tuesday 24th November 2020 commencing at 2.30 pm

PRESENT:

Stephen Glen General Manager

Darren Arthur Divisional Manager Finance & Administration (Chair)

Jillian Murray Treasurer

Rolly Lawford Divisional Manager Engineering Services

Raymond Burns Town Services Manager

Rowan Hutchinson Roads Infrastructure Manager

Maryanne Stephens Manager Health & Development Services

Kerry Jones Infrastructure Projects Manager

Jody Burtenshaw Executive Assistant

ITEM 1 APOLOGIES

Nil.

ITEM 2 BUSINESS ARISING FROM MINUTES

 The Treasurer enquired if the solar panels at the new Council dwellings in Deacon Drive have been connected.

The Divisional Manager Finance & Administration advised that he had been informed that the conversion has been completed and that Council should see the rebates come through on next electricity account.

ITEM 3 ACTION CHECKLIST

MOVED Arthur/Glen that the information be received and noted.

Carried

ITEM 4.1 2020/2021 SPECIFIC WORKS STATUS REPORT

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

Carried

ITEM 4.2 PROJECTS AND ASSETS STATUS REPORT

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

Carried

Minutes of the Manex Committee Meeting held in the Council Chambers, Administration Building, Warren, on Tuesday 24th November 2020 commencing at 2.30 pm

ITEM 4.3 EWENMAR WASTE DEPOT STATUS REPORT

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

Carried

ITEM 5.1 NSW GOVERNMENT CIRCULARS

(L5-3)

Nil.

ITEM 5.2 OFFICE OF LOCAL GOVERNMENT STRATEGIC TASKS

(L5-3)

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

Carried

ITEM 6 IMPOUNDING OFFICER'S REPORT

(P4-4)

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

Carried

ITEM 7 OPERATIONAL PROCEDURES

(12-11.1)

MOVED Stephens/Murray that:

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

Carried

ITEM 8 FOODIES NIGHT MARKETS – REQUEST FOR FOOD MARKETS

(13-23)

MOVED Lawford/Stephens that Foodies Night Markets be permitted and that they be advised they should liaise with Council on a future date and venue.

Carried

ITEM 9 REQUEST FOR A MONTHLY CHURCH SERVICE TO BE HELD IN MACQUARIE PARK

(P1-7.6)

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

Carried

Minutes of the Manex Committee Meeting held in the Council Chambers, Administration Building, Warren, on Tuesday 24th November 2020 commencing at 2.30 pm

ITEM 10 OCTOBER 2020 DRAFT MINUTES AND DECEMBER 2020 BUSINESS PAPER

The Committee previewed the December 2020 Business Paper and the October 2020 Draft Minutes and actions required were placed on the Action Checklist in Item 1 of the General Manager's Report.

ITEM 11 CORRESPONDENCE AND COMPLAINTS/ACTION REQUESTS STATUS

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

ITEM 12 GENERAL BUSINESS WITHOUT NOTICE

- The Treasurer requested if Asset Setup Forms could be returned to the Finance Clerk Payroll when new plant has been purchased and old plant has been sold.
- The Treasurer enquired if the watering of parks has commenced now that there are no water restrictions imposed, and further noted that there are noticeable dead spots at Lion's Park.
 - The Town Services Manager advised that the watering of parks and gardens had recommenced. The watering has been scheduled to be undertaken overnight, with the exception of the Racecourse/Showground Complex and that the areas of concern will be investigated and monitored.
- The Treasurer requested that staff refuel Council's diesel vehicles at the Council Depot. If they currently do not have a fob for the system, could they please be instructed to obtain one from the Storeman. Purchasing fuel from town service stations is at higher rate per litre.
- Council to officially contact Transport for NSW requesting the removal of the loose concrete from the town roundabout.
- To ensure our committed costings are more accurate, the Treasurer advised that once Council orders are expended, they will be closed and a new order will be required.
- The Treasurer enquired if employees are working flexis and weekends.
 - The Divisional Manager Engineering Services advised that he is currently in negotiations with the United Services Union over a working agreement that staff have agreed to. The General Manager reiterated that the Finance Clerk Payroll is to be advised so that payrates can be correctly paid.
- The Manager Health and Development Services requested that Road Condition Reports are supplied to those staff members who answer enquiries from the public. The Divisional Manager Engineering Services advised that they are still being produced and distributed.

There being no further business the meeting closed 4.52 pm.

Delegates Report by Councillor P Serdity to the Ordinary Meeting of Council held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 NORTH WESTERN LIBRARY CO-OPERATIVE AGM

(L2-5)

Clr Irving and I attended the NWL AGM held at the Warren Council Chambers on Wednesday 4th November 2020.

A good attendance was recorded for this meeting. I was re-elected as Chair for the coming year and Clr Irving was re-elected to the Executive Management Committee for the coming year.

All libraries reported on the impact of COVID 19 in relation to the difficulties faced in providing services to their communities. Although social distancing has hampered activities that can be held at the library various avenues have been explored by the 4 libraries to continue to provide services to their wider communities by out reaching to other groups within the towns such as schools, pre-schools, day care providers and vacation care to name a few. Library packs have also been supplied by some libraries to their communities and workshops were conducted using online systems to hold story time, Lego and coding workshops etc.

Visiting authors had to be placed on hold until next year and once allowed this activity will be revisited.

The North Western Library Co-Operative Agreement was reviewed with slight amendments made, mainly the dates for the next 4 years i.e. 1st July 2021 to 30th June 2025. This agreement will be forwarded to the 4 Councils for adoption under their common seal and will then be forwarded to the State Library for their records.

The Committee resolved to increase each Council's 2021/2022 contribution in line with the determination by IPART of 2% this equates to an increase of \$1,190.00 in the overall Council contributions.

All Librarians/Library Managers provided a detailed report on their various activities during the past year. All reported that due to COVID 19 library visitor numbers (foot traffic) were down but with the easing of restrictions these numbers are starting to rise again.

All Libraries will continue to provide the best services that they can during these difficult times and hope that 2021 will bring some return to normal past services.

Clr Pauline Serdity
Council Delegate
Chairperson
North Western Library Co-Operative
4th November 2020.

Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – AUDIT REVIEW JULY 2020

(V1-2)

RECOMMENDATION:

- 1. That the information be received and noted
- 2. The following policies be placed on public exhibition for a minimum of 28 days; and
- 3. Subject to nil submissions being received, the policies be adopted.
 - Nutrition & Food Safety Policy;
 - Rest Time Policy;
 - Responsible Person Policy;
 - Staffing Arrangements Policy;
 - Code of Conduct Policy; and
 - Student and Volunteer Policy.

PURPOSE

To advise Council that as a result from the audit review completed by NSW Department of Education – Early Childhood Education Directorate it was discovered that new policies were required to be developed and adopted.

BACKGROUND

The NSW Department of Education - Early Childhood Education Directorate undertook a compliance audit on Warren Shire Council Vacation Care on 8th and 9th July 2020. From this audit it was identified that Policies as required under the Education and Care Services Regulations, had not been adopted by Council.

REPORT

It is a requirement that Council develop and adopt the required Policies as per the audit report.

FINANCIAL AND RESOURCE IMPLICATIONS

The financial cost involved becoming a member of the Child care Centre Desktop, and the time for the educator to develop the necessary policies.

LEGAL IMPLICATIONS

If Council does not develop and adopt the necessary Policies, Council would be in breach of the Education and Care Services Regulations.

RISK IMPLICATIONS

Council would have to consider the removal of the service to the residents of Warren.

STAKEHOLDER CONSULTATION

The Supervisor worked closely with the NSW Department of Education – Early Childhood Education Directorate, to develop the necessary Policies.

OPTIONS

If Council do not adopt the required Policies, Council will be in breach of the Education and Care Services Regulations.

Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – AUDIT REVIEW JULY 2020

CONTINUED

CONCLUSION

If Council wish to continue to offer Vacation Care to the residents of Warren Local Government Area, the following Policies should be adopted;

- Nutrition & Food Safety Policy;
- Rest Time Policy;
- Responsible Person Policy;
- Staffing Arrangements Policy;
- Code of Conduct Policy; and
- Student and Volunteer Policy.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION /ATTACHMENTS

- Nutrition & Food Safety Policy;
- Rest Time Policy;
- Responsible Person Policy;
- Staffing Arrangements Policy;
- Code of Conduct Policy; and
- Student and Volunteer Policy.

Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY

(V1-2)

Vacation Care

NUTRITION & FOOD SAFETY POLICY



Our Vacation Care Service recognises the importance of safe food handling and healthy eating to the growth and development of young children and is committed to implementing the healthy eating key messages outlined in the Australian Dietary Guidelines for primary school aged children.

Our Vacation Care Service recognises the important role educators have in teaching healthy lifestyles through everyday experiences and routines and physical activity. Our educators support families by providing information about healthy food and drink for their children when visiting our service.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY				
2.1	Health	Each child's health and physical activity is supported and promoted		
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented		
2.1.3	Healthy lifestyles	Healthy eating and physical activity are promoted and appropriate for each child		

77	Health, hygiene and safe food practices	
78	Food and beverages	
79	Service providing food and beverages	
90	Medical conditions policy	
91	Medical conditions policy to be provided to parents	
162	Health information to be kept in enrolment record	

Children & Centre Deckton (02020 - Nutrition Food Safety Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED

Related Policies Multicultural Policy	Health and Safety Policy
Multicultural Policy	Health and Safety Policy
PURPOSE	
Out of School Hours Care Services are required by le	gislation within the National Quality Standard to en-
sure the provision of healthy foods and drinks that m	
Australian Dietary Guidelines. It is essential that our	
vide education about nutrition and promote healthy	
their health and wellbeing. Dietary and healthy eatir	
tinue into adulthood and can reduce the risk factors	
obesity, type 2 diabetes and cardiovascular disease.	
Our Vacation Care Service recognises the importance	e of healthy eating for the growth, development, an
wellbeing of children and is committed to promoting	g and supporting healthy food and drink choices for
children in our care. This policy affirms our position	on the provision of healthy food and drink while chi
dren are in our care and the promotion and education	on of healthy choices for optimum nutrition.
We believe in providing a positive eating environmen	nt that reflects dietary requirements, cultural and
family values, and promotes lifelong learning for chil	dren, as we commit to implementing and embeddin
the healthy eating key messages outlined the Austra	lian Guide to Healthy Eating.
SCOPE	
This policy applies to children, families, staff, visitors,	, and management of the Vacation Care Service
IMPLEMENTATION	
Our Vacation Care Service has a responsibility to help	p children to develop good food practices and ap-
proaches, by working with families and educators.	
Mealtimes reflect a relaxed and pleasant environmen	nt where educators engage in meaningful conversa-
tions with children. This assists in creating a positive	and enjoyable eating environment.

Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED

Vacation Care

NUTRITION

Promote healthy food and drinks based on the Australian Guide to Healthy Eating and the Dietary Guidelines for Children and Adolescents.

Our Vacation Care Service will:

As food is brought from home:

- provide information to families on the types of foods and drinks recommended for children and that are suitable for children's lunchboxes and after school snacks
- provide information to families on how to read the Nutritional Information Panel on food and drink labels
- encourage children to eat the more nutritious foods provided such as sandwiches, fruit, cheese and yoghurt, before eating any less nutritious food provided
- strongly discourage the provision of highly processed snack foods high in fat, salt, and/or sugar, and
 low in essential nutrients in children's lunchboxes. Examples of these foods include sweet biscuits,
 some muesli bars, breakfast bars and fruit filled bars, and chips.

Management/Nominated Supervisor/Educators will:

- ensure water is readily available for children to drink
- be aware of children with food allergies, food intolerances, and special diets and consult with families to develop individual management plans
- ensure children remain seated while eating and drinking
- supervise children whilst eating and drinking
- encourage and provide opportunities for staff and educators to undertake regular professional development to maintain and enhance their knowledge about early childhood
- display nutritional information for families
- · not allow food to be used as a form of punishment or to be used as a reward or bribe
- establish healthy eating habits in the children by incorporating nutritional information into our program
- encourage parents to the best of our ability to continue our healthy eating message in their homes

FOOD HYGIENE

Childrene Centre Deckton © 2020 - Nutrition Food Safety Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED

Vacation Care

Food poisoning is caused by bacteria, viruses, or other toxins being present in food and can cause extremely unpleasant symptoms such as diarrhoea, vomiting, stomach cramps, and fevers. (Foodsafety.gov, 2019). Our Vacation Care Service will strictly adhere to food hygiene standards to prevent the risk of food poisoning when engaging in programmed cooking experiences.

Buying food for planned experiences:

Our Vacation Care Service will:

- always check labels for the 'use by' and 'best before' dates, understanding that 'use by' dates apply to perishable foods that could potentially cause food poisoning if out of date, whilst 'best before' dates refer to food items with long shelf life but quality could be compromised
- · avoid buying food items in damaged, swollen, leaking or dented packaging
- · always check eggs within cartons: Never buy dirty or cracked eggs.
- · never buy any food item if unsure about its quality
- · ensure fresh meat, chicken, or fish products cannot leak on to other food items
- ensure chilled, frozen, and hot food items are kept out of the 'danger zone' (5°C to 60°C) on the trip back to the Service by:
 - o not getting chilled frozen, or hot food items until the end of the shopping.
 - o placing these items in an insulated shopping bag or cooler
 - o immediately unpacking and storing these items upon the return to the Service

Cooking with children

Cooking can help develop children's knowledge and skills regarding healthy eating habits. Cooking is a great, fun activity and provides opportunities for children to be exposed to new foods, sharing of recipes and cooking skills. During any cooking experience, educators will be vigilant to ensure that the experience remains safe, and relevant food hygiene practices are adhered to.

Preparing and serving food

Our Vacation Service will:

- · ensure that cooked food is served promptly, or
- use a thermometer to ensure that hot food is maintained at above 60 °C until ready to serve.
- ensure that prepared cold food is stored in the refrigerator maintained at below 5 °C until ready to serve

Children Contra Dockfor @ 2020 - Nutrition Food Safety Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED

Vacation Care

- discard any cooked food that has been left in the 'danger zone' for two or more hours. Do not reheat.
- · keep cooked and ready-to-eat foods separate from raw foods
- · wash fruit and vegetables thoroughly under clean running water before preparation
- · ensure unused washed fruit or vegetables are thoroughly dry before returning to storage
- · ensure food that has been dropped on the floor is immediately discarded
- thoroughly clean kitchen utensils and equipment between using with different foods and/or between different tasks
- avoid cross-contamination by ensuring that separate knives and utensils are used for different foods.
- · ensure that gloves are changed between handling different foods or changing tasks
- ensure that staff preparing food for children with food allergies or intolerances are proficient at reading ingredient labels
- ensure that food allergies and intolerances are catered for by using separate easily identifiable cutting boards, utensils, and kitchen equipment (e.g. using a colour code, or food-safe permanent marker)
- ensure that children with food allergies and/or intolerances are served their meals and snacks
 individually on an easily identifiable plate (e.g. different colour), and that food is securely covered
 with plastic wrap until received by the child to prevent possible cross-contamination.

Cleaning

Our Vacation Care Service will:

- ensure that food preparation areas and surfaces are cleaned both before, after, and during any food preparation
- . ensure that all cooking and serving utensils are cleaned and sanitised before use
- ensure that all dishwashing sponges, brushes, and scourers are cleaned after each use and allowed to air dry
- ensure the food storage area is clean, ventilated, dry, pest free, and not in direct sunlight
- ensure refrigerators and freezers are cleaned regularly and door seals checked and replaced if not in good repair
- prevent pest infestations by cleaning spills as quickly as possible and ensuring rubbish and food scraps are disposed of frequently
- ensure that floor mops are thoroughly cleaned and air dried after each use
- replace any cleaning equipment that shows signs of wear or permanent soiling

Children Contro Doubles © 2020 - Nutrition Food Safety Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED

Vacation Care

All staff handling food will:

- ensure children and staff wash and dry their hands (using soap, running water, and single use disposable towels or individual hand towels) before handling food or eating meals and snacks
- ensure gloves or food tongs are used by all staff handling 'ready to eat' foods.
- ensure food is stored and served at safe temperatures (below 5°C or above 60°C), with consideration
 to the safe eating temperature requirements of children
- discourage children from handling other children's food and utensils
- ensure food-handling staff members attend relevant training courses and pass relevant information on to the rest of the staff.

Creating a positive learning environment

Our Vacation Care Service will:

- ensure that educators sit with the children at meal and snack times to role-model healthy food and drink choices and actively engage children in conversations about the food and drink provided
- encourage children to choose water as a preferred drink
- endeavour to recognise, nurture and celebrate the dietary differences of children from culturally and linguistically diverse backgrounds
- · encourage children to try different foods but do not force them to eat
- not use food as a reward or withhold food from children for disciplinary purposes
- · role-model and discuss safe food handling with children

Vacation Care Service Program

Our Vacation Care Service will:

 foster awareness and understanding of healthy food and drink choices through including in the children's program a range of learning experiences encouraging children's healthy eating

Children Contro Dockton © 2020 - Nutrition Food Safety Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED

Vacation Care

- · encourage children to participate in a variety of 'hands-on' food preparation experiences
- provide opportunities for children to engage in discovery learning and discussion about healthy food and drink choices
- embed the importance of healthy eating and physical activity in everyday activities and experiences

Communicating with families

Our Vacation Care Service will:

- provide a copy of the Nutrition and Food Safety Policy to all families upon orientation at the Service
- · provide opportunities for families to contribute to the review and development of the policy
- request that details of any food allergies or intolerances or specific dietary requirements be provided to the Vacation Care Service and work in partnership with families to develop an appropriate response so that children's individual dietary needs are met
- communicate regularly with families about food and nutrition related experiences within the Service
 and provide up to date information to assist families to provide healthy food choices at home.
- communicate regularly with families and provide information on appropriate food and drink to be
 included in children's lunchboxes- especially during Vacation Care. This information may be provided
 to families in a variety of ways including factsheets, newsletters, during orientation, information sessions and informal discussion.

Source

Australian Children's Education & Care Quality Authority. (2014).

Australian Government Department of Education, Skills and Employment. My Time Our Place-Framework for School Aged Children. (2011).

Australian Government Department of Health Eat for Health The Australian Dietary Guidelines https://www.eatforhealth.gov.au/guidelines

Food Act 2003

Food Regulation 2015

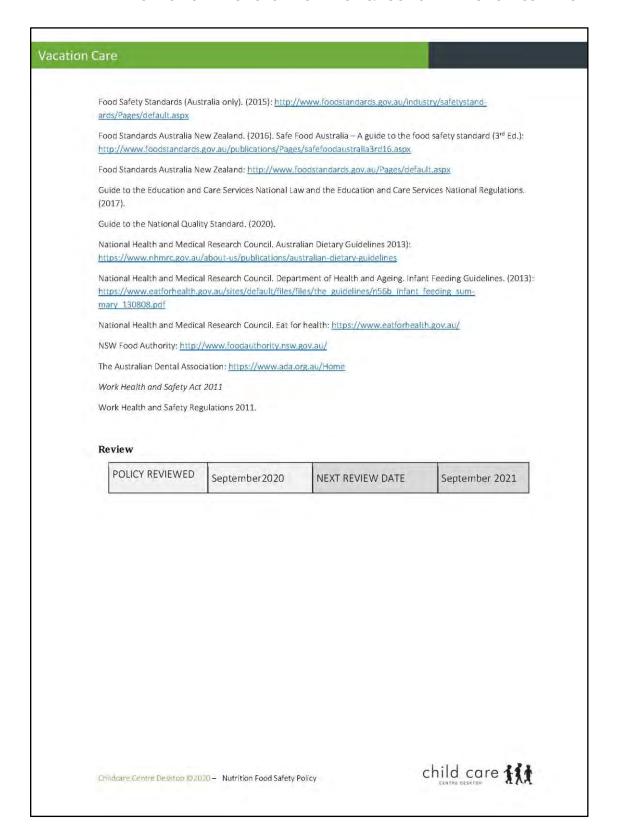
Foodsafety.gov. (2019): https://www.foodsafety.gov

Childrane Centre Desklop © 2020 - Nutrition Food Safety Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – NUTRITION & FOOD SAFETY POLICY CONTINUED



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – REST TIME POLICY

(V1-2)

Vacation Care

Warren Shire Council Vacation Care

REST TIME POLICY



The United Nations Convention on the Rights of

the Child states that "all children have the right to

relax and play" (My Time, Our Place: Framework for School Age Care in Australia, p. 4). Our Vacation Care Service will cater for the needs of individual children who may require a rest during a busy day.

NATIONAL QUALITY STANDARD (NQS)

2.1	Health	Each child's health and physical activity is supported and promoted.
2.1.1	Wellbeing and comfort	Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's needs for sleep, rest and relaxation.
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

QUALITY AREA 3: PHYSICAL ENVIRONMENT			
3.1	Design	The design of the facilities is appropriate for the operation of a service.	
3.1.2	Upkeep	Premises, furniture and equipment are safe, clean and well maintained.	

UCATI	ON AND CARE SERVICES NATIONAL REGULATIONS
81	Sleep and Rest
103	Premises, furniture and equipment to be safe, clean and in good repair
105	Furniture, materials and equipment

Children Centre Detation @ 2020 - Vacation Care Rest Time Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – REST TIME POLICY

CONTINUED

Vacation Care

110	Ventilation and natural light	
115	Premises designed to facilitate supervision	
168	Education and Care services must have policies and procedures	
176	Time to notify certain information to Regulatory Authority	

RELATED POLICIES

Family Communication Policy Interaction with Children, Family and Staff Policy	Respect for Children Policy	
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PURPOSE

Our Vacation Care Service will ensure that all children have appropriate opportunities to rest and relax in accordance with their individual needs. Our Service has a duty of care, to ensure we respect and cater for each child's specific needs.

SCOPE

This policy applies to children, families, staff, management and visitors of the Service.

IMPLEMENTATION

'Children have different sleep, rest and relaxation needs. Children of the same age can have different sleep patterns that Nominated Supervisors and Educators need to consider within the Service. As per Standard 2.1 (Element 2.1.1) of the National Quality Standard, each child's comfort must be provided for and there must be appropriate opportunities to meet each child's sleep, rest and relaxation needs.' (ACECQA)

Our Vacation Service defines 'rest 'as a period of inactivity, solitude, calmness or tranquillity, and can include a child being in a state of sleep. Considering the busy and energetic nature of a child's day, we feel that it is important for children to participate in a quiet/rest period during their time at Vacation Care if required, to rest, relax and recharge their body.

Children Contro Dockson © 2020 - Vacation Care Rest Time Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – REST TIME POLICY

CONTINUED

Vacation Care

Our Service will consult with families about their child's individual needs, ensuring they are aware of the different values and parenting beliefs, cultural or opinions associated with sleep requirements.

THE APPROVED PROVIDER OR NOMINATED SUPERVISOR WILL:

- Take reasonable steps to ensure that children's needs are being met by giving them the
 opportunity to rest, having regard to the ages, developmental stages and individual needs of
 each child
- . Ensure the area for rest is well ventilated and has natural lighting.
- Ensure safe supervision of children whilst they rest their bodies.

THE APPROVED PROVIDER, NOMINATED SUPERVISOR, EDUCATORS, STAFF MEMBERS, VOLUNTEERS AND STUDENTS WILL:

- · Consult with families about children's rest needs.
- · Maintain adequate supervision and ratios throughout the rest period.
- Assess each child's circumstances and current health to determine whether higher supervision levels and checks may be required.
- Communicate with families about their child's rest time and observed requirements.
- Encourage children to dress appropriately for the room temperature when resting. Lighter
 clothing is preferable, with children encouraged to remove shoes, jumpers, jackets and bulky
 clothing.
- Monitor the room temperature to ensure maximum comfort for the children.

EDUCATORS WILL ENSURE THAT:

- If a school age child requests a rest, a designated area for the child to be inactive and calm, away from the main group of children is provided.
- The designated rest area may include a cushion, bean bag or comfortable seat in a quiet section
 of the care environment.
- · Sleeping children are monitored at regular intervals.
- Faces of sleeping children are uncovered when they are

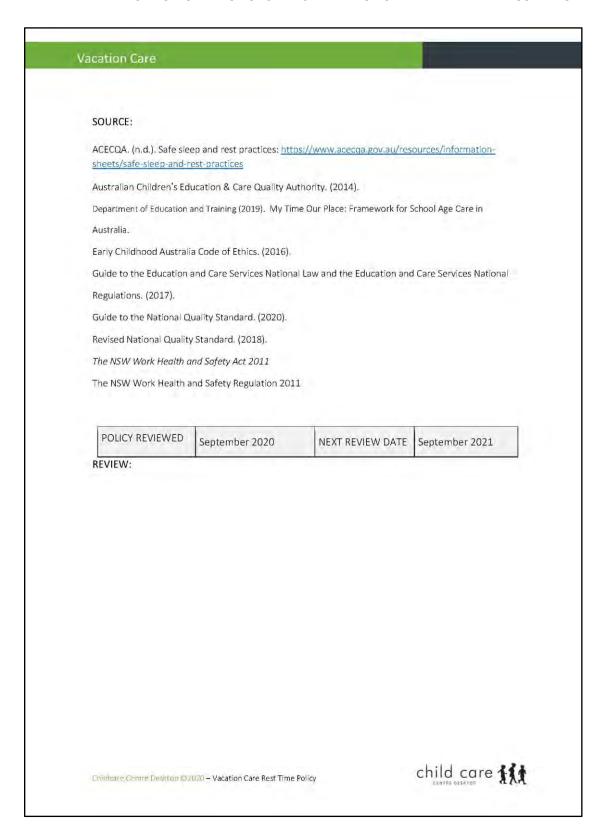
Childrene Centre Desklop @2020 - Vacation Care Rest Time Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – REST TIME POLICY

CONTINUED



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – RESPONSIBLE PERSON POLICY

(V1-2)

acation care

RESPONSIBLE PERSON POLICY



A Responsible Person must be physically in attendance at all times that the Service is educating and caring for children.

Approved providers are responsible for appointing a Responsible Person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and has an ability to effectively supervise and manage an education and care service (ACECCIA, 2017).

NATIONAL QUALITY STANDARD (NQS)

QUAL	JALITY AREA 4: STAFFING ARRANGEMENTS	
4.1	Staffing Arrangement s	Staffing arrangements enhance children's learning and development
4.1.1	Organisation of educa- tors	The organisation of educators across the service supports children's learning and development
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educa tors at the service
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collabora- tion	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills
4.2.2	Professional standards	Professional standards guide practice, interactions and relation- ships.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

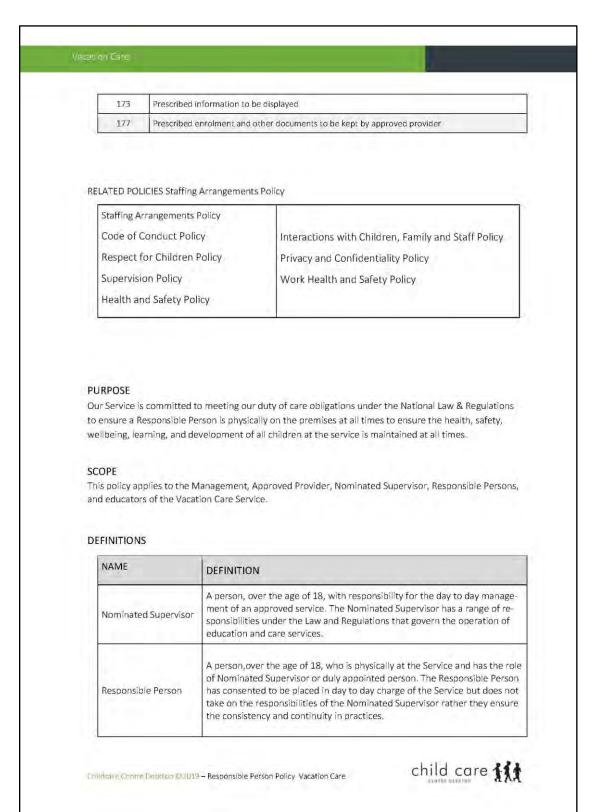
150	Responsible Person
168	Policies and Procedures
169	Offence relating to staffing arrangements
117A	Placing a person in day-to -day charge Minimum requirements for a nominated supervisor
1178	Minimum requirements for a person day-to-day charge 117B
117C	Minimum requirements for a nominated supervisor 117 C

Critificate Centre Doubleto © 2019 - Responsible Person Policy Vacation Care.



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – RESPONSIBLE PERSON POLICY CONTINUED



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – RESPONSIBLE PERSON POLICY CONTINUED

IMPLEMENTATION

A Responsible Person will be on the premises at all times, and the details of the Responsible Person will be clearly visible to families and visitors at the main entry of the Service.

If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. It is vital that all hand-overs to a designated Responsible Person are documented when commencing this position throughout the day. The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times. Both the outgoing and incoming Responsible Persons will ensure the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

Our Service will have one Responsible Person present at all times when caring for and educating children.

A responsible person can be:

- An Approved Provider or a person with management or control
- A Nominated Supervisor, or
- A person in day-to-day charge of the service (PIDTDC)

The Approved Provider/ Management will ensure:

- A Responsible Person is appointed and physically on the premise at all times children are being educated and cared for.
- · The Responsible Person is over the age of 18 years.
- The Responsible Person meets the minimum requirements for qualification, experiences and management capabilities. (including Child Protection training, Working With Children Check)
- The Responsible Person has adequate knowledge and understanding of the provision of education and care to children.
- The Responsible Person has the ability to effectively supervise and manage an education and care
 source.
- The history of the person's compliance with the National Law, former education and care services law, children's services law and an educational law are assessed
- The Responsible Person is a fit and proper person.
- Evidence of completing an approved diploma level education and care qualification or higher is considered as a requirement (Recommended but not compulsory).

Critificate Centre Dockton (02019 - Responsible Person Policy Vacation Care



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – RESPONSIBLE PERSON POLICY CONTINUED

Vacation Care

- Through checks of the nominated person's reference including their current and previous employers are made and kept on file
- · Written consent for the position is provided by the Responsible Person and filed in staff record
- The regulatory authority is notified 7 days prior to a Nominated Supervisor starting at the Service
 or within 14 days after the person has commenced the role through NQS IT system
- The regulatory authority is notified if the Nominated Supervisor changes their name or contact
 details; is no longer employed by the Service, has been removed from the role or withdraws their
 nomination.
- A Responsible Person will be removed from the position should management become aware of a
 matter or incident which affects the ability of the person to meet the minimum requirements of the
 position.
- The staff register has the name of the Responsible Person at the Service for each time children are being educated and cared for by the Service
- A Responsible Person is on duty from the time the Service opens each day until the time the Service
- · The PIDTCD interchanges with the Nominated Supervisor in their absence
- Responsible Persons are aware that they have to sign off when they have finished their duty and will
 ensure the Nominated Supervisor or appointed Responsible Person (PIDTIC) will sign on and take on
 the role.

A Nominated Supervisor/appointed Responsible person will:

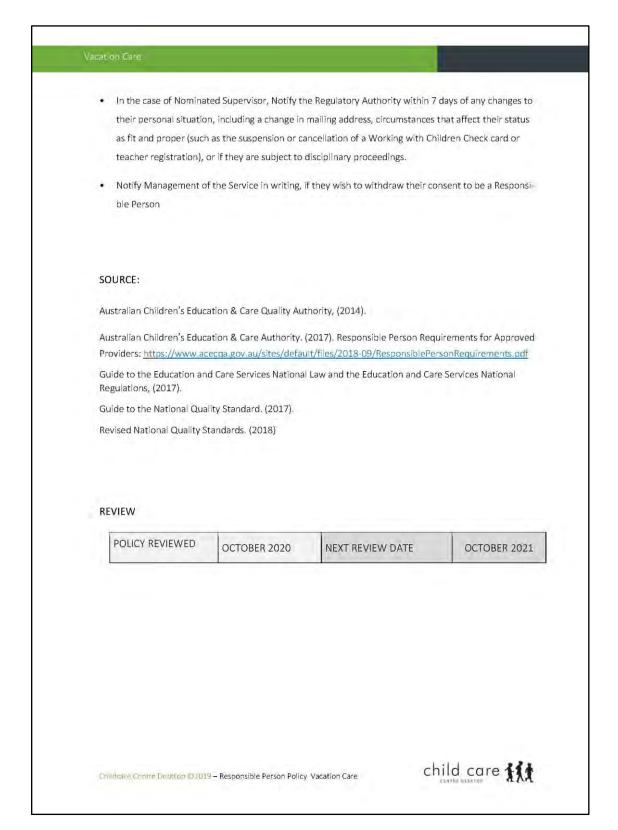
- Provide written consent to accept the role of Responsible Person
- . Sign their name and hours of responsibility on the Responsible Service Register
- Ensure that the identity of the Responsible Person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors.
- Inform the Director in a timely manner in the event of absence from the Service due to leave or illness so they can be replaced by another Responsible Person
- Ensure they have a sound understanding of the role of Responsible Person
- Abide by any conditions placed on the Responsible Person
- Understand that a Responsible Person placed in day-to-day charge (PIDTIC) of the Service does not
 have the same responsibilities under the National Law as the Nominated Supervisor.

Criticiane Centre Dockton (02019 - Responsible Person Policy Vacation Care



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – RESPONSIBLE PERSON POLICY CONTINUED



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – RESPONSIBLE PERSON POLICY CONTINUED

DATE	TIME IN	RESPONSBILE PER- SON'S NAME	SIGNATURE	HAND OVER COMME

Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY

(V1-2)

Vacation Care

STAFFING ARRANGEMENTS POLICY



Our Vacation Care Service aims to provide Educators and Nominated Supervisors who have the qualifications and experience to develop warm, nurturing, and respectful relationships with children. We are committed to ensuring that children's health, safety, and wellbeing is protected at all times through providing appropriate and effective supervision according to legislated ratios and best practice. Our Educators, in collaboration with our Educational Leader, design and implement programs that support children's participation and engagement, interests, learning, and development.

NATIONAL QUALITY STANDARD (NQS)

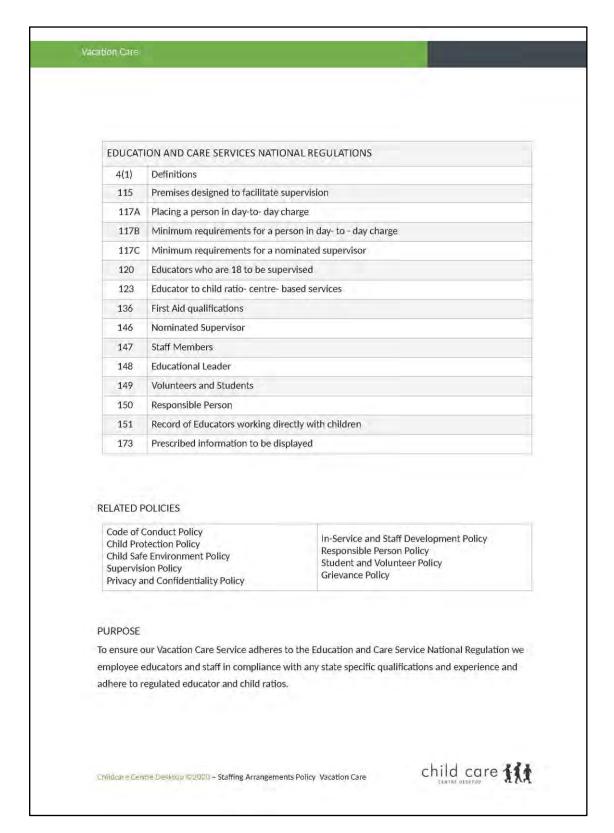
Staffing arrangements	Staffing arrangements enhance children's learning and development.
Organisation of Educators	The organisation of Educators across the Service supports children's learning and development.
Continuity of staff	Every effort is made for children to experience continuity of Educators at the Service.
Professionalism	Management, Educators and staff are collaborative, respectful and ethical.
Professional collaboration	Management, Educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
Professional Standards	Professional standards guide practice, interactions and relation- ships.
	Organisation of Educators Continuity of staff Professionalism Professional collaboration

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY

CONTINUED

Variation Care

SCOPE

This policy applies to Management, Approved Provider, Nominated Supervisor, Responsible Person and Educators of the Vacation Care Service.

IMPLEMENTATION

Our Service will comply with the required educators to child ratios and take into consideration any qualification requirements and experience for educators at centre-based services in order to meet National Regulations and Standards.

Educational Leader

The Educational Leader has an influential role in inspiring, motivating, affirming, and challenging or extending the practice and pedagogy of Educators. It is a joint endeavour involving inquiry and reflection, which can significantly impact on the important work Educators do with children and families.

- The Approved Provider will nominate a qualified and experienced Educator to take on the Educational Leader role and responsibilities.
- The Educational Leader will keep a record about how they mentor and guide Educators of the Service to ensure continuous improvement.
- The Educational Leader will guide Educators to provide a range of learning experiences that cater for the needs and interests of children through play and leisure opportunities
- The Educational Leader will maintain evidence about the development of the learning program and alignment to My Time, Our Place framework.

Nominated Supervisor

The Nominated Supervisor is a suitable person appointed by the Approved Provider who is placed in day-to-day charge of an approved Service. Nominated Supervisors have a range of responsibilities under the National Law and Regulations including programming, supervision and safety of children, entry to and exit from the premises, food and beverage, administration of medication, excursions, staffing, sleep and rest.

- The Approved Provider must provide sufficient evidence and information to demonstrate compliance to the Regulatory Authority of the suitability of this person as Nominated Supervisor.
- The Nominated Supervisor must be 18 years of older
- . The Nominated Supervisor must have successfully completed Child Protection training

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY

CONTINUED

Vacation Care

- The Nominated Supervisor is responsible for the day-to-day management of the Service, ensuring compliance with the National Law, Regulations and National Standards.
- The Nominated Supervisor will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities.
- The Nominated Supervisor will ensure the Service program is reflective of the approved learning framework, incorporate the children's developmental needs, interests, and experiences, and consider the individual differences and needs of each child.
- The Nominated Supervisor will adhere to Service policies ensuring a safe and healthy environment is provided.

Responsible Person

A Responsible Person is required to be physically present at the Service at all times that children are being educated and cared for. The Responsible Person can be the Approved Provider, or a person with management or control placed in day-to-day charge of the Service. The Responsible Person must be at least 18 years old and have adequate knowledge and understanding of the provision of education and care to children.

- Our Service will ensure there is always a Nominated Supervisor or Responsible Person on the premises when children are being educated and cared for.
- Our Service will clearly communicate the Responsible Person on duty with families, educators, staff and visitors by displaying this information in the foyer or reception area.
- The Responsible Person will adhere to Service policies and procedures and maintain a safe and healthy environment for children.
- The Responsible Person will always act with professionalism when dealing with children, educators, visitors, families and volunteers.

Approved First Aid Qualifications

- The Approved Provider is required to ensure at least one staff member or the Nominated Supervisor holds current qualifications for first aid, anaphylaxis management and emergency asthmas management training.
- The Approved Provider must ensure at least one staff member or one Nominated Supervisor be in attendance at any place children are being educated and cared for by the Service and be immediately available in an emergency and hold the mandatory qualification for:
 - ACECQA approved first aid qualification,
 - anaphylaxis management and
 - emergency asthma management training.

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY

CONTINUED

Varation Care

- (Approved qualifications are published on the ACECQA website)
- Services must have staff with current approved qualifications on duty at all times.

It is the Staff and Educator's responsibility to ensure they maintain current First Aid, Asthma, and Anaphylaxis Training certificates and provide the Service with a copy of the certificate. Staff and Educators must ensure they participate in training prior to the expiration date on their certificates

Working with Children Check

A Working With Children Check is a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. The result of a Working With Children Check is either a clearance to work with children for five years (NSW & Vic.), three years (WA, SA, QLD, TAS, & ACT), or two years (NT), or a bar against working with children. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked.

- To comply with National Regulations for those undertaking paid or voluntary child-related work all employees of the Service will acquire a Working with Children Check.
- Management will verify all Working With Children Checks to ensure the children are protected.
- Management will keep a record of the expiry date of the Working With Children Check for all staff.
- Management will ensure the Working With Children Checks are verified before the Nominated Supervisor or Responsible Persons are engaged at the Service.

Staff Record

- Approved Services must keep information about the Nominated Supervisor, Educational Leader, staff, volunteers, students, and the Responsible Person at the Service.
- Details must include evidence of staff working directly with children, qualifications, training and valid Working with Children Check.
- · All staff, Educators, students, volunteers, and visitors are required to sign in and out each day.

Adequate Supervision

Adequate supervision is a consideration for any part of the Vacation Care Service premises where children are educated and cared for and is part of every educator's Duty of Care. Supervision is an active practice to help protect children from harm or hazards. Educators are required to ensure children are in sight and/or hearing at all times, demonstrating that the best interest of children is being provided for.

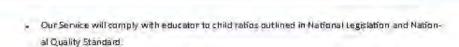
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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY

CONTINUED



- Educators will be required to adhere to the Service's Supervision Policy and maintain effective supervision.
- Educators will balance supervision and Children's growing needs to privacy and autonomy.
- Educators will adjust their level of supervision depending on the area of the Service and the skills, age, dynamics, and size of the group of children being supervised.
- Educators will respond to individual needs and attend to children as necessary.
- Children will be supervised whilst sleeping or resting after school.
- Educators will communicate with other Staff and Educators about their supervision points, offer advice and support to ensure children's safety is of the highest priority at all times.
- When supervising outdoors or when children are engaged in risky play Educators will position
 themselves to ensure high visibility and accessibility to these area and experiences.
- Unless briefly discussing a child or Service conserns, Educators will not congregate together either inside or autside.
- Educators will interact with children where pedagogically appropriate whist supervising.
- Supervising Educators will give their complete attention to the children and not perform other duties on tasks.

Working directly with Children

National Regulations state that an Educator cannot be included in calculating the Educator to child ratio of a centre-based Service unless the Educator is working directly with children. A record must be least of Educators working directly with children which includes the name of each Educator and hours each Educator works directly with children being educated and cared for by the Service.

- To ensure compliance with regulations, we will only include Educators in the educator to child ratio
 who are working directly with the children and ensure a sign on/ off record is available to verify this.
- Volunteers can be included as educators when counting ratios.(NSW)
- Educators who are under 18 years of age can be included in ratios however they must be adequately supervised by an educator over the age of 18 at all times.

Privacy

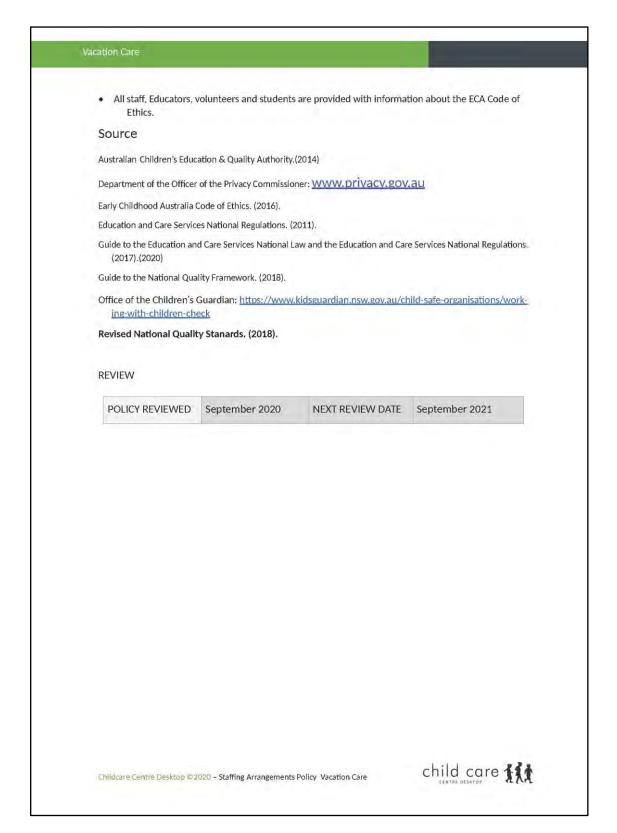
- Educators will adhere to the Services's privacy and confidentiality policy and Privacy Law in relation
 to shildren and their families, or matters relating to the Service and will at no time take part in
 inappropriate or unlawful conversation or discussions.
- The Nominated Supervisor will ensure that students and volunteers are made aware of the Services
 privacy and confidentiality policy and Privacy Law during their initial induction.

Thilderic Convictorship (1900) - Staffing Arrangements Policy Vacation Care



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STAFFING POLICY



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

VACATION CARE POLICIES – CODE OF CONDUCT ITEM 1

velopment for staff and educators. The values that underpin our

(V1-2)



work ethic include equality, respect, integrity, and responsibility. Our Vacation Care Service is committed to adhere to the ECA Code of Ethics (2016) which is based on the principles of the United Nations Convention on the Rights of the Child (1991) and provides a framework for the reflection about the ethical responsibilities of early childhood professionals.

NATIONAL QUALITY STANDARD (NQS)

4.1	Staffing ar- rangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

QUALIT	TY AREA 7: GOVER	RNANCE AND LEADERSHIP
7.1.1	Service philoso- phy and pur- pose	A statement of philosophy guides all aspects of the service's operations.
7.1.3	Roles and re- sponsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

Children Contro Dottel to @ 2020 - Vacation Care Code of Conduct Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

EDUCA	TION AND CARE SERVICES NATIONAL REGULATIONS
83	Staff members and family day care educators not to be affected by alcohol or drug
84	Awareness of child protection law
168	Education and care services must have policies and procedures

RELATED POLICIES

Privacy and Confidentiality Policy

Child Protection Policy

Interactions with Children, Family and Staff Policy In-Service and Staff Development Policy Grievance Policy (staff) Child Safe Environment Policy Photograph Policy
Record Keeping and Retention Policy
Respect for Children Policy
Responsible Person Policy
Social Media Policy
Work Health and Safety Policy

PURPOSE

We aim to establish a common understanding of work place standards and ethics expected of all employees of the Service. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Educators and management will at all times conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with the Service's philosophy.

SCOPE

This policy applies to families, staff, management and visitors of the Service.

IMPLEMENTATION

The Approved Provider, Nominated Supervisor, Educators and staff, volunteers, and students will adhere to the Early Childhood Australian Code of Ethics, National Regulations and Quality Standard, and Service

Children & Centre Doubles (0.2020) - Vacation Care Code of Conduct Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Vacation Care

policies and procedures at all times, promoting positive interactions both within the Service and the local community.

Respect for people and the Service

- Employees and Management are committed to the Vacation Care Service philosophy and values, inclusive of best practice in school age education and care and building positive partnership with children, families and staff.
- Effective, open, and respectful reciprocal communication and feedback between employees, children, families, and management is conveyed.
- It is important to treat colleagues, children, and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other employees, children, visitors, or families is unacceptable and will not be tolerated.
- Employees are committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families.
- Employees are committed to an Equal Opportunity workplace and culture which values the knowledge, experience, and professionalism of all employees, team members, and managers, and the diverse heritage of our families and children.

Expectations of Employees

Employees will:

- Ensure their work is carried out proficiently, harmoniously, and effectively. They will act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities and adhering to all Service policies, procedures, laws, regulations, and National Quality Standard.
- Act honestly and exercise attentiveness in all Service operations. They will carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor. Approved Provider or the Ombudsman.
- Have a solid understanding of the Vacation Care Service's policies and procedures and the ECA Code
 of Ethics. If uncertain about the content of any policy or procedure with which they must comply,
 employees should seek clarification from the Nominated Supervisor or Approved Provider,
- Be courteous and responsive when dealing with colleagues, students, visitors, children and families.
- Work collaboratively with colleagues and recognise and value diversity.
- . Be mindful of their duty of care towards themselves and others.

Children Contro Deutston (0.2020 - Vacation Care Code of Conduct Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Vacation Care

- · Be positive role models for children at all times.
- · Respect the rights of all children.
- · Respect the confidential nature of information gained about each child participating in the program.
- Engage in critical reflection to inform individual and collective decision making and ensure continual improvement.

Expectations of Leaders and Management

In addition to the above responsibilities, leaders and management are expected to:

- Promote a collaborative and interconnected workplace by developing a positive working environment where all employees can contribute to the ongoing continuous improvement of the Service.
- Promote leadership by working with employees and providing opportunities for professional development and growth.
- Provide flexible opportunities to ensure all employees can participate in staff meetings and professional development.
- · Provide ongoing support and feedback to employees.
- Keep employees informed about essential information and any relevant changes and make all documents readily accessible to them.
- Ensure copies of the ECA Code of Ethics is available to staff and families.
- Model professional behaviour at all times whilst at the Service.
- Implement supportive and effective communication systems, consulting employees in appropriate decision making.
- · Take appropriate action if a breach of the code of conduct occurs.
- · Share skills and knowledge with employees.
- Give encouragement and constructive feedback to employees, respecting the value of different professional approaches.

Reporting a breach in the code of conduct

- All employees are required by law to undergo a Working with Children Check (WWCC) which is verified by the employer.
- If employees become aware of a serious crime committed by another employee, they are required to report it to management.
- All employees must report possible risk of harm to children or young persons to management.
- Employees will report any concerns they may have about inappropriate actions of any other employee that involves children or young people to management.

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Varation Care

 Management will report any allegations or child related misconduct to Child Protection (or reporting authority within your state/territory)

Managing conflict in the workplace

- Management will remain objective and impartial when managing conflict in the workplace.
- Management have a responsibility to address a possible breach of the code of conduct by any employee as soon as they are aware of the breach.
- Allegations will be investigated and can result in remedial action, or disciplinary action ranging from a
 caution to dismissal.
- Management will consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
 - o whether the decision or conduct is lawful
 - whether the decision or conduct is consistent with Service policies and objectives
 - whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

Adhering to Service confidentiality

- Unless authorised to do so by legislation, employees must not disclose or use any confidential information without appropriate approval.
- All employees are to ensure that confidential information is not accessed by unauthorised people.
- Employees will adhere to the Service's Privacy and Confidentiality Policy.

Record keeping

- Employees and Management will maintain full, accurate, and honest records as required by national regulations.
- Managers have a responsibility to ensure that employees comply with their record keeping obligation outlined in the Record Keeping and Retention Policy.

Duty of care

- Management and employees have a responsibility to take reasonable care for the health and safety
 of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the Work Health and Safety Policy.
- Duty of Care relates to both physical and psychological wellbeing of individuals.

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Vacation Care

Management and employees must provide adequate supervision of children at all times and ensure
the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

Social media

- The Service offers its current families and staff members a Facebook page as a communication tool
 The administrator of the account is the Service's Nominated Supervisor.
- Only current families and staff may have access to the page as the page is locked as 'Privacy type:
 Closed: Limited public content. Members can see all content.'
- The description is: Description: This Facebook group is for staff and families of children attending the
 Warren Shire Council Vacation Care Service. The intention is that this group will allow you to:
 - Keep in touch with what's happening at the Service
 - o connect with other parents, and
 - share your thoughts about programs, policies, and procedures.
- The Administrator controls the content on the page and ensures that the postings are relevant and
 respectful of the Service, the children, the staff, families, and greater community.
- Staff members who have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or families. If they choose to 'like' the Service's page they have a responsibility to ensure that their profile picture is an appropriate representation of an early childhood Educator. If it is not, we request that they do not 'like' the page.
- Staff members are to use their own personal discretion when adding a family of the Service as a
 'friend' on Facebook. The Service does not recommend staff to add families of the Service as they will
 be seen still as a representative of the Service and held to the Service's Code of Conduct on all posts
 on their private 'wall' if families have access.
- Families are asked in our Social Media Policy to respect that staff may have a personal policy on adding families due to their professional philosophy and that the Service does not recommend staff to have families as friends on their private account.
- Staff members are not permitted to request the 'friendship' of families from the Service.

Use of alcohol, drugs and tobacco

Smoking is NOT permitted in or on surrounding areas of the Vacation Care Service.

Children & Control Doubles (2020) - Vacation Care Code of Conduct Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Vacation Care

- It is expected that the odour of cigarette smoke will not be detected on an employee's clothing. If an
 employee is found smoking on the premises, that employee <u>may</u> be terminated. Our Service supports the <u>Smoke Free Environment Act 2000</u>. The company and its employees will follow all conditions outlined in this act.
- Our Service is bound by the Education and Care National Regulations. As such, alcohol, drugs, or
 other substance abuse by employees can have serious adverse effects on their own health and the
 safety of others. As such, all employees must not:
 - Consume alcohol nor be under the influence of alcohol while working
 - use or possess illegal drugs at any workplace
 - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or
 - bring alcohol or any illegal drugs onto the premises.
- If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the Nominated Supervisor immediately. No employee will be allowed to work under the influence of drugs or alcohol.
- Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the Nominated Supervisor.
- All issues pertaining to these matters shall be kept strictly confidential. A breach of this policy may
 initiate appropriate action including the termination of employment.

Dress code

- All employees must adhere to our uniform/ dress code whilst attending our Vacation.
- · Enclosed shoes must be worn at all times (strictly no high heels, thongs, or wedges).
- Clothes must be suitable for free movement, active play, and messy play.
- · No offensive logos or political statements are to be displayed on clothing.

Personal Hygiene

All employees are to adhere to the following standards:

- Long hair is to be clean and tidy: Ensure hair does not hang in your eyes.
- Makeup is to be light and natural.
- Fingernails are to be clean and well groomed.
- · Employees will follow appropriate oral hygiene practices.
- An appropriate deodorant/antiperspirant will be worn.
- Strong perfumes will not be worn as they may cause allergic reactions in children.

Children Centre Detailor @2020 - Vacation Care Code of Conduct Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Macation Care

Personal phone calls/mobile phones/Smart watches

We are mindful that Educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all employees of the Service provide children with their full attention, ensuring supervision is maintained and remains on the children.

- Employees are not authorised to use the Service's phones for personal reasons unless in the case of an emergency or with permission from management.
- . No personal mobile phones are to be used, checked or brought on the floor during working hours.
- Mobile phones are to be kept inside employee's bags which will be placed in a designated, secure location for safe keeping.
- Employees are not permitted to use Smart watches to access emails and social media during working hours. Smart watches are only to be used for viewing the time.
- If it becomes apparent that Educators are using their Smart watches to check and respond to messages during shifts, they will be asked to either leave them at home or place in a designated locker / secure location until the end of their shift.
- Personal mobile phones and Smart watches may be used during shift breaks when employees are
 free from work and supervision duties. They are not to be used in general sight of children, unless a
 situation arises where there is an emergency.
- Personal mobile phones are not to be used to take photos of children as this is a breach of children's privacy. (Service mobile phones or iPads may be used if it's for the purposes of 'observations' etc.)
- Children are at no time to be given access to staff mobile phones.
- No personal mail or deliveries should be directed to the Service unless prior approval has been granted by the Nominated Supervisor/management.
- Educators and staff are not to contact families or children of the Service for personal reasons.
- If, for personal reasons a staff member needs to remain contactable from someone outside the Service they should ensure that the situation is explained to management and that the service's primary contact details are passed on to the persons/family outside the Service.

Service email

· Email is to be used only for company usage, not for private communications.

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

CONTINUED

Vacation Care

- Passwords and access privileges are strictly confidential and to be used only by the Educator issued with that access, or persons delegated to know and use that access in the normal course of operation.
- It is the responsibility of the authorised user to take fair and reasonable steps to ensure the passwords and other forms of access are held safe.
- Employees are to be aware that their Service email account may be accessed by Management at any time.

Dismissal

All staff members are made fully aware that the following breaches of the Code of Conduct and role responsibilities may lead to termination of employment:

- · Reporting to work under the influence of alcohol or drugs
- · Refusal to complete required additional training
- Possessing or selling drugs at the Service
- · Immoral, immature, or indecent conduct while at the Service
- Inappropriate use of company equipment and/or resources
- Refusing to work as reasonable directed
- Possessing a dangerous weapon whilst at the Service
- · Bringing disrepute to the Service
- Causing disruption or discontent in the relationship between a family and the Service
- Disclosure of confidential information
- Falsifying documentation
- Associating with families without disclosing this information with management
- · Taking, abusing, defacing, or destroying company property
- Interfering with work schedules
- · Falsification of reports, documents, or wages information
- Failure to report for work without notice
- Walking off the job
- Failure to follow policies and procedures
- Vulgarity or disrespectful conduct to families, management or colleagues
- Making or publishing false, vicious, or malicious statements about any employee of the Service, or the Service itself

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Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT

(V1-2)

Variation Care

 Failure to hand in lost property (this is regarded as stealing): Lost property is to be handed to the Nominated Supervisor

Disciplinary Action

All staff members are made fully aware that continued abuse of the following may result in disciplinary action. These include, but are not limited to the following:

- Unauthorised absence
- · Consistent or ongoing late arrivals and/or unauthorised extended breaks
- · Having personal visitors whilst on shift
- · Continued personal phone calls
- · Carrying a personal mobile phone whilst on shift
- Using a personal mobile phone or device to take photographs of the children
- · Unauthorised distribution of Service resources or materials
- · Consistent or ongoing poor work standard
- · Carelessness in the performance of duties
- Consistent or ongoing low level of enthusiasm
- Lack of personal cleanliness and hygiene
- · Failure to report health, fire, or safety hazards

JURISDICTION SPECIFICATIONS FOR EACH STATE

AUSTRALIAN CAPITAL TERRITORY (ACT)

For Working with Children Check information, refer to the website:

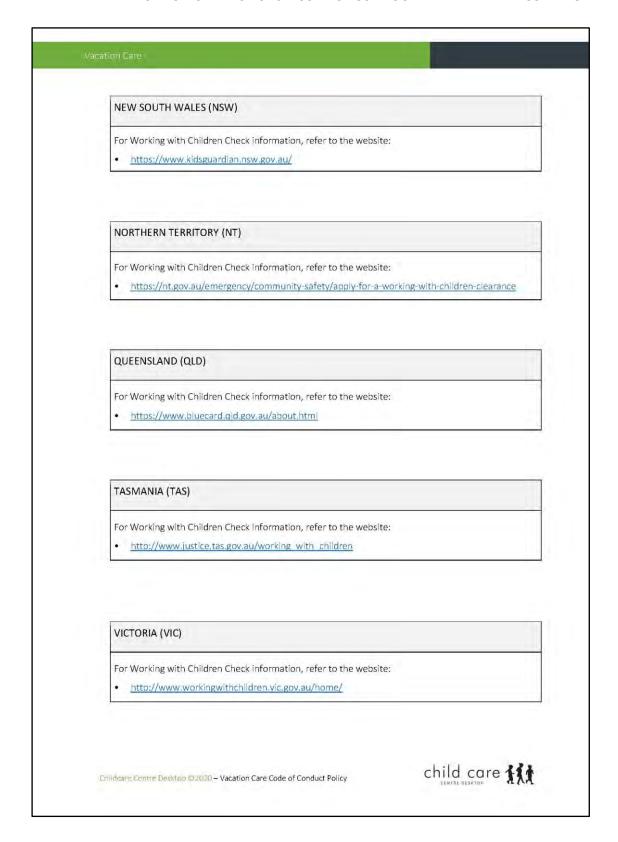
- https://www.kidsguardian.nsw.gov.au/
- https://www.accesscanberra.act.gov.au/app/answers/detail/a id/1804/kw/working%20with%20children%20check

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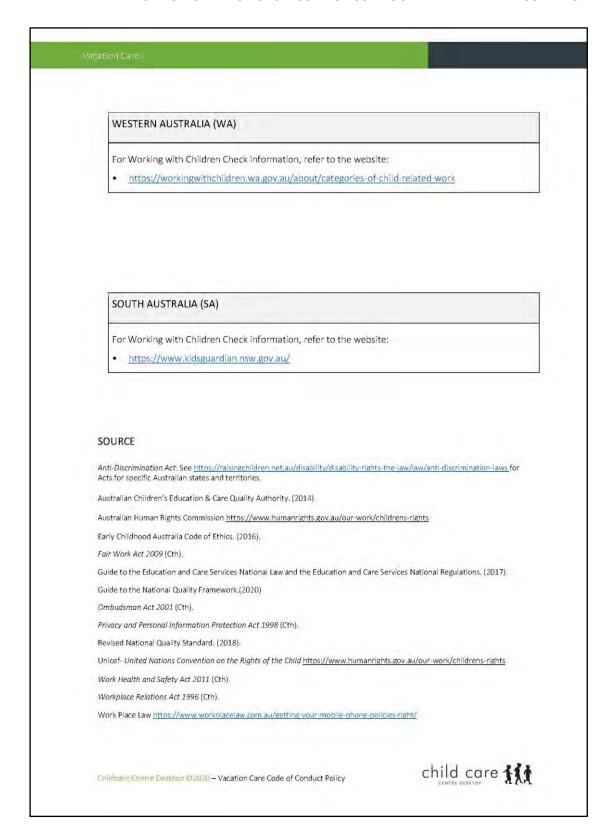
Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT



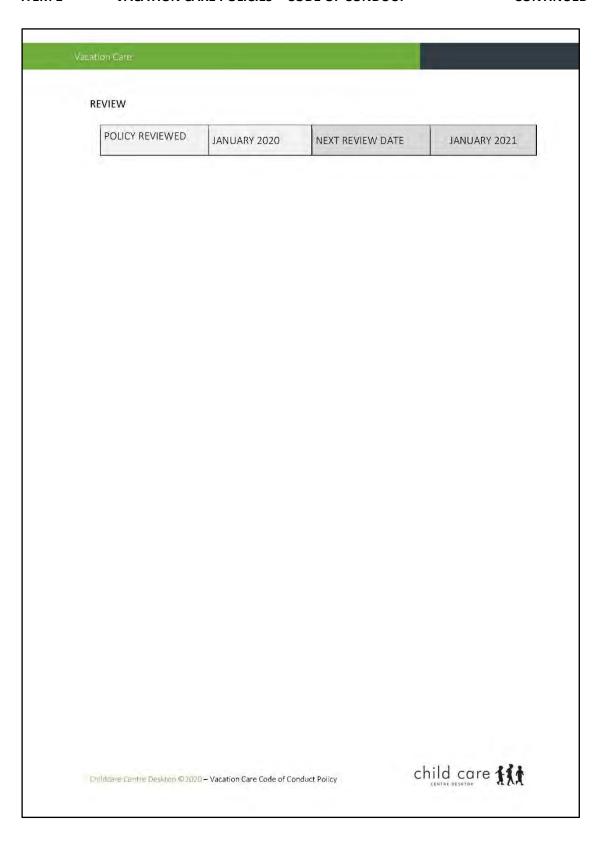
Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – CODE OF CONDUCT



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STUDENT AND VOLUNTEER POLICY

(V1-2)

Vacation Care



STUDENT AND VOLUNTEER POLICY

Our Vacation Care Service values the participation of students and volunteers. Having students and voluntary workers within the Service helps to inform the community about our program and the value of the work we do. Students and voluntary workers are welcome at the Service: however, the children's care and safety are our first priority.

NATIONAL QUALITY STANDARD (NQS)

7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisa- tional culture and professional learning community.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinations and staff members" performance is regularly evaluated, and individual plans are in place to support learning and development.

DUCAT	TION AND CARE SERVICES NATIONAL REGULATIONS	
120	Educators who are under the age of 18 to be supervised	
145	Staff Records	
149	Volunteers and Students	
168	Policies and Procedures	

Criticisa e. Contre Dockton (02019 – Vacation Care Student and Volunteer Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STUDENT AND VOLUNTEER POLICY CONTINUED

RELATED POLICIES Code of conduct policy Staffing arrangements policy Privacy and confidentiality policy Family communication policy Supervision Policy Respect for children policy Respect for children policy

PURPOSE

Our Vacation Care Service supports participation of work placement students (including work experience students) and volunteers wanting to develop professional skills and knowledge in their effort to become Early Childhood Professionals. We aim to build relationships with community members, providing appropriate learning opportunities for students and volunteers to contribute to our program. To ensure a professional and pleasurable learning experience, students and volunteers will be encouraged to participate in the centre's daily routine and assist in accordance with their qualification level to work with children under the National Quality Framework requirements.

SCOPE

This policy applies to children, families, staff, management and visitors of the Vacation Care Service.

IMPLEMENTATION

MANAGEMENT/NOMINATED SUPERVISOR/ RESPONSIBLE PERSON WILL:

- Appoint an educator to be the 'Student Supervisor/mentor for the duration of the placement.
- Conduct an orientation for the student or volunteer including taking the student or volunteer on a tour of the Vacation Care Service, showing emergency exits, staff room and bathroom facilities.
- · Provide the student/volunteer with a Work Placement Orientation Package.

Collideare Contre Dockfoo @2019 - Vacation Care Student and Volunteer Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STUDENT AND VOLUNTEER POLICY CONTINUED

Vacation Care

- · Negotiate with the student or volunteer the times/hours to be worked, and dates of the placement.
- Advise students or volunteer to bring in a poster with a photo introducing themselves and outlining the reason for their placement.
- Inform families, children, and Educators when work experience students and volunteers are present
 at the Vacation Care Service, including their role and hours they will be attending the Service.
- Ensure Work Placement Students or Volunteers are never left alone with children or included in the ratio of adult to children.
- Ensure students are aware that they must not discuss concerns, issues or complaints with parents, guardians and/or visitors.
- · Introduce the student or volunteer to Educators.
- · Assist the student or volunteer to complete an Induction Checklist.
- . Show the student or volunteer where they can access the Vacation Care Service's policies.
- · Ensure the student has signed a confidentiality agreement prior to commencing their placement.
- Discuss any relevant important information about specific children to the student or volunteer (i.e.
 court orders, additional needs, dietary needs) so that the student or volunteer is aware of potential
 issues.
- Liaise with learning institutions and accept suitable student placements under the institution's supervision.
- Assist learning institutions to place suitable students with individual Educators.
- Ensure student's/volunteer's paperwork and insurances are current.

EDUCATORS WILL:

- Maintain open communication with Work Experience Students and Volunteers along with their practicum teachers about their performance.
- Support all student's and volunteer's practicum requirements to the best of their ability during the
 placement.
- · Work as a team sharing appropriate skills and knowledge with each student and volunteer.
- Ensure all colleagues are provided with relevant information about tasks the student is required to complete in the Vacation Care Service as part of their practicum.
- Be aware of student and volunteer expectations.
- Have the time and proficiencies to support each student and volunteer in their placement.
- Encourage students or volunteers to seek help and advice as required.

Children's Centre Dockfor 07/019 - Vacation Care Student and Volunteer Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STUDENT AND VOLUNTEER POLICY CONTINUED

Vacation Care

- Be a positive role model, showing appropriate behaviour and conduct themselves in a professional manner.
- · Guide the students or volunteers throughout the day.
- Make the student or volunteer feel welcome and a valued member of the team.
- Provide honest and accurate feedback to the student's training institution supervisor as required.

THE SUPERVISING EDUCATOR AT VACATION CARE WILL:

- Discuss the progress of written work and performance with the student or volunteer.
- Discuss any concerns raised by the student with the Student Supervisor.
- Encourage students to use their initiative.
- · Ensure the student/volunteer remains up to date with their assessments/tasks to be completed.
- Discuss concerns with student/volunteer with management.
- Never leave the student alone with a child or children.

WORK EXPERIENCE STUDENTS AND VOLUNTEERS WILL:

- · Learn about the children through interaction and practical experience.
- · Develop the skills and knowledge needed to care for and educate children.
- Learn about the importance of working as part of a team in the Early Childhood Profession.
- · Learn strategies for working in a team environment.
- · Learn and accommodate the expectations of qualified educators in the Vacation Care Service.
- Inform the Student Supervisor in writing of what will be expected of them by their training body, University or School, or any other training organisation, and provide time sheets and evaluation forms.
- · Keep up to date with all written work requirements.
- · Work a variety of shifts to gain knowledge of different aspects of Vacation Care Service operations.
- Bring in a poster introducing themselves that will include:
 - Name
 - o Photo
 - Course they are studying
 - o RTO/university they are studying with
 - Dates and times they will be at the Vacation Care Service

Children's Orner Deckton 0/2019 - Vacation Care Student and Volunteer Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STUDENT AND VOLUNTEER POLICY CONTINUED

Vacation Care

- o The focus of their study.
- . Discuss any problems the student may be experiencing with the Student Supervisor.
- · Adhere to all Vacation Care service policies and procedures.
- · Never remove a child from direct staff supervision.

PROBITY CHECKS:

- All students will supply identity details to the Nominated Supervisor.
- All students or volunteers will complete a Working with Children Volunteer/student declaration.
- All students will have a meeting with the Nominated Supervisor to receive information regarding the following Vacation Care Service policies:
 - Child protection
 - Record Keeping and Confidentiality
 - o Complaints

STUDENTS AT RISK:

If Educators feel that the student is at risk of failing their practicum, the following steps will be taken:

- The Educator supervising the student/ volunteer will alert the Student Supervisor of any concerns regarding the student.
- 2. Both the Student Supervisor and the Educator will discuss concerns with the student.
- The Student Supervisor will arrange for the Student's training institution teacher to visit the Vacation Care Service and discuss concerns that have ascended.
- The student's educational institution and Nominated Supervisor will govern the outcome of the practicum.

TERMINATION OF PRACTICUM:

Termination of student's placement will occur if the student:

- · Harms or is at risk of harming a child in their care.
- Is under the influence of drugs or alcohol.
- Fails to notify the Vacation Care Service if they will not be attending the Service.
- · Does not adhere to starting times or break times.
- Is observed using repeated inappropriate behaviour at the Vacation Care Service.
- Does not comply with all policies and procedures addressed in the student package.

Children's Centre Dockton @2019 - Vacation Care Student and Volunteer Policy



Policy Report of the Manager of Health and Development to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE POLICIES – STUDENT AND VOLUNTEER POLICY CONTINUED

Does not provide the photo with an introduction on commencement. Does not keep up to date with their work placement tasks. Removes any child or children from the direct supervision of an educator. SOURCE: Department of Education, Employment and Workplace Relations (DEEWR). (2011). My time our place: Framework for school age care in Australia. Education and Care Services National Regulations. (2011) Office of the Director of Equal Opportunity in Public Employment. (1996). Dealing with employee work related concerns and grievances: Policy and guidelines: https://arp.nsw.gov.au/sites/default/files/dealing with Employee Work related Concerns and Grievances.pdf Fair Work Act 2009 (Cth). Guide to the National Quality Standards. (2017). Fair Work Commission: Anti-bullying jurisdiction. Safe Work Australia. (2016). Guide for preventing and responding to workplace bullying: https://www.safeworkaustralia.gov.au/system/files/documents/1702/guide-preventing-respond ing-workplace-bullying.pdf Revised National Quality Standards. (2018). Work Health and Safety Act, (2011). REVIEW POLICY REVIEWED September 2020 **NEXT REVIEW DATE** September 2021 child care Children Contro Deukhon (02019 - Vacation Care Student and Volunteer Policy

Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 OUTSTANDING REPORTS CHECKLIST

(C14-7.4)

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
General Ma	nager			
Nil.				
Divisional N	/lanager Finance a	and Administration Service	es	u.k.
24.9.20	213.9.20	Sale of Land Nevertire Part Lot 165 DP704130	DMFA	Arrange sale of land to Field Solutions Group.
22.10.20	229.10.20	Sale of Land – 135 Dubbo Street, Warren Lot 71 DP230200	DMFA	Advertised by public tender for sale.
Divisional N	/lanager Engineer	ing Services		
6.12.18	284.12.18	Lot 79 & 80 DP 724585 Wambianna Street, Collie.	DMES	Survey completed and a report is to be presented to Council. This project currently on hold.
*6.12.18	287.12.18	Mount Foster Quarry Usage Proposal	DMES	The EPA require additions to the surface stormwater plan and have specified that the additional works are to be completed. So as to enable additional production authority must be sought to "drill and blast" and consequently a DA must be lodged seeking approval to drill and blast. The DA will be subject to a new scope of operations. Once these have been agreed to the EPA will amend the quarry licence certifying full operations. The approval to "drill and blast" is being pursued. Report being presented to 15 September 2020 Plant Committee Meeting. This project currently on hold.

Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 OUTSTANDING REPORTS CHECKLIST

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action
Divisional M	1anager Engineeri	ng Services		
27.6.19	129.6.19	Warren Levee Bank Rehabilitation	DMES	 Seek funding as soon as practical; Arrange a relevant component project team; Arrange an appropriate budget in the annual estimates; Implementation of the recommendations contained within the NSW Public Works Report Number DO/13/02 Visual Audit of the Warren Levees (North and South) dated 6 November 2013 is in progress; Utilise the specific issues detailed within the 6 November 2013 Visual Audit Report be used to form the basis of the next inspection of the Warren Town Levee as required in the Warren Levee Operations and Maintenance Manual. This project currently on hold. Meeting with local contactors scheduled for 17/9/20 to determine EOI.
26.9.19	204.9.19	Bundemar Street Warren Proposed Centre Median Alteration	DMES	 Provide a detailed budget for works. Submit plans and documents to Council for consideration and approval. This project currently on hold.

Report of the General Manager

to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 1 OUTSTANDING REPORTS CHECKLIST

CONTINUED

Date	Resolution or Qwn	Outstanding Matter	Officer Resp	Response/Action			
Divisional M	Divisional Manager Engineering Services						
5.12.19	270.12.19	Mt Foster Quarry Usage Proposal	DMES	Tender closed, reported to March 2020 Plant Committee Meeting. This project currently on hold.			
24.9.20	214.9.20	REF – New Sewage Treatment Works	DMES	Tender accepted. Loan application in progress. Request to be sent to Infrastructure NSW for contribution towards increased costs.			
*22.10.20	232.10.20	Notice of Motion – Report on Warren Town Levee	DMES	Detailed report presented to the December 2020 Council Meeting.			
Manager He	ealth & Developm	ent					
*27.6.19	136.6.19	Warren War Memorial Swimming Pool Refurbishment Grant	MHD	New concrete concourse and general repairs to fibreglass lining and painting complete.			
*5.12.19	272.12.19	Shade structures at Warren War Memorial Swimming Pool	MHD	Footings complete and installed.			
27.2.20	36.2.20	Draft Plans of Management	MHD	 Council assign categories of Community Land as detailed in report. Notify Minister Seek Ministerial consent to classify Crown Reserves as identified as operational land 			
*22.10.20	232.10.20	Notice of Motion – Report on Two (2) new Council houses	MHD	Detailed report presented to the December 2020 Council Meeting.			
*22.10.20	232.10.20	Notice of Motion – Report on Warren War Memorial Swimming Pool.	MHD	Detailed report presented to the December 2020 Council Meeting.			

RECOMMENDATION:

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

Report of the General Manager

to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 COMMITTEE/DELEGATES MEETINGS

(C14-2)

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

MEETINGS HELD

DATE	COMMITTEE / MEETING	LOCATION
27.10.2020	Showground/Racecourse Sub Committee	Warren
4.11.2020	North Western Library Co-Operative AGM	Warren
6.11.2020	Country Mayors Meeting	Sydney
18.11.2020	Council Chambers Development Sunset Committee	Warren
19.11.2020	Public Works Advisory	Warren
23.11.2020	LGNSW Annual Conference	Online
24.11.2020	Manex Committee	Warren
26.11.2020	Annual Local Government Forum for West Region	Online
26.11.2020	Interagency	Warren
27.11.2020	Mining and Energy Related Council's Meeting	Blayney
30.11.2020	LEMC Meeting	Warren
30.11.2020	Roads Committee	Warren

FUTURE MEETINGS NOT ON MEETING SCHEDULE

DATE	COMMITTEE / MEETING	LOCATION
3.12.2020	NSWPLA AGM	Online

RECOMMENDATION:

That the information be received and noted.

Report of the General Manager

to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 CHRISTMAS CLOSURE

(C14-1)

RECOMMENDATION

- 1. That Council close the Office, Service NSW Agency, Library and Works Depot at the close of business on Wednesday 23rd December 2020 and reopen on Monday, 4th January 2021.
- 2. That all staff to be paid at their normal rate for Thursday 24th December.

BACKGROUND

The Council, at its meeting on Thursday 24th September 2020, considered a report titled Christmas Closure Report and resolved:

"that Council close the Office, Service NSW Agency, Library and Works Depot at the close of business on Thursday, 24th December 2020 and reopen on Monday, 4th January 2021."

REPORT

This report seeks Council's concurrence to close Council Offices, the Library, Service NSW Agency counter and the Works Depot a day earlier, at the close of business on Wednesday 23rd December and that Council agree to pay staff at their normal rate for Thursday 24th December, 2020.

Staff have been asked to submit leave applications for the period over the Christmas and New Year break. The current situation is that five (5) staff will be attending the Council offices, and the depot will be closed, on the 24th December 2020.

In order to be fair and equitable with inside and outside staff, it is recommended that if the 24th December 2020 is approved as part of the Christmas closure, and that all staff be entitled to an extra day paid holiday.

The additional paid holiday is a once off arrangement and is made recognising:

- that Anzac Day falls on a Sunday in 2021 and will therefore not be a public holiday for the normal Council working week,
- 2. that there will no Christmas celebrations this year due to the restrictions associated with the COVID-19 Pandemic, and
- 3. the efforts staff have provided during the year, particularly under additional pressures of drought and COVID-19.

FINANCIAL AND RESOURCE IMPLICATIONS

The additional paid holiday for the 24th December 2020, will be funded from operational budgets and will not be detrimental to Council's overall budget. Staff will be required to take leave for the remainder of the closure period from annual leave or other accumulated leave which will be funded through employee leave entitlements. Council will have staff on call during the Christmas period.

LEGAL IMPLICATIONS

No legal implications identified. Council will advise Service NSW that its office is closed for the identified period.

Report of the General Manager to the Ordinary Meeting of Council to be held in the Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 CHRISTMAS CLOSURE

CONTINUED

RISK IMPLICATIONS

Council will maintain an on-call workforce and standard works around water and sewer treatment will be undertaken during this period.

STAKEHOLDER CONSULTATION

If adopted by Council, notices shall be placed in the local paper in December and notices placed at Council's office and on its website and Council's social media outlets in addition to Council's Library.

CONCLUSION

It is proposed that Council Office, Service NSW Agency, Library and Works Depot close at the close of business on the 23rd December 2020 and re-open on Monday, 4th January 2021. It is recommended that the 24th December 2020 be regarded as a once off paid Council holiday with funding for the holiday being made from operational budgets.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 RECONCILIATION CERTIFICATE – OCTOBER 2020

(B1-10.16)

RECOMMENDATION

That the Statements of Bank and Investments Balances as at 31st October 2020 be received and noted.

PURPOSE

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

BACKGROUND

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

REPORT

Following is the reconciled internal funds of Council that have been reconciled with the Bank Statements as at 31st October 2020.

INTERNAL LEDGER ACCOUNT RECONCILIATION

	Balance		Balance
	30-Sep-20	Transactions	31-Oct-20
General	8,962,889.60	(1,002,683.47)	7,960,206.13
Water Fund	418,288.39	(68,553.46)	349,734.93
Sewerage Fund	2,746,108.24	12,183.47	2,758,291.71
North Western Library	63,284.03	59,835.84	123,119.87
Trust Fund	134,472.32	125.16	134,597.48
Investment Bank Account	(10,416,098.58)	(85.50)	(10,416,184.08)
	1,908,944.00	(999,177.96)	909,766.04

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

TEM 1 DECONCILIATION CERTIFICATE - OCTORED 2020 CONTINUED

BANK STATEMENT RECONCILIATION

Balance as per Ledger Accounts less Investments =	909,766.04
Less: Outstanding Cheques & Autopays	(3,458.75)
Add: Outstanding Deposits for the Month	0.00
Balance as per Bank Statement =	913,224.79

INVESTMENTS RECONCILIATION

Investments as at 31st October 2020

No.	Institution	Amount	Term & Rate	Maturity Date
	National Australia Bank	416,184.08	Variable	On Call A/c
1	Macquarie Credit Union	1,000,000.00	180 Days @ 1.00%	30-Jan-21
2	National Australia Bank	1,500,000.00	91 days @ 0.70%	16-Nov-20
3	National Australia Bank	1,500,000.00	90 Days @ 0.70%	16-Nov-20
4	National Australia Bank	1,500,000.00	91 Days @ 0.70%	23-Nov-20
5	Macquarie Credit Union	1,500,000.00	182 days @ 0.85%	2-Mar-21
6	National Australia Bank	3,000,000.00	91 days @ 0.70%	7-Dec-20
TOTA	L INVESTMENTS =	10,416,184.08		

BANK AND INVESTMENT ACCOUNTS BREAKDOWN

TOTAL BANK & INVESTMENTS ACCOUNTS BALANCE =	11,325,950.12
2020/21 General Fund Operating Income & Grants	527,574.12
Internally Restricted Funds Invested	3,537,753.00
Externally Restricted Funds Invested	7,260,623.00

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

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 RECONCILIATION CERTIFICATE – OCTOBER 2020

CONTINUED

FINANCIAL AND RESOURCE IMPLICATIONS

N/A

LEGAL IMPLICATIONS

N/A

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A

OPTIONS

N/A

CONCLUSION

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

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION / ATTACHMENTS

N/A

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES

(R1-4)

RECOMMENDATION

That the information be received and noted.

PURPOSE

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

BACKGROUND

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

REPORT

Attached to this report is the statement of rates and annual charges as at 20th November 2020 including comparisons over the last four years.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A

OPTIONS

N/A

CONCLUSION

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

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION / ATTACHMENTS

Statement of Rates and Annual Charges as at 20th November 2020.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 STATEMENT OF RATES & ANNUAL CHARGES CONTINUED

20TH NOVEMBER 2020

				COLLECTIO	ONS FOR YEAR	NETT AR	REARS
Name of Rate	NETT ARREARS 1st JULY \$	NETT LEVY	TOTAL RECEIVABLE \$	AMOUNT COLLECTED \$	COLLECT AS % AGE OF TOTAL REC'ABLE	ARREARS AMOUNT \$	ARREARS AS % AGE OF TOTAL REC'ABLE
General Fund Rates	208,310	4,990,869	5,199,179	1,959,302	37.68%	3,239,877	62.32%
Warren Water Fund	49,372	466,495	515,867	245,269	47.55%	270,598	52.45%
Warren Sewerage Fund	61,270	492,590	553,860	254,137	45.88%	299,723	54.12%
TOTAL 2020/2021	318,952	5,949,954	6,268,906	2,458,708	39.22%	3,810,198	60.78%
TOTAL 2019/2020	178,732	5,785,880	5,964,612	2,248,878	37.70%	3,715,734	62.30%
TOTAL 2018/2019	128,294	5,610,276	5,738,570	2,381,203	41.49%	3,357,367	58.51%
TOTAL 2017/2018	125,675	5,454,081	5,579,756	2,165,044	38.80%	3,414,712	61.20%
TOTAL 2016/2017	137,085	5,347,619	5,484,704	2,029,549	37.00%	3,455,155	63.00%
		18-Nov-16	20-Nov-17	22-Nov-18	21-Nov-19	20-Nov-20	
COLLECTION FIGURES AS \$		2,029,549	2,165,044	2,381,203	2,248,878	2,458,708	
COLLECTION FIGURE AS %		37.00%	38.80%	41.49%	37.70%	39.22%	

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 DEMENTIA SPECIAL UNIT IN WARREN REPRESENTATIVE

(H8-1)

RECOMMENDATION

That Council nominate a representative to the Dementia Special Unit in Warren Committee.

PURPOSE

To nominate a Council representative to the Dementia Special Unit in Warren Committee

BACKGROUND

Members of the Dementia Special Unit in Warren Committee gave a presentation to the September 2020 Council Meeting seeking support from council to prepare a submission to establish a Dementia Special Unit in Warren.

REPORT

Council has received a letter from the Rotary Club of Warren asking for support from Council by appointing a councillor to the Dementia Special Unit in Warren Committee.

The proposed composition of members on the committee are 1 person from each of the following organisations:

- 1. Rotary Club of Warren,
- 2. Warren Shire Council,
- 3. Warren MPHS,
- 4. Warren Community Homes Inc.,
- 5. Primary Health Network, and
- 6. A member of the public with an interest in the aged.

A copy of the letter was emailed to all Councillors, a copy is also included in the report for information.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial implications in appointing a councillor to this committee, although as indicated during the presentation to the September 2020 Council Meeting the committee may seek financial support in preparing a submission to establish a Dementia Special Unit in Warren.

LEGAL IMPLICATIONS

N/A

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A

OPTIONS

N/A

CONCLUSION

Should the Dementia Special Unit in Warren Committee progress, Council should be involved at the outset to keep abreast of any commitments whether financial or resourcing that might be requested from the committee.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 DEMENTIA SPECIAL UNIT IN WARREN REPRESENTATIVE

CONTINUED

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

1.3.1 Provide appropriate levels of health care and aged care within the Shire.

SUPPORTING INFORMATION / ATTACHMENTS

Copy of letter received from Rotary Club of Warren

Rotary Community Group for a Dementia Specific Facility in Warren

PO Box 146,

Warren 2824

Acting General Manager and Councillors Warren Shire,

Dubbo Street,

Warren 2824

MAYOR, GM 1450 HB-1

Our Aim

The establishment of a Dementia Specific Unit in Warren

This letter is a follow on from our discussion at the Shire meeting on 24-09-2020 and discussions with Glen Wilcox and Milton Quigley. It is in relation to the dementia specific unit and the need for an Investment Decision Document (IDD) through Price Waterhouse Coopers.

In relation to the above we have put the IDD on hold to allow the Western NSW local Health District to make public their proposals for the future of Warren MPS. This meeting is scheduled for the 12-11-2020

We consider it is in the community's interest to expand our committee to represent all stakeholders in this project. Hopefully by doing this it will give us more political leverage.

Our proposal is to have a representative from Warren Rotary, Warren Shire, MPS, Warren Community Homes, Primary Health Network and a representative for the interest of the aged.

We are asking for your support to appoint a councillor who has the passion to be part of this committee.

Yours sincerely,

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

(A1-4.38)

RECOMMENDATION

That the information on Council's audited financial statements for the period ended 30th June 2020 be received and noted.

PURPOSE

To present the audited 2019/2020 Financial Statements and Auditors Report to Council with a high end overview of the results.

BACKGROUND

As part of the NSW Government's reform into Local Government "Fit for the Future" all NSW Councils are to be audited by the NSW Auditor General from 2016/17 onwards.

REPORT

Due to Covid-19 restrictions, Council's sub contracted auditors Nexia Australia P/L undertook the audit of Council's Financial Statements for 2019/2020 remotely.

Council was issued with an unqualified Audit Report from the NSW Auditor General on 5th November 2020.

Under S.418 of the Local Government Act, 1993 Council must present the Auditors Report along with the Financial Statements to a public meeting no later than 5 weeks after receiving the report.

Attached to this report is a copy of the Auditors Report along with an overview of the operations of Council for the year ending 30th June 2020 for Councillors information.

A full copy of the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules including the Auditors Reports for the year ending 30th June 2020 can be accessed on Councils website on the below link:

http://www.warren.nsw.gov.au/council/financial-reports

Cash Flow for 2019/2020

Council's cash flow statement indicates an increase in cash and investments of \$1,980,534.00 for the reporting period.

Council's Operating Result for 2019/2020 was a surplus of \$3,226,690.95 compared to a surplus of \$2,708,911.65 in 2018/2019.

Cash & investments available as at 30th June 2020 totalled \$13,829,328.91 of which the following have been restricted or set aside for specific purposes either internally by Council or externally by statutory requirements as listed below: -

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4	REVIEW OF COUNCIL'S 2019/2020 OPERATIONS	CONTINUED
TOTAL CA	ASH & INVESTMENTS	13,829,328.91
EXTERN <i>A</i>	AL RESTRICTED INCLUDED IN LIABILITIES	
- CWCM	A - Roadside Environmental Mapping	7,000.00
EXTERNA	AL RESTRICTED INCLUDED IN REVENUE	
- RMS Co	ontributions	1,186.76
- Specific	Purpose Unexpended Grants	3,790,463.35
- Water	Supply Bank Account	395,348.87
- Sewera	ge Services Bank Account	2,615,391.01
- Domes	tic Waste Management Funds	239,567.69
- Other (Contributions	2,000.00
	TOTAL EXTERNAL RESTRICTED FUNDS =	7,050,957.68
TOTAL IN	ITERNAL RESTRICTED FUNDS =	6,279,971.00
(as repor	ted in Item 3 of the Divisional Manager of Finance &	
Administ	ration Report to the August 2020 Council Meeting)	
TOTAL IN	ITERNAL & EXTERNAL RESTRICTED FUNDS =	13,330,928.68

Below is a history of cash & investments from 2014 to date detailing all restrictions.

TOTAL UNRESTRICTED FUNDS

	2014 in '000's	2015 in '000's	2016 in '000's	2017 in '000's	2018 in '000's	2019 in '000's	2020 in '000's
Externally Restricted	39	137	919	2,509	1,501	1,060	3,799
Internally Restricted	6,407	6,537	7,201	9,190	8,026	7,030	6,280
Water Supply Bank A/c	461	524	241	343	144	555	395
Sewerage Bank A/c	2,234	2,240	2,369	2,430	2,271	2,441	2,615
Domestic Waste Management A/c	157	193	226	261	262	262	240
Operating Cash - General Fund	500	516	500	500	500	500	500
TOTAL CASH &							
INVESTMENTS	9,888	10,147	11,456	15,233	12,704	11,848	13,829

498,400.23

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

LEGAL IMPLICATIONS

Nil.

RISK IMPLICATIONS

Nil

STAKEHOLDER CONSULTATION

An advertisement was placed in Wednesday 11th, 18th & 25th November 2020 editions of the Warren Weekly advising ratepayers and residents that the Audited 2019/2020 Financial Statements & Auditors Report would be presented to the December 2020 Council meeting.

OPTIONS

N/A

CONCLUSION

This report is to provide Council with a broad overview of the operations of Council for 2019/2020 and presentation of the Auditor's Report.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION / ATTACHMENTS

- 1. Auditors Report.
- 2. Income Statement,
- 3. Statement of Cash Flows

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED



Cr Milton Quigley Mayor Warren Shire Council PO Box 6 WARREN NSW 2824

Contact: Manuel Moncada Phone no: 02 9275 7333 Our ref: D2025872/1802

5 November 2020

Dear Mayor

Report on the Conduct of the Audit for the year ended 30 June 2020 Warren Shire Council

I have audited the general purpose financial statements (GPFS) of the Warren Shire Council (the Council) for the year ended 30 June 2020 as required by section 415 of the Local Government Act 1993 (the Act).

I expressed an unmodified opinion on the Council's GPFS.

This Report on the Conduct of the Audit (the Report) for the Council for the year ended 30 June 2020 is issued in accordance with section 417 of the Act. This Report should be read in conjunction with my audit opinion on the GPFS issued under section 417(2) of the Act.

INCOME STATEMENT

Operating result

	2020	2019	Variance
	\$m	\$m	%
Rates and annual charges revenue	5,98	5,79	3.3
Grants and contributions revenue	9.45	8.84	6.9
Operating result from continuing operations	3.23	2.71	19.2
Net operating result before capital grants and contributions	2.84	2.61	8.8

Level 16, Darling Park Tower 2, 201 Subsect Street, Sydney NSW 2005 GPG Box 12, Sydney NSW 2001 | 402 5275 7101 | 182 8275 7179 | metigradit consignate | auditorwiger as

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

Council's operating result (\$3.23 million including the effect of depreciation and amortisation expense of \$3.51 million) was \$520,000 higher than the 2018–19 result. This was mainly due to increased revenue from grants and contributions.

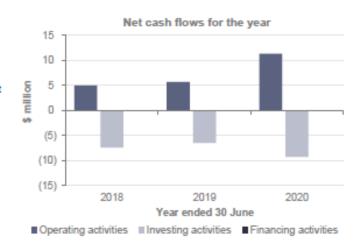
The net operating result before capital grants and contributions (\$2.84 million) was \$229,000 higher than the 2018–19 result.

Rates and annual charges revenue (\$5.98 million) increased by \$191,000 (3.3 per cent) in 2019– 2020.

Grants and contributions revenue (\$9.45 million) increased by \$611,000 (6.9 per cent) in 2019–2020. This was mainly due to additional funding received for recreation and culture projects.

STATEMENT OF CASH FLOWS

 The Statement of Cash Flows illustrates the flow of cash and cash equivalents moving in and out of Council during the year and reveals that cash increased by \$1.9 million to \$13.8 million at the close of the year.



FINANCIAL POSITION

Cash and investments

Cash and investments	2020	2019	Commentary
	\$m	\$m	
External restrictions	7.0	4.3	External restrictions include unspent specific
Internal restrictions	6.3	7.0	purpose grants, contributions and domestic waste charges, and water and sewerage funds.
Unrestricted	0.5	0.5	Balances are internally restricted due to Council
Cash and investments	13.8	11.8	policy or decisions for forward plans including works program.
			 Unrestricted balances provide liquidity for day-to- day operations.

PERFORMANCE

Performance measures

The following section provides an overview of the Council's performance against the performance measures and performance benchmarks set by the Office of Local Government (OLG) within the Department of Planning, Industry and Environment.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

Operating performance ratio

The 'operating performance ratio' measures how well council contained operating expenditure within operating revenue (excluding capital grants and contributions, fair value adjustments, and reversal of revaluation decrements). The benchmark set by OLG is greater than zero per cent.

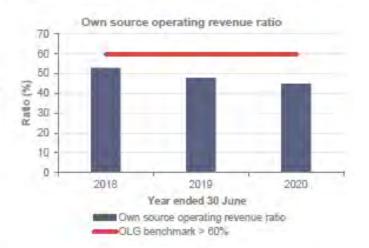
The Council exceeded the OLG benchmark for the current reporting period.



Own source operating revenue ratio

The 'own source operating revenue ratio' measures council's fiscal flexibility and the degree to which it relies on external funding sources such as operating grants and contributions. The benchmark set by OLG is greater than 80 per cent.

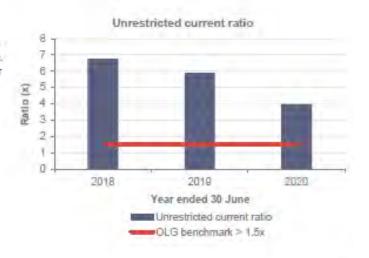
The Council did not meet the OLG benchmark for the current reporting period.



Unrestricted current ratio

The 'unrestricted current ratio' is specific to local government and represents council's ability to meet its short-term obligations as they fall due. The benchmark set by OLG is greater than 1.5 times.

The Council exceeded the OLG benchmark for the current reporting period.



3

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

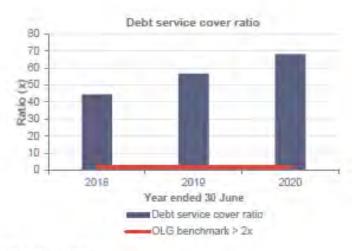
ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

Debt service cover ratio

The 'debt service cover ratio' measures the operating cash to service debt including interest, principal and lease payments. The benchmark set by OLG is greater than two times.

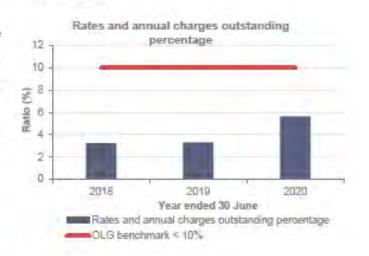
The Council exceeded the OLG benchmark for the current reporting period.



Rates and annual charges outstanding percentage

The 'rates and annual charges outstanding percentage' assesses the impact of uncollected rates and annual charges on council's liquidity and the adequacy of debt recovery efforts. The benchmark set by OLG is less than 10 per cent for regional and rural councils.

The Council met the OLG benchmark for the current reporting period.



Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

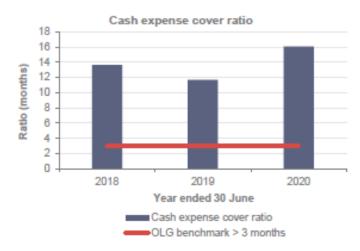
ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

Cash expense cover ratio

This liquidity ratio indicates the number of months the council can continue paying for its immediate expenses without additional cash inflow. The benchmark set by OLG is greater than three months.

The Council exceeded the OLG benchmark for the current reporting period.



Infrastructure, property, plant and equipment renewals

- Council's asset renewal additions for the year were \$6.2 million compared \$5.9 million for the prior year
- · Renewals primarily consisted of infrastructure assets and plant and equipment
- The level of asset renewals during the year represented 169 percent of the total depreciation expense (\$3.7 million) for the year.

OTHER MATTERS

Impact of new accounting standards

AASB 15 'Revenue from Contracts with Customers' and AASB 1058 'Income for Not-for-Profit Entities'

The Council adopted the new accounting standards AASB 15 'Contracts with Customers' and AASB 1058 'Income of Not-for-Profit Entities' (collectively referred to as the Revenue Standards) for the first time in their 2019–20 financial statements.

AASB 15 introduces a new approach to recognising revenue based on the principle that revenue is recognised when control of a good or service transfers to a customer. AASB 15 impacts the timing and amount of revenue recorded in a councils' financial statements, particularly for grant revenue.

AASB 15 also increases the amount of disclosures required.

AASB 1058 prescribes how not-for-profit entities account for transactions conducted on non-commercial terms and the receipt of volunteer services. AASB 1058 significantly impacts the timing and amount of income recorded in a councils' financial statements, particularly for grant income and rates which are paid before the commencement of the rating period.

The Council recognised a \$675,000 adjustment to opening accumulated surplus at 1 July 2019 on adoption of the new Revenue Standards.

The Council disclosed the impact of adopting the new Revenue Standards in Note 15.

AASB 16 'Leases'

The Council adopted the new accounting standard AASB 16 'Leases' for the first time in their 2019–20 financial statements.

AASB 16 changes the way lessees treat operating leases for financial reporting. With a few exceptions, operating leases will now be recorded in the Statement of Financial Position as a right-of-use asset, with a corresponding lease liability.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

AASB 16 results in lessees recording more assets and liabilities in the Statement of Financial Position and changes the timing and pattern of expenses recorded in the Income Statement.

There was no impact on Council's financial statements on adoption of AASB 16.

Legislative compliance

My audit procedures did not identify any instances of non-compliance with legislative requirements or a material deficiency in the Council's accounting records or financial statements. The Council's:

- accounting records were maintained in a manner and form to allow the GPFS to be prepared and effectively audited
- staff provided all accounting records and information relevant to the audit.

The Council's:

- accounting records were maintained in a manner and form that facilitated the preparation and the effective audit of the general purpose financial statements
- staff provided all accounting records and information relevant to the audit.



Manuel Moncada Delegate of the Auditor-General for New South Wales

cc: Stephen Glen, Interim General Manager Jim Betts, Secretary of the Department of Planning, Industry and Environment

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

Warren Shire Council

Financial Statements 2020

Income Statement

for the year ended 30 June 2020

Original unaudited budget			Actual	Actual
2020			2020	2019
\$ '000		Notes	\$ '000	\$ '000
	Income from continuing operations			
5,937	Rates and annual charges	3a	5,983	5,792
1,318	User charges and fees	3b	1,117	1,599
196	Other revenues	Зс	262	457
5,276	Grants and contributions provided for operating purposes	3d,3e	9.065	8.745
2.000	Grants and contributions provided for capital purposes	3d,3e	390	99
307	Interest and investment income	4	209	305
190	Rental income		135	_
-	Net share of interests in joint ventures and associates using the equity method	17	9	-
15,224	Total income from continuing operations		17,170	16,997
	Expenses from continuing operations			
5,702	Employee benefits and on-costs	5a	5,534	5,650
9	Borrowing costs	5b	15	23
3,701	Materials and contracts	5c	2,587	3,757
3,995	Depreciation and amortisation	5d	3,507	3,397
1,222	Other expenses	5e	1,362	1,315
_	Net losses from the disposal of assets	6	937	145
_	Net share of interests in joint ventures and associates using the equity method	17	-	2
14,629	Total expenses from continuing operations		13,942	14,289
595	Operating result from continuing operations		3,228	2,708
595	Net operating result for the year		3,228	2,708
288	Net operating result attributable to council		3,228	2,708
(1,712)	Net operating result for the year before grants and contr provided for capital purposes	ibutions	2,838	2,609

The Council has not restated comparatives when initially applying AASB 1058 Income of Not-for-Profit Entities, AASB 15 Revenue from Contracts with Customers and AASB 16 Leases. The comparative information has been prepared under AASB 111 Construction Contracts, AASB 118 Revenue, AASB 1004 Contributions, AASB 117 Leases and related Accounting Interpretations.

The above Income Statement should be read in conjunction with the accompanying notes.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 REVIEW OF COUNCIL'S 2019/2020 OPERATIONS

CONTINUED

Financial Statements 2020

Warren Shire Council

Statement of Cash Flows

for the year ended 30 June 2020

Original unaudited				
budget			Actual	Actual
2020			2020	2019
\$ '000		Notes	\$ '000	\$ '000
	Cash flows from operating activities			
	Receipts:			
5,885	Rates and annual charges		5,826	5,785
1,490	User charges and fees		1,301	2,479
307	Investment and interest revenue received		212	298
8,276	Grants and contributions		12,492	7.782
_	Bonds, deposits and retention amounts received		140	_
809	Other		1,596	1,436
	Payments:			
(5,700)	Employee benefits and on-costs		(5.452)	(5.857)
(3,701)	Materials and contracts		(2.843)	(4,093)
(9)	Borrowing costs		(9)	(14)
1.425	Other		(1.922)	(2,130)
	Net cash provided (or used in) operating	16b		, , , , ,
8.782	activities		11.341	5,686
0,702			11,041	3,000
	Cash flows from investing activities			
	Receipts:			
_	Sale of real estate assets		64	_
363	Sale of infrastructure, property, plant and equipment		63	733
_	Deferred debtors receipts		_	1
	Payments:			
(9,054)	Purchase of infrastructure, property, plant and equipment		(9,377)	(7,189)
(0,00.7	Deferred debtors and advances made		(19)	(,,,,,,,,
(8,691)	Net cash provided (or used in) investing activities		(9,269)	(6,455)
(0,031)	not out provided (or doed in) invocang detivities		(9,209)	(0,455)
	Cash flows from financing activities			
	Payments:			
(91)	Repayment of borrowings and advances		(92)	(86)
(91)	Net cash flow provided (used in) financing activiti	es	(92)	(86)
(91)	not cash now provided (accam) intalients accavit		(92)	(00)
_	Net increase/(decrease) in cash and cash equivale	ents	1,980	(855)
11,849	Plus: cash and cash equivalents – beginning of year	16a	11,849	12,704
11,849	Cash and cash equivalents - end of the year	16a	13,829	11,849
11,043	Sastrana saon squiranonto ona or tro your		13,023	11,043

The Council has not restated comparatives when initially applying AASB 1058 Income of Not-for-Profit Entities, AASB 15 Revenue from Contracts with Customers and AASB 16 Leases. The comparative information has been prepared under AASB 111 Construction Contracts, AASB 118 Revenue, AASB 1004 Contributions, AASB 117 Leases and related Accounting Interpretations.

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 5 NORTH WESTERN LIBRARY CO-OPERATIVE 2021/2022 CONTRIBUTION

(L2-5)

RECOMMENDATION

That Council note and include in the 2021/2022 Operational Plan & Estimates an amount of \$60,675.00 being Warren Shire Council contribution to the North Western Co-operative for 2021/2022 which represents a 2.0% or \$1,190.00 increase on the 2020/2021 contribution.

PURPOSE

To inform Council of the 2021/2022 North Western Library Co-operative contribution as resolved by the committee at Wednesday 4th November 2020 Annual General Meeting.

BACKGROUND

Warren Shire Council is a member of the North Western Library Co-operative along with the Councils of Bogan, Coonamble & Gilgandra Shires, the object of the Co-operative is to combined funding from each Council equally for the joint purchasing and sharing of library resources and administration of the North Western Library Service.

Warren Shire Council is the administering body of the Co-operative with the Divisional Manager of Finance & Administration being the Executive Officer and Warren Shire Council's librarian overseeing the operations of the service. Warren Shire Council receives a management/administration contribution from the Co-operative each year for undertaking these roles.

REPORT

The North Western Library AGM was held on Wednesday 4th November 2020 at Warren. The meeting discussed the ongoing costs of running North Western Library service. The committee resolved that the 2021/2022 per Council Contribution be increased by 2.0% being the rate-pegging limit as determined by IPART, this equates to an increase of \$1,190.00 on the 2020/2021 contribution.

Following is a breakdown of the proposed 2021/2022 per Council contribution to North Western Library Co-operative:

Total	\$60,675.00 - Ex-GST
Freight on Stock Rotation	\$ 771.00 - Ex-GST
Technical Services Library Officer	\$ 8,830.00 - Ex-GST
Computer Software Maintenance	\$13,043.00 - Ex GST
Management/Administration	\$12,146.00 - Ex GST
Operational Expenses	\$25,885.00 - Ex GST

FINANCIAL AND RESOURCE IMPLICATIONS

Allowance for the contribution is to be included in the 2021/2022 Operational Plan & Estimates.

LEGAL IMPLICATIONS

Nil

RISK IMPLICATIONS

N/A

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 5 NORTH WESTERN LIBRARY CO-OPERATIVE 2021/2022 CONTRIBUTION

CONTINUED

STAKEHOLDER CONSULTATION

All Councils will be advised of the 2021/2022 contribution in the new year for inclusion in their respective Operational Plans and Estimates.

OPTIONS

N/A

CONCLUSION

It is recommended that Council note and accept the North Western Library Co-operative's committee decision to increase the 2021/2022 per council contribution by 2.0% being the rate-pegging limit as determined by IPART for 2021/2022.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

3.2.2 Provide a high quality library service that meets the needs of the community.

SUPPORTING INFORMATION / ATTACHMENTS

Nil

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

(L2-5)

RECOMMENDATION

That authority be given to affix the Seal of Council to the North Western Library Co-operative Agreement 1st July 2021 to 30th June 2025.

PURPOSE

To seek Council endorsement to sign under the seal of Council the North Western Library Co-operative Agreement 1st July 2021 to 30th June 2025.

BACKGROUND

The North Western Library Co-operative was formed over 27 years ago with the Councils of Bogan, Coonamble, Gilgandra & Warren Shires, the object of the Co-operative was to combined funding from each Council for the joint purchasing and sharing of books to give all residents and ratepayers within the four councils more choice. The role of the Co-operative has somewhat changed since then with the advancement of technology, its primary role is the same but has value added services using the latest technology, most notably e-Books and Borrow Box etc.

REPORT

The North Western Library Co-operative held their Annual General Meeting in Warren on Wednesday 4th November 2020, one of the agenda items discussed at the meeting was the renewal of the North Western Library Co-operative Agreement that is due on 1st July 2021.

The only alterations to this agreement from the previous agreement is the changing of dates to reflect the new agreement period 1st July 2021 to 30th June 2025, attached to this report is a copy of the updated agreement for Councils consideration and adoption.

It is a requirement of the State Library of NSW that the North Western Library Co-operative have a binding agreement to be legally recognised as a regional co-operative.

Authority is now sought from Council to affix Council's Seal to this Agreement.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no additional financial implications in signing the new North Western Library Co-operative Agreement 1st July 2021 to 30th June 2025.

LEGAL IMPLICATIONS

It is a requirement of the State Library of NSW to have a current agreement in place in order to be legally recognised as a regional co-operative and eligible to receive funding.

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

All four Council were represented at the Annual General Meeting, all delegates were given an opportunity to submit any requests to alter the agreement.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT CONTINUED

OPTIONS

N/A

CONCLUSION

It is recommended that Council adopt the North Western Library Co-operative Agreement 1 $^{\rm st}$ July 2021 to 30 $^{\rm th}$ June 2025 to be legally recognised and enable access to funding from the State Library of NSW .

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

3.2.2 Provide a high quality library service that meets the needs of the community.

SUPPORTING INFORMATION / ATTACHMENTS

North Western Library Co-operative Agreement 1st July 2021 to 30th June 2025.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6

NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

North Western Library Co-Operative

Agreement

1st July 2021 to 30th June 2025

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

Contents

		Page
	Preamble	2
	Delegation of Authority	2
1.1	Composition of Committee	3
1.2	Committee Responsibilities	4
1.3	Committee Meetings	5
1.4	Conduct of Meeting	5
1.5	Service of Notice	6
1.6	Term of Agreement	6
1.7	Admission of New Participating Council	6
1.8	Termination of Agreement	6
1.9	Withdrawal from Agreement	7
1.10	Expulsion of a Participating Council	7
1.11	Exit Provision	7
1.12	Alterations to Library Agreement	8
1.13	Severability	8
1.14	Disputes	8
2.1	Executive Officer	8
2.2	Regional Librarian	8
2.3	Auditor	9
3.1	Contributions to North Western Library Co-operative	10
3.2	Payment of Contributions	10
3.3	Expenditure	10
4.1	Standards of Service	11

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

PREAMBLE

Agreement made this

day of

2021

Between the Councils of the Shires of Bogan, Coonamble, Gilgandra and Warren (hereinafter referred to as the participating Councils).

WHEREAS the participating Councils have each adopted the "Library Act 1939", as per the provisions of Section 22 of the Local Government Act 1993, by virtue of the provisions of Section 12(2) of the Library Act 1939, desire to enter into an Agreement for the carrying out of an integrated Library Service to enhance the library services to their respective areas and enter into an Agreement for extensions of such Library Service to their respective areas on terms and conditions similar to those set out in this Agreement.

Now this Agreement witnesses that the participating Councils will conduct a Library Service for the benefit and convenience of the residents of their respective areas, subject to the following Terms and Conditions: -

Delegation of Authority under s12 (2) of the Library Act 1939

The *Councils of the Shires of Bogan, Coonamble and Gilgandra* hereby delegate their powers and duties relating to the provision, control and management of libraries, library services and information services to the *Council of the Shire of Warren*, excepting the following powers and duties:

- Library staff as required to operate the library at the buildings in their own local government area including all costs of every description associated with their employment, including (but not limited to) salaries, worker's compensation, leave entitlements and superannuation, membership of professional associations, expenses for attendance at relevant conferences and training.
- Library buildings and all costs associated with the proper and prudent management of the buildings located in their local government area, including, but not limited to: all maintenance costs associated with the building; all service costs (such as waste, water, power, gas, fire control, security); and all insurance premiums (including premiums for building insurance, public liability insurance, contents insurance).
- Any additional costs associated with the provision of any local library services provided in their local government area that are services, which are additional to the services, provided pursuant to the terms of this Agreement. (E.g. purchase of additional library resources requiring processing).

AND

The Council of the Shire of Warren shall no later than 7th July 2021 constitute a library committee pursuant to s.11 of the Library Act 1939 and shall delegate all the powers and duties hereby delegated to it under this agreement in relation to the provision, control and management of the libraries of the *Councils of the Shires of Bogan, Coonamble, Gilgandra and Warren*, library services or information services concerned except any power to borrow money, to make or levy a rate, to execute a deed or

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

contract or an agreement under the Library Act, or to institute proceedings at law or in equity on behalf of the Councils concerned.

1.1 COMPOSITION OF COMMITTEE

- (i) Each participating Council shall appoint two Delegates, one delegate must be a Councillor and one maybe a staff member (hereinafter referred to as Delegates), to be members of a committee to be known as the North Western Library Management Committee (hereinafter referred to as "the Committee").
- (ii) The participating Councils shall appoint their Delegates at the first Council meeting held after the quadrennial Local Government Elections, and such Delegates shall hold office for the ensuing quadrennial term.
- (iii) Any vacancy occurring in the Committee by death, resignation, disqualification or otherwise, shall be filled by the appointment of a new Delegate by the appropriate Council at its next Ordinary Meeting for the remainder of the quadrennial term.
- (iv) Any Delegate may be removed from office at any time by resolution of the Council which appointed such delegate.
- (v) At each Annual General Meeting the Committee shall elect a Chairperson to hold office for the ensuing twelve months. The Chairperson must be a Councillor.
- (vi) At each Annual General Meeting the Committee shall elect an Executive Management Committee comprising the Chairperson and one other Delegate, (unless by resolution the Committee shall otherwise decide) which, together with the Executive Officer and Regional Librarian, shall form a working group within the Committee to develop plans and policies for presentation to the Committee as a whole, and attend to any such matters as deemed to be of an urgent nature by the Chairperson. Business shall not be transacted at any meeting of the Executive Management Committee unless all Executive Management Committee members are present.
- (vii) In the event of a vacancy occurring in the Executive Management Committee by reason of death, resignation, disqualification or otherwise, the Committee shall fill the vacancy by appointment of a member from the Committee to the Executive Management Committee.

1.2 COMMITTEE RESPONSIBILITIES

1.22 Provision of Service

To aim to conduct a public library service at a standard not less than that recommended from time to time by the Library Council of New South Wales.

1.23 Planning and Policy

(i) To develop and maintain a concise statement of the aims of the library service;

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

- (ii) To prepare and monitor the implementation of a strategic plan for the overall direction of the library service;
- (iii) To continuously review existing policies for the betterment of the provision of a library service for the constituents of the region;
- (iv) To use its best endeavours to obtain the full benefit of grants and the maximum subsidy and any payments in the nature of subsidy offered or made available by the Commonwealth, the State and other respective instrumentalities and agencies for libraries and library services.

1.24 Extension of Service

To cooperate with libraries and library systems in the wider library network on such terms and conditions as may be agreed to by the participating Committee.

1.25 Reporting to Councils

- (i) To provide each participating Council with copies of the Minutes of all Ordinary and Special Meetings;
- (ii) To prepare an Annual Report to the participating Councils; such report to include details of the activities of the Committee over the preceding twelve months and also to include statistics of books purchased and donated, of library stock, of the number of borrowers and of books borrowed;
- (iii) The Committee shall submit to each participating Council an Annual Report and a copy of the Annual Statements of Account.

1.3 COMMITTEE MEETINGS

- **1.31** The Annual General Meeting of the Committee shall be held in November of each calendar year, unless by resolution the Committee shall otherwise decide. The order of business to be conducted shall be as follows:
 - (i) Adoption (if necessary, as so resolved) of a Chairperson's allowance for the ensuing year.
 - (ii) Election of Chairperson.
 - (iii) Election of Executive Management Committee
 - (iv) To receive and consider the estimated Income and Expenditure budget for the ensuing year.
 - (v) All other business that is necessary for the due and proper conduct of the Committee.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

1.32 The Executive Officer shall convene a Special Meeting of the Committee on receipt of a written request by any of the participating Councils seeking such a meeting.

1.4 CONDUCT OF MEETINGS

- (i) The law governing the conduct of Council meetings shall apply, mutatis mutandis, to the conduct of all Committee and Executive Management Committee meetings. Provided that business shall not be transacted at any meeting of the Committee unless a majority of participating Councils are represented at such meeting.
- (ii) The Committee may by a resolution supported by the delegates of the participating Councils adopt a code of meeting practice that incorporates any regulations made for the purpose of Section 360 of the Local Government Act, 1993, as may be reasonably applicable and which supplements those regulations with provisions that are not inconsistent with them.
- (iii) Each delegate has one vote.
- (vi) The Chairperson as well as being entitled to one vote as a delegate shall also have the right of a casting vote, as and when the need arises.

1.5 Service of Notice

Any notice under this Agreement shall be in writing and in the case of participating Council shall be signed by the General Manager, in the case of a delegate by the delegate and in the case of the Committee by the Executive Officer.

Service of notice or any other correspondence may be effected by prepaid post addressed to the General Manager of any participating Council or to the delegate at his/her business address or to the Committee addressed to the Executive Officer, North Western Library Co-Operative, PO Box 6, WARREN NSW 2824.

Every notice shall be deemed to have been received at an expiration of a period of three working days after the posting of the notice and in proving the service of any such notice it will be sufficient to prove that it was addressed and posted as foresaid.

1.6 TERM OF AGREEMENT

This Agreement shall operate and remain in force from the First day of July 2021 to the Thirtieth day of June 2025 unless terminated in accordance with the provisions for termination of the Agreement with a review of the Agreement being undertaken by the Committee during 2024/2025

1.7 ADMISSION OF NEW PARTICIPATING COUNCIL

With the unanimous agreement of the participating Councils any other Council may be joined as a participating Council for all the purposes of this Agreement. Such joiner shall be effective upon the production to the Committee of a deed executive under Seal of such Council and in such terms

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

and/or conditions as required by the Committee. As and from the time of production of such Deed the Council shall be deemed to be a participating Council within the terms of this Agreement and bound by all the terms thereof.

1.8 TERMINATION OF AGREEMENT

At any time upon the passing of a resolution having the support of all the participating Councils (each Council having one vote) for the termination of the Agreement, the Committee shall cease to function and the winding up of affairs of the Committee shall be carried out under the direction of a sub-committee of the Library Co-Operative comprising the Chairperson of the Committee, two delegates and the Executive Officer, with all reasonable expedition.

Upon entering into this Agreement all participating Councils shall be deemed to have delegated to this group all necessary authority and power to wind up the affairs of the Committee if a resolution for termination is passed.

Upon any such termination, the net assets of the Committee, after payment thereout of all liabilities of the Committee, shall be apportioned among the participating Councils in the ratio of the respective contributions paid by those participating Councils over the immediately preceding three years and to the total of the contributions paid over that period by all participating Councils.

1.9 WITHDRAWAL FROM AGREEMENT

- (i) Any participating Council may give to the Committee not less than six months' notice in writing of its intention to withdraw from the Agreement at the end of the then fiscal year. Upon any such withdrawal the withdrawing Council shall be entitled to receive a share of the net assets of the Library Co-Operative at the withdrawal date and after provision for payment of all liabilities of the Library Co-Operative such share being calculated in relation of the respective contributions paid by that participating Council over the immediately preceding three years from the date of withdrawal and the total of the contributions paid over the same period by all the participating Councils.
- (ii) Upon the failure of any Council to execute a new Agreement which has been approved by all other participating Councils within three months of the expiration of the previous Agreement that Council may be deemed at the discretion of the remaining Councils to have given notice of withdrawal.

1.10 EXPULSION OF A PARTICIPATING COUNCIL

Upon the passing of a resolution having the support of the delegates of three participating Councils (one vote per Council) for the expulsion from the Agreement of a participating Council and after reasonable opportunity has been accorded to the delegates of that participating Council to be hear and/or make written submission to the Library Co-Operative prior to such a resolution being made, then such Council shall be expelled from the Library Co-Operative and from the benefits of this Agreement.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

In such case the expelled Council shall be entitled to receive a share of the net assets of the Library Co-Operative at the date of expulsion and after provision for payment thereout of all the liabilities of the Library Co-Operative such share being calculated in accordance with the terms stipulated under the clause "Termination of Agreement".

1.11 EXIT PROVISION

It is agreed by all participating Councils that the decision of the sub-committee comprising the Chairperson of the Committee and two delegates, the Executive Officer and the Regional Librarian following advice being received from the NSW State Library, shall be final and binding in respect of the method of valuation and assessment of the net assets and liabilities of the Library Co-Operative at any time and of the books and/or other assets or cash to be apportioned or paid to a Council upon termination, withdrawal or expulsion pursuant to this Agreement and all participating Councils agree that there shall not be a right of appeal in respect of any such decision.

1.12 ALTERATIONS TO LIBRARY AGREEMENT

No alteration shall be made to this Agreement unless the proposal for alteration has the support of three participating Councils.

1.13 SEVERABILITY

Any provision of the Agreement or part thereof which in any way contravenes any applicable law of the Commonwealth of Australia or of the State of New South Wales to be void or unenforceable shall to the extent of such contravention of law, invalidity on unenforceability be deemed to be separate and shall not affect any other provision or part thereof of this Agreement.

1.14 **DISPUTES**

Any dispute arising under this agreement shall, on application to the Library Council of a party to this agreement, be settled by arbitration by an arbitrator appointed by the Library Council of New South Wales.

SECTION 2 ADMINISTRATION

2.1 EXECUTIVE OFFICER

The General Manager of the Council of the Shire of Warren, or alternatively a Senior Manager within the Council of the Shire of Warren as determined by the General Manager, shall be the Executive Officer of the Committee.

The Executive Officer shall be responsible to the Library Co-Operative for the financial operation and administration of the Library Service.

2.2 REGIONAL LIBRARIAN

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

The Regional Librarian shall be the Chief Librarian of Council of the Shire of Warren.

The Regional Librarian should be a qualified Librarian in accordance with provisions in force within the State of New South Wales.

The Regional Librarian shall be responsible to the Executive Officer for the effective and efficient administration of the services provided by the Library Co-Operative as decided upon by the Committee, and any casual staff employed by the Association shall be subject to the supervision and control of the Regional Librarian.

The Regional Librarian shall attend all meetings of the Committee and all meetings of any sub committees.

The duties of the Regional Librarian shall be:

- (i) to represent the North Western Library Co-Operative at all times in a professional and competent manner;
- (ii) to manage the resources of the North Western Library Co-Operative in a cost effective manner;
- (iii) to liaise and support staff of the North Western Library Co-Operative;
- (iv) to implement or assist in the implementation of decisions made by the Committee upon maters delegated to it under this Agreement
- (v) to develop and maintain a set of objectives to fulfil the aims of the Library service and the updated Strategic Plan for the implementation of these objectives;
- (vi) to provide advice to the Committee on all matters relevant to the policy, planning and development of the North Western Library Co-Operative; and
- (vii) to select and purchase library books and materials within the limit of funds approved.

2.3 AUDITOR

An annual audit of the books of account for the Committee shall be undertaken with such audit report being forwarded to all participating Councils.

For the purposes of appointment of an approved auditor to provide such services for the Committee, it is agreed that the Auditor appointed by Warren Shire Council, from time to time, shall hereby be appointed as the Auditor for the Committee with all such audit fees and expenses being paid by the Committee.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

SECTION 3 FINANCE

3.1 CONTRIBUTIONS TO NORTH WESTERN LIBRARY CO-OPERATIVE

Member Councils of the North Western Library Co-operative will make a yearly contribution to the Operation, Management/Administration and Computer Software Maintenance costs of the North Western Library Co-operative to be indexed each year, the rate of indexation to be determined at the Annual General Meeting of the North Western Library Co-operative for the ensuing financial year and listed on **Annexure 1** of this agreement.

Any additional contributions to be paid by the participating Councils shall be considered and determined each year as agreed upon at the Annual General Meeting of the North Western Library Co-Operative for the ensuing financial year and listed on **Annexure 1** of this agreement.

3.2 **PAYMENT OF CONTRIBUTIONS**

The participating Councils shall each pay into a fund to be known as North Western Libraries Fund, within one month from the first day of July each year.

3.3 EXPENDITURE

The participating Councils shall delegate to the Committee the power and authority to:

- (i) open and operate bank accounts for the said library fund at a bank nominated by the Council of the Shire of Warren;
- (ii) expend the monies in such library fund for all approved expenses and set up such reserves as may be reasonably required from time to time for the necessary operation of the Association;
- (iii) pay the out of pocket expenses incurred by the members of the Committee for attending conferences outside the region as accredited delegates of the Association provided that the payment of such expenses are specifically authorised by a resolution duly passed at a Committee meeting, or as duly approved by the Chairperson in consultation with the Executive Officer.

Provided that such funds shall not be used for or towards the cost of meeting payment of out of pocket expenses incurred by members of the Committee in attending Committee or Executive Management meetings or engaged on other duties associated with their office.

SECTION 4 GENERAL

4.1 STANDARDS OF SERVICE

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

The standard of library service to be provided by the Committee, particularly with regard to expenditures on library resources, shall be re-considered and determined each year by the Committee.

In addition, consideration shall be given each year to raising the standard by stages towards a target level to be determined and set out in a Strategic Plan.

ACKNOWLEDGMENT OF AGREEMENT

The terms and conditions as stipulated in the North Western Library Co-Operative Agreement, 2021-2025 document, pages 1 through to 11 has duly been agreed to and endorsed by all participant Councils, and is acknowledged as follows:

Bogan Shire Council	
The Common Seal of the Council of the Shire of Bogan was hereunto affixed on the	Mayor
	General Manager
Coonamble Shire Council	
The Common Seal of the Council of the Shire of Coonamble was hereunto affixed on the	Mayor
	General Manager
Gilgandra Shire Council	
The Common Seal of the Council of the Shire of Gilgandra was hereunto affixed on the	Mayor
	General Manager
Warren Shire Council	
The Common Seal of the Council of the Shire of Warren was hereunto affixed on the	Mayor
	General Manager

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 6 NORTH WESTERN LIBRARY CO-OPERATIVE AGREEMENT

CONTINUED

Annexure 1

As adopted at the November 2020 Annual General Meeting of the North Western Library Co-operative the 2021/2022 per Council contribution is to be increased by 2.00% the rate pegging limit as determined by IPART for 2021-2022 rating year.

2021/2022 per Council Contribution details as follows:

Operational Expenses	\$25,885.00 (Ex GST)
Management/Administration	\$12,146.00 (Ex GST)
Computer Software Maintenance	\$13,043.00 (Ex GST)
Technical Support Officer	\$ 8,830.00 (Ex GST)
Freight of stock	\$ 771.00 (Ex GST)

Total \$60,675.00 (Ex GST)

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 7 COUNCIL BANK ACCOUNT SIGNATORIES

(B1-5)

RECOMMENDATION

That the following people be authorised signatories for Council's General Fund Account at the National Australia Bank:

Stephen Glen - Interim General Manager

Darren Arthur - Divisional Manager of Finance & Administration

Jillian Murray - Treasurer

Rolly Lawford – Divisional Manager Engineering Services

Milton Quigley - Mayor

Brett Williamson - Deputy Mayor

Sarah Derrett - Councillor

PURPOSE

To have a suitable number of Council officers authorised as signatories for Council's General Fund account to allow for staff leave provisions.

BACKGROUND

With the recent retirement of Council's General Manager and the resignation of Councillor Rex Wilson, a review of the authorised signatories of Council's General Fund account at the National Australia Bank needs to be undertaken.

REPORT

It is a requirement from Council's bankers the National Australia Bank that a formal Council resolution is made before they will alter their signatory register.

Currently, the signatories are:

Glenn Wilcox – General Manager – (Retired)

Darren Arthur – Divisional Manager of Finance & Administration

Jillian Murray – Treasurer

Rolly Lawford – Divisional Manager Engineering Services

Milton Quigley – Mayor

Brett Williamson - Councillor

Rex Wilson - (Resigned)

The proposed new signatories are:

Stephen Glen – Interim General Manager

Darren Arthur – Divisional Manager of Finance & Administration

Jillian Murray - Treasurer

Rolly Lawford - Divisional Manager Engineering Services

Milton Quigley - Mayor

Brett Williamson - Deputy Mayor

Sarah Derrett - Councillor

At least one (1) staff member must be a signatory on all cheques, the National Australia Bank will not accept two (2) Councillor signatures.

Report of the Divisional Manager of Finance and Administration to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 7 COUNCIL BANK ACCOUNT SIGNATORIES

CONTINUED

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

LEGAL IMPLICATIONS

N/A

RISK IMPLICATIONS

N/A

STAKEHOLDER CONSULTATION

N/A

OPTIONS

N/A

CONCLUSION

This report is provided to Council for endorsement so that timely payments can be made to creditors.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION / ATTACHMENTS

N/A

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION (S7 – 6)

RECOMMENDATION:

- 1. That the Council advise that approval be issued to the Warren Pastoral & Agricultural Association to dismantle and replace the existing aged Ron McCalman Pavilion,
- 2. That all costs associated with the dismantlement and replacement of the Ron McCalman Pavilion be provided by the Warren Pastoral & Agricultural Association,
- 3. That the building selected to replace the existing be Ron McCalman Pavilion must be subject and satisfy Council's Development Application (DA) requirements,
- 4. That the replacement structure retains the current name of the Ron McCalman Pavilion.

PURPOSE

The purpose of this report is to provide Councillors the opportunity to considered approving the dismantlement and renewal of the Ron McCalman Pavilion at the Warren Showground.

BACKGROUND

The current pavilion is a 50-year-old, large shed with an earth crumbling floor. The pavilion is not weather, dust or vermin proof. The skillion roof is open to the many types of vermin. The crumbling floor presents a very dusty affect, thus, a Work Health and Safety (WH&S) issue to staff and visitors.

The open skillion and the lack of weather, dust & vermin proofing requires a significant effort to clean the pavilion prior to each usage, sometimes each day. It is considered that its usage is very minimal because of this.

In December 2019 the Warren Pastoral & Agricultural Association (P&A) applied for and subsequently received Grant Funding through the Australian Government Regional Agricultural Show Development Grants.

The Warren P&A propose to dismantle the existing McCalman Pavilion structure and erect a new $30m \times 16m \times 3m$ high weather and vermin proof pavilion. The new pavilion will include a new 100mm reinforced concrete floor, a small office and kitchenette.

REPORT

The existing structure has very limited purpose and is assessed as not being suitable for events other than show or exhibition events. The style of flooring on the existing structure, mostly earth, does not enhance long term exhibits because of the affects of dust created by the skillion style of roof.

The proposed new pavilion may become a multipurpose venue that will enhance the existing showground facilities. Its location close to the existing amenities means it can be set up and used for a range of functions.

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION

(CONTINUED)

The project will deliver quality infrastructure for the community and enhance the regional economy.

When completed, Council will have a new asset that will be easier to maintain and clean.

The Warren P&A will utilise local contractors to complete the works not deemed to be included as part of the building such as stormwater and sewerage. This will aid the flow on effect to other local business.

No Geotechnical investigations have been carried out for the project. These investigations need to be carried out and results provided to Council prior to any works commencing.

The Warren P&A need to ensure that the proposed structure complies with the National Construction Code (NCC) and the Fire Safety Schedule (FSS).

FINANCIAL AND RESOURCE IMPLICATIONS

Dismantling of the existing pavilion and the construction, plumbing, drainage and electrical works for the new pavilion will be fully funded by the Warren P&A. The Warren P&A has been advised that Council has not budgeted any funds to assist with the project. The budget provided by the Warren P&A includes a 10% contingency.

Council staff will be involved to assist the Warren P&A with regards to Project Management and other advice throughout the duration of the project and will attend regular progress meetings to ensure works are in compliance with relevant standards.

The dismantled structure could be reused at a different location or disposed of by auction or tender.

RISK IMPLICATIONS

Risks always exist with the establishment of new buildings and as the proposed new structure is being established as a "no cost" arrangement which is considered to be a risky proposal.

OPTIONS

Acceptance of the recommendation of this report will of course be dependent on Council's acceptance of the Development Application.

Council has the option not to approve the DA however this elevates the risk of accidents and injuries to users of the Pavilion. Additionally, it leaves Council with a 50-year-old asset that will require significant financial investment to renovate to an acceptable standard.

CONCLUSION

That subject to approval of the DA providing for Warren P&A's dismantlement and replacement of the existing aged Ron McCalman Pavilion and the outcome will be beneficial to Council and its community.

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION

(CONTINUED)

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

3.2.4 - Maintain community facilities to an appropriate standard (e.g. Sporting Complex)

SUPPORTING INFORMATION / ATTACHMENTS

Attachment No.01 – Photograph – Ron McCalman Building Frontage, Attachment No.02 – Photograph – Ron McCalman Building End Shot, Attachment No.03 – Photograph – Ron McCalman Building Rear, and Attachment No.04 – Photograph – Ron McCalman Building Internal,

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION

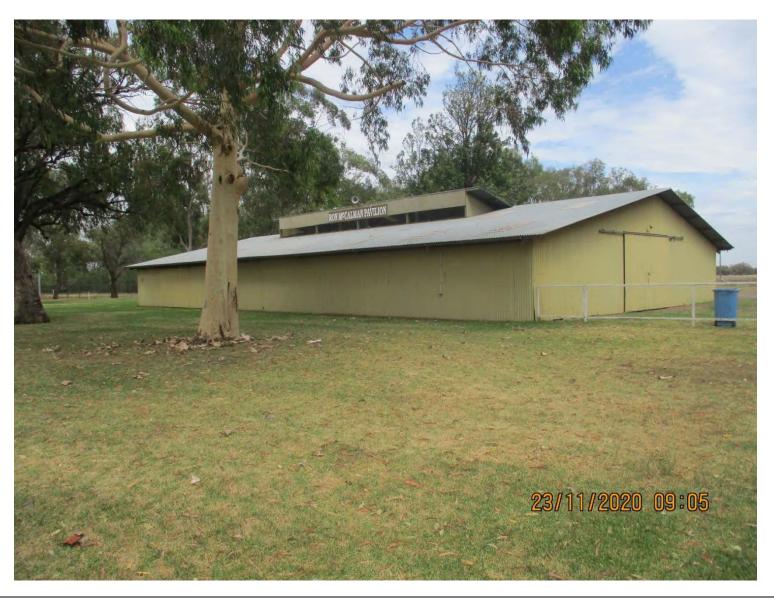
(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held in the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 WARREN SHOWGROUND, RENWAL OF THE RON MCCALMAN PAVILION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(F8-1)

RECOMMENDATIONS:

- 1. That this report be recorded as satisfying the Notice of Motion recorded as resolution number 232.10.20 by the Council at its Ordinary Monthly Meeting held on Thursday 22nd October 2020,
- 2. That the plans providing for the rectification of the undermining of the bank and the upper portion of the levee and the estimated cost completing the repairs be accepted and used to pursue the allocation for repairs to the section of the Warren Levee Bank between the Lions Park and the Charles Sturt Bridge over the Macquarie River,
- 3. That the Council recognise the need and agree to pursue consultation with representatives of the two higher levels of Government (State & Federal) seeking assistance financial assistance to rectify the deteriorated section of the Warren Town Levee,
- 4. That the Council acknowledge that it intends to commit to undertaking the works "inhouse" utilising Council staff, consultants and local contractors to complete the levee rectification works, and
- 5. That plans and the methods of repairing the damaged section of the Warren Levee Bank between the Lions Park and the Charles Street Bridge have been resolved and will be pursued by the Council and that Local Contractors and knowledge should be engaged.

PURPOSE

The purpose of this report is to illustrate compliance with the Notice of Motion resolved (**232.10.20**) by the Council at its Ordinary Monthly Meeting conducted on the Thursday 22nd October 2020 when considering a report that had the purpose of discussing the rectification of the deteriorated sections of the Warren Levee Bank.

The resolved Notice of Motion indicated that that a detailed report be presented to the December Meeting on the Warren Town Levee.

BACKGROUND

This particular project of rehabilitating the Warren Levee Bank (P0050) was initiated by the resolution of the Council (**129.6.19**) adopted at its Ordinary Monthly Meeting conducted on Thursday 27th June 2019

REPORT

This report details the Warren Levee Bank System; its overall length, its composition, its latest upgrade and height compliances and it identifies the primary area of concern.

It should be recognised that the level of risk with the levee bank in its current condition is horrendous and every safety provision is based on historic occurrences. These historic occurrences are frequently exceeded.

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)

The primary objective of the Warren Levee System is to provide the township of Warren with and adequate level of flood protection against the 1% (1 in 100 year) flood event from the Macquarie River.

During 1996 and 1997 the levee was reconstructed and extended. This followed the experience with the 1990 floods, which required urgent raising of the levee level, and the structural condition report undertaken, as a State Government initiative, following the 1990 flood.

The upgrading involved the modification of 9.3 km of existing levee by raising it by up to 1.0m and the construction of 7.4 km of new levee. The work involved the placement of 170,000 m³ of fill and 637 m of riverbank stabilisation.

The design crest level of the levee is 198.05 metres AHD (11.00 metres River Gauge Reading). The predicted 1% flood level is 197.05 metres AHD (10.00 metres River Gauge Reading). (The River Gauge is located on the upstream side of the Macquarie River Bridge, adjacent to Warren TAFE)

The reconstruction was carried out in accordance with the Specification for "Levee Upgrade Works for the Township of Warren NSW" Contract Nos 1996/01 and 1997/02. Council files F8-3.5, C12-24.1 and C13-24.2 contain further detail.

The major area of concern for the levee described above is the section of river between the Lions Park and the Charles Sturt Bridge. The majority of this section is covered in combungi which hides the visibility of the problems beneath. These surface problems which are visible within this section, which can be seen within Attachment No.01, which illustrates the deteriorated state of the banks surface.

The major problem beneath is the undermining of the lower portion of the bank's batter. This is continually worsened by the variable river flows created by environmental release of water by the water authorities. The environmental flows within river have been during 2020 intensified by large natural flows within the Talbragar and Bell Rivers.

In accordance with the first part of the Council resolution 129.6.19 resolved at the Ordinary Monthly Meeting conducted on the 27th June, 2019 which reads as follows, Barnson's of Dubbo and Orange were engaged to prepare a solution.

That a qualified Geotechnical Consulting Engineering Firm be engaged as a matter of priority to provide a proper design and construction method to rehabilitate the levee and riverbank at the Dentist Surgery/Courthouse location.

In accordance with the above resolution a detailed survey was completed, and draft plans prepared. Meetings were held with Barnson representatives and local contractors familiar with the styles of works that would be considered for the rectification works. From these meetings it was decided that the most reliable method of repair would be using sheet piling and the placement of rocks on the batter.

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)

It is considered that if Council is able to raise a sufficiently level of funds to provide for the works that Council commit to undertake the works "in-house" utilising consultants and local contractors registered on the Warren Shire Contractor register.

FINANCIAL AND RESOURCE IMPLICATIONS

The cost of rehabilitation of the section of Warren Levee between the Lions Park and the Charles Sturt Bridge is extensive, about \$5m, and thus it must be expected that there will be financial and resource implications. But utilising the appropriate levels of planning and supervision these areas of concern will be minimised.

LEGAL IMPLICATIONS

It is considered that if the appropriate levels of communication and consultation is used that the likely legal implications will be minimised.

RISK IMPLICATIONS

There will be risks encountered. The risks will include the consequences of a flood occurring prior to the completion of any rectification works and/or the risk to be encountered when undertaking minor or major works. Risk analysis will be undertaken prior to the commencement of all works.

STAKEHOLDER CONSULTATION

There will be extensive consultation with all persons and/or authorities involved with the planning and implementation of all works.

There was a meeting held in Sydney at Parliament House on the 5th of November 2020 in which the Mayor Milton Quigley and the Divisional Manager Engineering Services Rolly Lawford meet with the Hon Sam Farraway MLC regarding funding options to assist with the extensive repair work that needs to be carried out, to date this has not been fruitful in that their hasn't yet been any funding made available, and the matter to pursue more funding for these repairs as they become available will be ongoing.

OPTIONS

A number of alternate styles of repairs have been considered and discussed in full.

CONCLUSION

This is not an un-resolvable problem. There will be financial hardship, naturally occurring risks (floods and high rivers), construction challenges such as access to different sites, environmental challenges and other hardship challenges. But, elimination of the area of concern can be achieved.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

3.2.4 Maintain community facilities to an appropriate standard (e.g. Sporting Complex)

SUPPORTING INFORMATION

As per the attachments.

ATTACHMENTS

Attachment No.01 – Warren Town Levee Condition Report,

Attachment No.02 – Plan – Levee Bank Repair Design,

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)

Attachment No.03 – Letter – Mayor to Hon Sam Farraway MLC

Attachment No.04 – Town Map

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

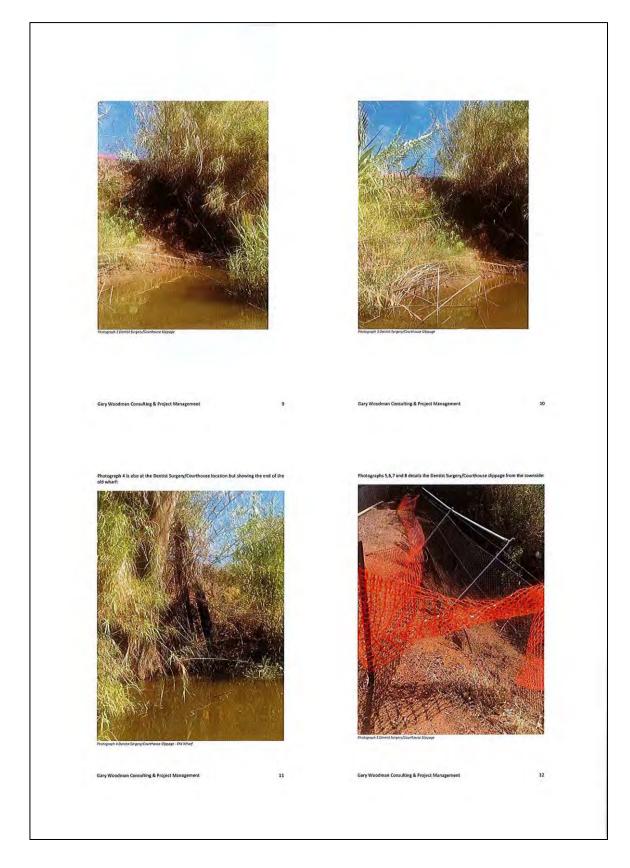
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Recommendation 4:		2. Brief	
That an appropriate budget be arranged in the annual estimates to cater for the inspection and operational work determined by the annual inspection emanating for Warren Levee Operations and Maintenance Manual.	ypical im the	Gary Woodman from Gary Woodman Consulting & Project Managemen to undertake an inspection and report of the section of the Warren riverside and in particular the section just downstream of Lions Park of Dentits Eugery/Courthouses.	Town Levee that is
In late 2013 the NSW Public Works undertook an extensive visual audit of the Warren Levee. A Report was provided to Council on the 4 August 2015 detailing the conclusion recommendations following the audit.	Town ns and	The riverside inspection was undertaken by boat on the 8 April 2019 Council's Divisional Manager Engineering Services and by foot by the locations along the riverside of the levee.	in conjunction with author at relevant
The Report noted that based on the audit undertaken although the levee appeared functional it was considered to not be in a sound condition. It was recommended that r inspections be carried out as follows:		Only the riverside of the levee was visually inspected.	
 Annual general inspections to be carried out by a Council Engineer, Appendix C Report should be used to complete the audit; 	of the	The author also undertook an inspection of relevant Council files or construction, the Warren Levee Operations and Maintenance Ma maintenance and inspections of the levee.	
 External five yearly detailed audits to be carried out by an independent engin consultant. The Audit Report template should be used; 	eering		
 Inspection post notable flood events to be carried out by a Council Englishment of the following stored for convenient retrieval for future audit purposes. 	pineer. is and	 Consultant – Gary Woodman Consulting & Project Gary Woodman is a Local Government Engineer Manager with almost government experience at Central Darling Shire, Narrabri Shire, Warren 	st 30 years of local
It was also recommended that Council incorporates the findings of each five yearly report in their asset management / maintenance system to ensure that the status action is known and in case of a requirement for status information by the NSW Govern	of the	Cobar Shire Councils. He has been involved in most aspects of local government services dur career which has included almost twenty-two years as a Council Senior O	fficer with eight and
The Report also provided details of a number of specific issues that needed to be addito ensure continued satisfactory performance of Warren Town Levee system. These were listed in priority order of action within the Report.	essed	half years as Manager Engineering Services (Department Head) at Warrer seven years as Director Operations at Singleton Council and almost s Manager at Cobar Shire Council and Secretary of the Cobar Water Board.	ix years as General
There is no evidence showing that the Audit Reports recommendations have implemented or priority actions completed.	been	He is a Fellow of the Institute Public Works Engineering Australasia (IP Professional Engineer (Civil) and a member of the Local Government En (LGEA), Australian Institute Company Directors (AICD) and the Local Go Australia (LGAA). Gary is a Director of the IPWEA MSW Division (200	sgineers Association vernment Managers 12-Present) and is a
Recommendation 5: That the recommendations contained within the NSW Public Works Report Ni DO/13/DZ Visual Audit of the Warren Leves (North and South) dated 6 (November 2) implemented by Council.	amber 113 be	member of the Committee of Management of the LGEA (2002-2008 and Activities include local government operations and services, man governance and leadership, people and change management, civil e management, strategic planning, community and stakeholder constructions.	agement, finances, engineering, project
Recommendation 6;		asset management, contract management and administration, grantso works engineering.	manship and public
That the specific issues detailed within the 6 November 2013 Visual Audit Report be to form the basis of the next inspection of the Warren Town Levee as required in the V Levee Operations and Maintenance Manual.	used Jarren		
Gary Woodman Consulting & Project Management	6	Gary Woodman Consulting & Project Management	6
The author was engaged by Warren Shire Council due to his experience with the design construction of the Warren Town Leaves 1996-2001. Concient has been raised in relation to the condition of the levee at a section just down turns Park adjacent to the Dendit Strgany/Courlhouse. Only the riverside of the levee was visually inspected by boat and where needed by hotographic verbince was also collected. No geolechnical inspections/Lesis understaken. Research into the current process for levee maintenance at Warren Shire Council was understaken together with viewing of files and photographs concerning previous construminierance and inspections. Interviews were also understaken with persons who have been responsible over time I inspection and maintenance of the levee. Reference was made to Sinclair Knight Merz Pty. Lid. Warren Levee Liggrade Petorochnical unweighted to the Council Warren Shire Council Held. —A Lane 1995) by Coffee Partners International Pty, Ltd. Warren Shire Council Held. Flood Preventions and Mitigaton Levee Banks — Maintenance Oi, Sinclair Knight Moral National And Visitation and Mitigation Levee Banks — Maintenance Oi, Sinclair Knight Moral Council Held.	room y foot were so also or the troject 776/1 88-3.2 Mers March	5.1 Visual Inspection of Levee Photographs 1,2 and 3 below show the slig failure of the river embands rivee downstream of them Park adjacent to the Dentics Surgery/Courbo	nent and part of the
Juggrafing of Bood Seves Environmental Impact Statement, Warren Shire Council, 1996 and Report Numbers (2013/20) of 6 November 2013 Visual Audit of Warren L (North and South) by NSW Public Works.			

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

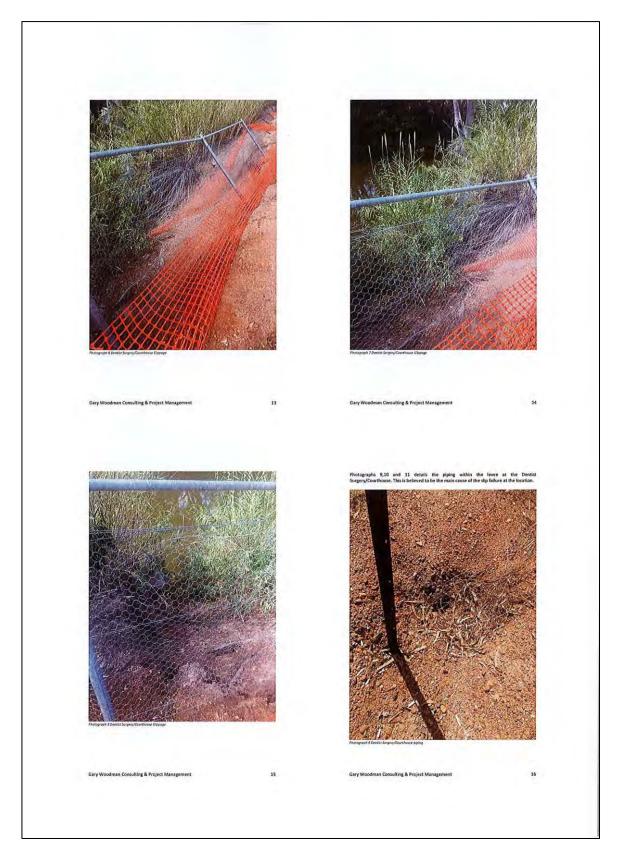
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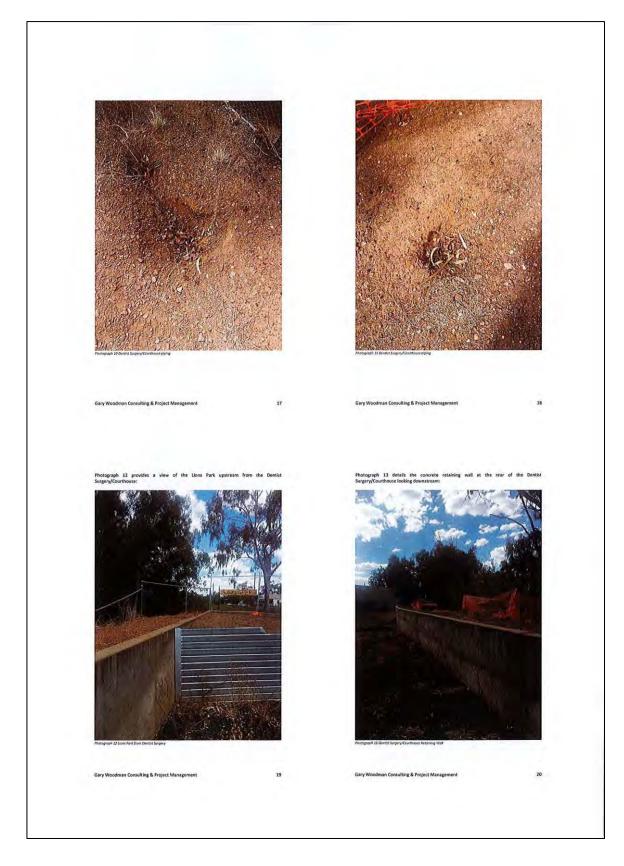
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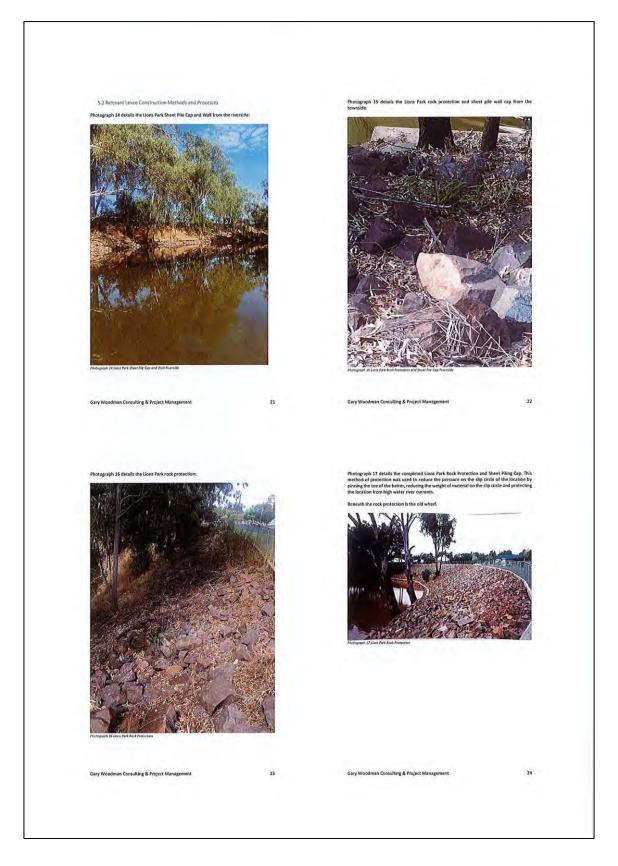
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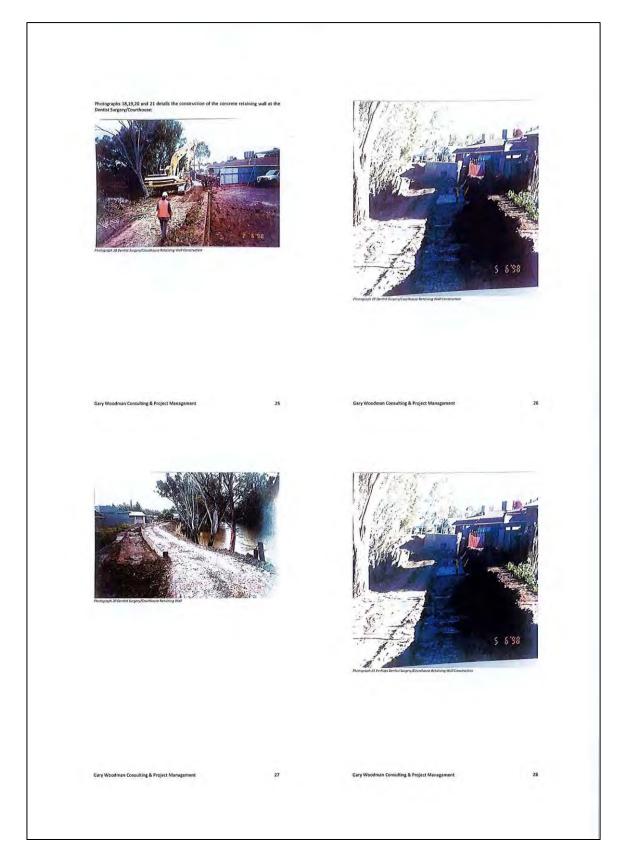
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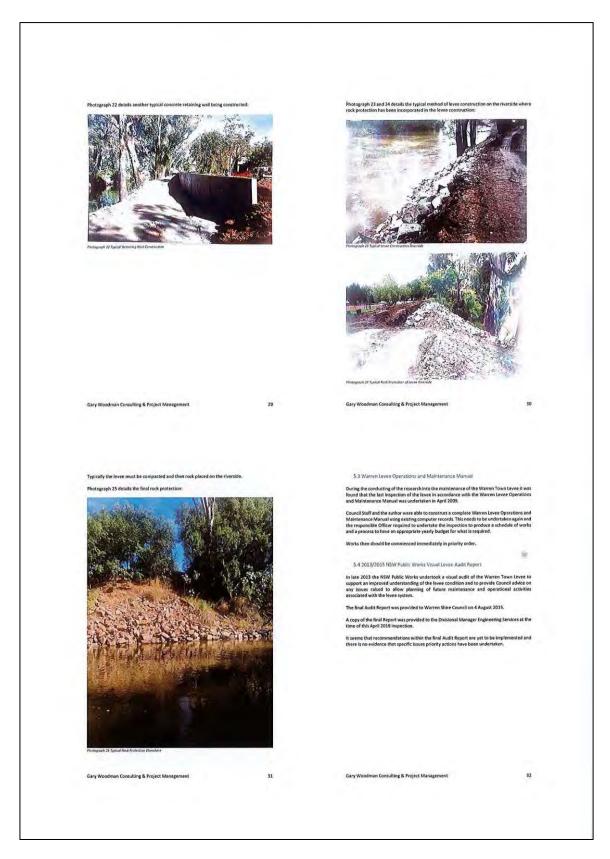
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Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

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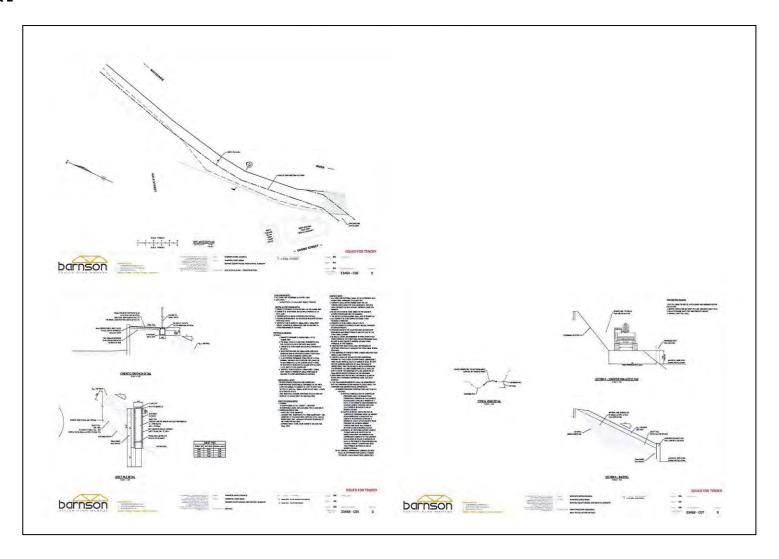
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Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)

Attachment 3



Our Ref: F8-3.2 Contact: Milton Quigley MJQ:AM 4030

Office of the Mayor

The Hon. Sam Farraway MLC Parliament House Macquarie Street SYDNEY NSW 2000

5th November 2020

Dear Sir

The purpose of this letter is to seek financial assistance to enable the repair of approximately 160m of the Warren Town Levee. The section to be repaired is located immediately adjacent to the Warren the central business area.

Warren's town centre is located immediately adjacent to the Macquarie River approximately 110 km west of Dubbo.

The Warren Levee Bank is of a two-section layout:

- Section one is located south of the Macquarie River and north of Gunningbar Creek and encompassing the central business area, a large residential area, a large portion of industrial area and the Queensland Cotton Gin; and
- Section two is located north of the Macquarie River and encompassing a sizable portion of residential area, the village hospital, sporting grounds, caravan park and motel – this area is referred to locally as Ravenswood.

The above two sections of levee have a total length of approximately 16 kms. There are 47 major stormwater outlets through the levees. The majority of the levee is conditionally rated as being good condition, having an assessment rating of 2 or 3 out of 5.

The Council does make provision within each year's budget for minor maintenance of the stormwater outlets, removal of sapling trees and re-turfing of some areas is undertaken to keep the integrity of the levee sound.

The water flow within the Macquarie River is normally controlled by Water NSW who are responsible for monitoring and controlling the inflows and outages of Burrendong Dam. The monitoring and controlling of the waters ensures that manageable flows are provided for within the Macquarie River basin, during most periods. However, when the flow rates are excessive and when being increase by inwards flows from the Talbragar and Bells Rivers the sections of levee bank adjacent to the Macquarie River are being extensively.

The need for repair was identified early within 2019 and extensive investigative works were undertaken so as to determine the best method of repair and an estimate of cost of repair.

115 Dubbo Street | PO Box 6 | Warren NSW 2824 P 02 6847 6600 | E council@warren.nsw.gov.au | ABN 87 198 932 652

www.warren.nsw.gov.au

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

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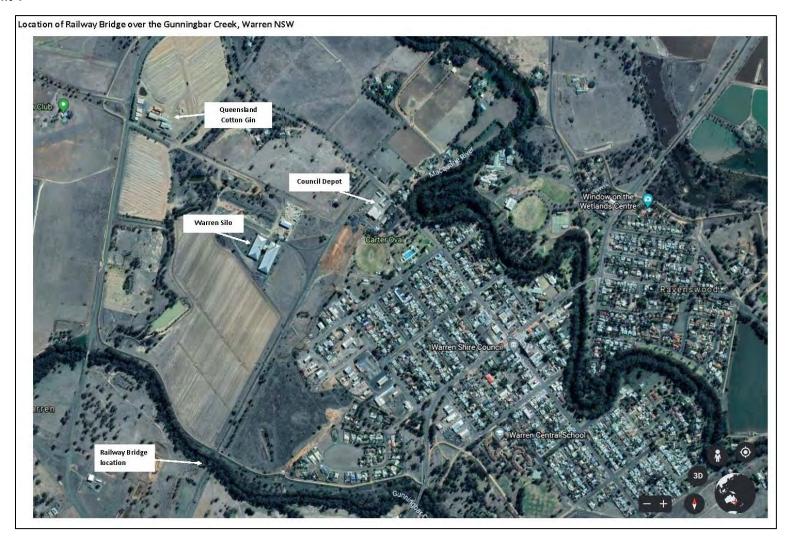
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Parliament Hose Macquarie Street SYONEY NSW 2000 5th November 2020 Firstly, a consulting engineer was engaged to analysis the overall condition of the levee ar recommend repairs wherever necessary. The report identified there are 2 sections that do require major remediation works to be undertaken due to variable river flows over the years washing the riverbank away and undermining the levee integrity. These sections being at Lions Park and the northern end of Dubbo Street. An engineering design firm was then engaged to undertake survey, design and recommend a methor of repair. In conjunction with the engineering design firm's works a number of local contractors where the properties of the stimulation of the sheet pile/rock backfill wall design was agreed to. The estimated cost of completing the repairs which includes acquisition of required materials are installation of the sheet pile/rock backfill wall is \$S.M. I therefore seek your assistance to consider allocation of funding to enable the recommended repair to be completed. Any further information required would best be sourced by making contact with either Council Divisional Manager Engineering Services, Mr Rolly Lawford by email gal@warren.nsw.gov.au or to phone 0419 248 233. Thank you for your consideration of this matter. Yours faithfully. Milton Quigley Mayor Enc. Attachments 1. 24 Photos illustrating the current condition of the troublesome area and repairs previous undertaken at this site; and 2. Copy of the design planned compiled by the appointed engineering design firm.	MICHAM 4930 STOREY NSW 2000 Sith November 2020 Firstly, a consulting engineer was engaged to analysis the overall condition of the levee a recommend repairs wherever necessary. The report identified there are 2 sections that do requivalent of the commend repairs wherever necessary. The report identified there are 2 sections that do requivalent of the commend repairs wherever necessary. The report identified there are 2 sections that do requivalent of the commend of repair. In conjunction with the engineering design firm's works a number of local contractors with the commend of repair in the commend of repair the leve were liaised with. As a result sheet pile/rock backfill wall design was agreed to repair the leve were liaised with. As a result sheet pile/rock backfill wall design was agreed to the sheet pile/rock backfill wall is \$5M. The estimated cost of completing the repairs which includes acquisition of required materials a installation of the sheet pile/rock backfill wall is \$5M. Therefore seek your assistance to consider allocation of funding to enable the recommended repairs to be completed. Any further information required would best be sourced by making contact with either Counce Divisional Manager Engineering Services, Mr Rolly Lawford by email gal@warren.nsw.gov.au or phone 0419 248 233. Thank you for your consideration of this matter. Milton Quigley Mayor Enc. Attachments 1. 24 Photos illustrating the current condition of the troublesome area and repairs previous undertaken at this site; and 2. Copy of the design planned compiled by the appointed engineering design firm.	MICAM 4030 Stonery his 2000 Stonery his 2000 Stonery his 2000 Firstly, a consulting engineer was engaged to analysis the overall condition of the levee a recommend repairs wherever necessary. The report identified there are 2 sections that do required major remediation works to be undertaken due to variable river flows over the years washing to riverbank away and undermining the levee integrity. These sections being at Lions Park and the northern end of Dubbo Street. An engineering design firm was then engaged to undertake survey, design and recommend a meth of repair. In conjunction with the engineering design firm's works a number of local contractors we undertake works similar to the works required to repair the levee were liaised with. As a result sheet pile/rock backfill wall design was agreed to. The estimated cost of completing the repairs which includes acquisition of required materials at installation of the sheet pile/rock backfill wall is \$5M. I therefore seek your assistance to consider allocation of funding to enable the recommended repair to be completed. Any further information required would best be sourced by making contact with either Councillosional Manager Engineering Services, Mr Rolly Lawford by email gal@warren.nsw.gov.au or phone 0419 248 233. Thank you for your consideration of this matter. Yours faithfully, Milton Quigley Mayor Enc. Attachments 1. 24 Photos illustrating the current condition of the troublesome area and repairs previous undertaken at this site; and	The Hon. Sam Farraway MLC	Our Ref: F8-3.2
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Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 2 WARREN LEVEE BANK REHABILITATION

(CONTINUED)



Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 TENDER – SUPPLY AND DELIVERY OF PASSENGER, TRUCK AND EARTHMOVING TYRES (T3-1)

RECOMMENDATIONS:

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

PURPOSE

The purpose of this report is to seek Council's approval to award the Regional Procurement joint group of Member Councils the joint contract for the supply & delivery of passenger, truck & earthmover tyres.

BACKGROUND

As a result of discussions with participating councils regarding their requirements for the supply & delivery of passenger, truck & earthmover tyres, Regional Procurement has called an open Panel Source tender.

The tender closed at 10.00am on Tuesday 29/09/2020.

Seven (&) sets of tender documents were downloaded from the Tender link Portal.

The participating joint group of Councils involved in the tender are:

Bourke Shire Council

Brewarrina Shire Council

Coonamble Shire Council

Gilgandra Shire Council

Narromine Shire Council

Warren Shire Council

Walgett Shire Council &

Warrumbungle Shire Council

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 TENDER – SUPPLY AND DELIVERY OF PASSENGER, TRUCK AND EARTHMOVING TYRES (T3-1)

The contract is to run for two (2) years from 1st January 2021 to the close of business 31st December 2022. An additional one (1) year option may be taken up based on satisfactory performance by the contractors.

Six (6) tenders in total were received from

- Australian Tyre Traders Pty Ltd
- Bridgestone Australia Ltd t/a Bridgestone
- Goodyear Dunlop Tyres (Aust) Pty Ltd
- Tyremax Pty Ltd t/a Tyremax
- Tyres4U Pty Limited
- D & K Walker Pty Ltd t/a Walkers Tyres

REPORT

The aspects of the report are as resolved and issued by the Regional Procurement Account Manager on the 28th October 2020. The details of the tender assessment are as follows;

Probity

The tender has been conducted in accordance with Clause 166(a) of the Local Government (General) Regulation 2005.

Conflict of Interest Declarations were signed by all participating evaluation panel members including the Regional Procurement facilitator. The declarations are available to be viewed if required.

No late tenders were received.

All tenderers were noted as active on the ASIC website.

All tenderer insurance records were checked against Tender requirements and potential non-conformities were noted in the Evaluation Matrix for the consideration of the panel.

All tenders were deemed conforming to the Tender requirements.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process.

Confidentiality and probity were maintained throughout the process.

Tender Evaluation

The tender evaluation was conducted on Thursday 22/09/2020 via telephone:

☑ Eric McCutcheon – Gilgandra Shire Council

☑ Mark Kentish – Regional Procurement

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 TENDER – SUPPLY AND DELIVERY OF PASSENGER, TRUCK AND EARTHMOVING TYRES (T3-1)

Methodology:

The % weightings and criteria were agreed upon prior to the tender closing. The evaluation result was determined by:

- Adding the total value of all items together to determine the lowest overall price.
- The lowest overall amount was awarded the full Criteria % for each Category, as shown in the Evaluation Results Table on the following page.
- Each subsequent total \$ value was then divided into the lowest total amount to obtain a score.
- Other Evaluation Criteria was evaluated based on the following factors:
- If the tenderer provided the required evidence to meet the benchmark, e.g.: a current ISO
 certificate and QMS document contents page, the Evaluation Panel awarded full marks
 (5) for that category.
- If the tenderer provided partial evidence to meet the benchmark, e.g.: provided a QMS document contents page but they are not ISO certified, the Panel determined a lower score between 2-4, subject to the evidence in front of them.
- If the tenderer failed to meet the benchmark completely, e.g.: they demonstrated no ability to meet the criteria and did not provide any evidence, the Panel awarded 0 points to the tenderer for that evaluation criteria.
- Where "Referees" was included as weighted criteria, each Tenderer's Referees Score was
 calculated by adding the total scores obtained from the Tenderer's three nominated
 referees (where each is worth up to 25 points) and dividing this total by the maximum
 possible score of 75, then multiplying this number by the allocated matrix Weighting
 value.

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 TENDER – SUPPLY AND DELIVERY OF PASSENGER, TRUCK AND EARTHMOVING TYRES

(CONTINUED)

Evaluation Results:

T262021OROC		Supply and Delivery of Passenger, Truck and Earthmover Tyres					
Evaluation Criteria		Australian Tyre Traders	Bridgestone Australia	Goodyear Dunlop Tyres	Tyremax	Tyres 4 U	Walkers Tyres
Nominated Local Tyre Dealer		I & A Bennett Nyngan & Dubbo Tyre & Battery	No Local Dealer	Beaurepaires Brocklehurst & Dunlop Super Dealer Nyngan	Walkers Tyres Centre 11 Mitchell Hwy Narromine	Tyreright Warren 41-43 Bundemar St Warren	Walkers Tyres Centre 11 Mitchell Hwy Narromine
Total cost of 5 like tyres for each tenderer		\$2,130.25	\$2,345.32	\$2,051.56	\$1,943.30	\$2,275.48	\$2,179.99
	55.00	50.17	45.57	52.10	55.00	46.97	49.03
Referees	10	9.47	9.20	8.53	9.60	8.47	9.53
Quality Assurance	10	10.00	10.00	10.00	5.00	10.00	5.00
WH&S	10	6.00	10.00	7.00	10.00	6.00	6.00
Customer Service	10	8.00	8.00	8.00	8.00	8.00	8.00
ESD	5	2.00	5.00	2.00	2.00	2.00	2.00
Total	100	85.64	87.77	87.63	89.60	81.44	79.56

Report of the Divisional Manager Engineering Services to the Ordinary Meeting of Council to be held at Council Chambers, Warren, on Thursday 3rd December 2020

ITEM 3 TENDER – SUPPLY AND DELIVERY OF PASSENGER, TRUCK AND EARTHMOVING TYRES (CONTINUED)

Evaluation Outcome:

Contract Duration

This contract will run for 24 months from **1 January 2021** to **31 December 2022**. A 12-month option may be taken up based on satisfactory performance by the contractor/s.

Contract Price Variations:

Refer to the Clause 3.4 Price Adjustment in the relevant.

Tender de-brief:

Regional Procurement will formally invite Tenderers to seek feedback on their respective submissions. Where requested, Tenderers will be offered further details on their results in the evaluation process.

FINANCIAL AND RESOURCE IMPLICATIONS

It is considered that all financial and resource implications have been provided for in the tender and the assessment process.

LEGAL IMPLICATIONS

It is considered that there are no legal implications.

RISK IMPLICATIONS

It is considered that there are minimal risk implications.

STAKEHOLDER CONSULTATION

It is considered that the necessary stakeholder consultations have been completed within the tender assessment process.

OPTIONS

It is the view that there be no better option.

CONCLUSION

That the Regional Procurement joint Member Council tender and associated contracts as per the recommendations be accepted.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

5.2.2 Timely and accurate reporting for efficient management and accountability.

SUPPORTING INFORMATION

There is no supporting information.

ATTACHMENTS

There are no attachments.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

(V1-2)

RECOMMENDATION

That Council note the assessment and audit report completed on Vacation Care.

PURPOSE

The purpose of this report is to provide Council with information on the results from a compliance audit of the Service provided "Warren Shire Council Vacation care".

REPORT

The NSW Department of Education - Early Childhood Education Directorate undertook a compliance audit on Warren Shire Council Vacation Care on 8th and 9th July 2020. (Audit report attached). Previous audits in the past had been completed with many non-compliances however, the time to make significant improvements was evident.

Prior to the audit, the Supervisor in Charge was employed in the capacity to review and implement the necessary compliance requirements. Some of the necessary changes that were required were made prior to the audit visit. The legislative requirements are the same as the private sector, such as Little Possums and the Warren Kindergarten and Preschool.

To summarise, the following was found to be non-compliant;

- New Medical Risk Minimisation Plan and Communication Plan developed
- Lockdown and emergency evacuation rehearsals complete
- Evacuation procedures at every exit
- Risk assessments systems developed
- New excursion form developed
- Updated and clearly display the prescribed information
- Copy of service's public liability insurance kept onsite
- Policies and procedures Nutrition & Food Safety Policy, Rest time policy responsible person policy, Staffing Arrangements Policy, Code of Conduct Policy, Student and Volunteer Policy
- Policy review system to ensure family notification of change to policies and procedures
- Copies of the Law and regulations to be available at the services
- Updated Quality Improvement Plan (QIP)

FINANCIAL AND RESOURCE IMPLICATIONS

Additional costs were incurred (approximately \$5,000) to make the necessary changes to improve compliance with the legislative requirements of operating an early childhood service.

LEGAL IMPLICATIONS

If Council did not make a considerable improvement towards achieving compliance, Vacation Care may have been refused approval to operate by the NSW Department of Education

RISK IMPLICATIONS

Council would have to consider the removal of the service to the residents of Warren if considerable compliance improvements were not implemented.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

CONTINUED

STAKEHOLDER CONSULTATION

The Supervisor worked closely with the NSW Department of Education – Early Childhood Education Directorate, prior to the assessment taking place and meetings were held with Health and Development Staff to develop the necessary changes.

OPTIONS

The decision was made to make a considerable effort towards achieving compliance, to ensure the service continued to operate. The service of Vacation Care has been at full capacity with interested families being denied attendance due to supervision ratio requirements having to be achieved. The ceasing of Vacation Care would have been detrimental to families of Warren as it is very popular and offers safe supervision of children and planned activities during school holidays.

CONCLUSION

Considerable effort has been made to achieving compliance with the audit, to ensure that Vacation Care can continue to operate.

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.1.1 Local access to essential services and less outreach of these essential services
- 1.1.2 Maintain high levels of community cohesion and community spirit
- 5.2.1 Quality customer service focus by Council staff
- 5.2.3 Effective staff training and development processes in place

ATTACHMENT

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

CONTINUED

Name of Education and Care Service: Warren Shire Council Vacation Care

TABLE OF NON-COMPLIANCE IDENTIFIED ON: 8 July 2020

Please return completed table and attachments to ECEC Western.region@det.nsw.edu.au by 13/10/2020

Reference to the National Law and lor Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 78(1) Food and beverages	(1) The approved provider of an education and care service must ensure that children being educated and cared for by the service— (a) have access to safe drinking water at all times; and (b) are offered food and beverages appropriate to the needs of each child on a regular basis throughout the day. Children are able to purchase soft drinks at lunch time but not throughout the day. On 08/07/2020 four children purchased soft drinks from the vending machine in the front foyer.	The Vacation has now become a member of the ChildCare Centre Desktop, adopting some of their policies to ensure all Regulations and Laws are maintained at all time. Vacation Care Nutrition policy has now been reviewed and adopted. Vacation Care has also informed families and children that the vending machine is not apart of our Vacation Care Service, via an email and flyer, therefore children will not be able to access this machine whilst attending Vacation Care. The vending machine is in the foyer of the Sporting Complex, however many other sporting activities use this complex, therefore the reason the vending machine in there. However this is the Sporting Complex mangers responsibility and has nothing to do with VC. If at anytime the children may ask to gain access to the vending machine on a very occasion due to end of VC parties or VC functions then families will be notified by an email and/ or newsletter stating the reason and day the children may access the vending machine if would like to, with prior permission from the Sporting Complex Manager. More effort has now also gone into informing children and families regarding healthy eating and drinking options by newsletters, flyer and group discussions throughout our day.	Yes Nutrition Policy and Nutrition flyer for families

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

CONTINUED

Reference to the National Law and lor Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 90(1) Medical conditions policy	(1) The medical conditions policy of the education and care service must set out practices in relation to the following—(a) the management of medical conditions, including asthma, diabetes or a diagnosis that a child is at risk of anaphylaxis; (b) informing nominated supervisors and staff members of, and volunteers at, the service of practices in relation to managing those medical conditions; (c) the requirements arising if a child enrolled at the education and care service has a specific health care need, allergy or relevant medical condition, including—(i) requiring a parent of the child to provide a medical management plan to be followed in the event of an incident relating to the child's specific health care need, allergy or relevant medical condition; and (iii) requiring the development of a risk-minimisation plan in consultation with the parents of a child—(A) to ensure that the risks relating to the child's specific health care need, allergy or relevant medical condition are assessed and minimised; and (B) if relevant, to ensure that practices and procedures in relation to the safe handling, preparation, consumption and service of food are developed and implemented; and (C) if relevant, to ensure that practices and procedures to ensure that the parents are notified of any known allergens that pose a risk to a child and strategies for minimising the risk are developed and implemented; and (C) if relevant, to ensure that practices and procedures ensuring that all staff members and volunteers can identify the child's medication are developed and implemented; and (E) if relevant, to ensure that practices and procedures ensuring that the child does not attend the service without medication prescribed by the child's medication are developed and implemented; and (E) if relevant to ensure that—(A) relevant staff members and volunteers are informed about the medical conditions policy and the medical management plan and risk minimisation plan for the child, setting out how that communication can occur. The nominat	The Nominated Supervisor has introduced a staff folder that all staff are to access and become familiar with before they commence employment. All required documentation, including the Risk Minimisation form and communication form can be located in this folder when required. All staff have revised the regulations and are now fully aware of the regulations as to what and why our service must have a Risk Minimisation and communication form. A Risk Minimisation and communication form has been downloaded and adjusted by joining the Childcare Desktop and is now available for our service to use when needed. Evidence attached.	Yes New Medical Risk Minimisation Plan and Communication plan

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

CONTINUED

Reference to the National Law and lor Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 97(3) Emergency and evacuation procedures	(3) The approved provider of an education and care service must ensure that— (a) in the case of a centre-based service, the emergency and evacuation procedures are rehearsed every 3 months by the staff members, volunteers and children present at the service on the day of the rehearsal and the responsible person in relation to the service who is present at the time of the rehearsal; and (b) the rehearsals of the emergency and evacuation procedures are documented. An emergency rehearsal for a fire dated 7/7/2020 was sighted. The nominated supervisor said a lockdown rehearsal would be practiced later in the week. When asked where the record for the previous vacation care period in January 2020 was, she could not locate it.	The new Nominated Supervisor has now ensured that evacuation are done every 3 months. An evacuation and lockdown rehearsal has been done in July and in October 2020 since the assessment rating. The procedures will now be rehearsed every holiday session in January, April and October. Evidence attached.	Yes October lockdown and emer- gency evac- uation re- hearsals

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

CONTINUED

Reference to the National Law and lor Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 97(4) Emergency and evacuation procedures	(4) The approved provider of an education and care service must ensure that a copy of the emergency and evacuation floor plan and instructions are displayed in a prominent position near each exit at the education and care service premises, including a family day care residence and approved family day care venue. The service's policies state, 'Emergency evacuation procedures will be clearly displayed near the main entrance and exit of each room used by the centre'. No procedures are displayed with the emergency evacuation diagram at the front door or at any exit.	The Nominated Supervisor has reviewed and made changes where needed and all evacuation procedures are now at every exit. Evidence attached.	Yes Photo of new evacuation procedure at exit

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Conduct of risk assessment for excursion (k) m si conduc	a) identify and assess risks that the excursion may pose to the safety, health or wellbeing of any child being taken on the excursion; and ib) specify how the identified risks will be managed and minimised. (2) Without limiting subregulation (1), a risk assessment must consider— (a) the proposed route and destination for the excursion; and (b) any water hazards; and (c) any risks associated with water-based activities; and (d) the ransport to and from the proposed destination or the excursion; and (e) the number of adults and children involved in the excursion; and (f) given the risks posed by the excursion, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required; and (g) the proposed activities; and (h) the proposed duration of the excursion; and (i) the items that should be taken on the excursion. A risk assessment dated 11/01/2020 for the Warren Swimming Pool lists the activity - to swim, nazard identified - water, risk matrix - nigh/possible and elimination/control measures - lifeguard, 2 educators with first aid and children aware of rules. The only hazard dentified is water.	The Nominated Supervisor has introduced a system that more paid time is given to the Nominated Supervisor and the assistant when an excursion is coming up to ensure staff have more time to prepare and work together to review all risk and ensure that all excursions have the all identified risks and that all risks are assessed accordingly. Evidence attached.	Yes Photo of the new QIP displayed at the service

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Regulation – 102(4) Authorisation for excursions	(4) The authorisation must be given by a parent or other person named in the child's enrolment record as having authority to authorise the taking of the child outside the education and care sevice premises by an educator and must state— (a) the child's name; and (b) the reason the child is to be taken outside the premises; and (c) the date the child is to be taken on the excursion (unless the authorisation is for a regular outing); and (d) a description of the proposed destination for the excursion; and (e) the method of transport to be used for the excursion; and (f) the proposed activities to be undertaken by the child during the excursion; and (g) the period the child will be away from the premises; and (h) the anticipated number of children likely to be attending the excursion; and (i) the anticipated ratio of educators attending the excursion to the anticipated number of children attending the excursion; and (j) the anticipated number of staff members and any other adults who will accompany and supervise the children on the excursion; and (k) that a risk assessment has been prepared and is available at the service. The excursion permission form is missing the following sections: (b) the reason the child is to be taken outside the premises; and (d) a description of the proposed destination for the excursion; and (f) the proposed activities to be undertaken by the child during the excursion; and (g) the period the child will be away from	The Nominated Supervisor has adopted a new excursion form from the Childcare Centre Desktop which is currently being used at the service. The new form has all the Regulation requirements. Evidence attached.	Yes The current excursion permission letter

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1	VACATION CARE -	AUDIT REPORT AND REVIEW	CONTINUED
		the premises; and (h) the anticipated number of children likely to be attending the excursion; and (i) the anticipated ratio of educators attending the excursion to the anticipated number of children attending the excursion; and (j) the anticipated number of staff members and any other adults who will accompany and supervise the children on the excursion; and (k) that a risk assessment has been prepared and is available at the service.	

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Reference to the National Law and <i>l</i> or Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Law – 172 Offence to fail to display prescribed information.	An approved provider of an education and care service must ensure that the prescribed information about the following is positioned so that it is clearly visible to anyone from the main entrance to the education and care service premises (a) the provider approval; (b) the service approval; (c) each nominated supervisor of the service; (d) the rating of the service; (e) any service waivers or temporary waivers held by the service; (f) any other prescribed matters. The service has not displayed the regulatory authority's details The service's current rating certificate is not displayed The registered name and service and provider approval numbers are not displayed	The new Nominated Supervisor has been employed on a casual basis to run Vacation Care through the school term(not just the OOSH). This is to ensure all compliance documentation, polices, regulations and laws are kept updated at all times The Nominated Supervisor has moved furniture within the foyer of the service to access more room to ensure all prescribed information is clearly visible to everyone from the main entrance. The Nominated Supervisor has currently updated all prescribed information which is now clearly displayed at the service through the holiday period when Vacation Care is running,. Evidence attached.	Yes Photos of current displayed documentation

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Reference to the National Law and /or Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 180(1) Evidence of prescribed insurance	(1) The approved provider of an education and care service must keep evidence of the current prescribed insurance at the education and care service premises, or in the case of a family day care service, at the principal office of the service, and must make the evidence available for inspection by the Regulatory Authority or an authorised officer under the Law. A copy of the service's public liability insurance was not located at the service but the certificate was emailed to the officer during the visit. It is kept at the approved provider's premises located away from the service premises.	The Approved Provider representative has now given the Nominated Supervisor a copy of the service's public liability insurance which can now be located in the compliance folder at the service at all times. All Vacation Care information, including insurance renewals will now be forwarded to the Nominated Supervisor to insure the Approved Provider representative and the Nominated Supervisor has copies of all documents at all times.	Yes Photo of compliance folder and liability insurance

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Reference to the National Law and /or Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 168(2) Education and care service must have policies and procedures	(2) Policies and procedures are required in relation to the following— (i) staffing, including— (i) a code of conduct for staff members; and (ii) determining the responsible person present at the service; and (iii) the participation of volunteers and students on practicum placements; (a)(v) sleep and rest for children (n) payment of fees and provision of a statement of fees charged by the education and care service. The approved provider's representative emailed the service's policies to the authorised officer on 30 June 2020. The following policies were not included. Staffing, including— a code of conduct for staff members; determining the responsible person present at the service; the participation of volunteers and students on practicum placements; Sleep and rest for children and Payment of fees and provision of a statement of fees charged by the education and care service.	Vacation Care has now become a member of the Child-care Centre Desktop to assist in ensuring all policies are kept updated at all times with any changes in Regulations and Laws. All missing policies have now been included and adopted. All other policies are still being reviewed and updated. Evidence attached.	Yes

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Reference to the National Law and lor Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 172 Notification of change to policies or procedures	(1) Subject to subregulation (3), the approved provider of an education and care service must ensure that parents of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure referred to in regulation 168 or 169 that may have a significant impact on— (a) the service's provision of education and care to any child enrolled at the service; or (b) the family's ability to utilise the service. (2) The approved provider of an education and care service must ensure that parents of children enrolled at the service are notified at least 14 days before making any change that will affect the fees charged or the way in which fees are collected. (3) If the approved provider considers that the notice period would pose a risk to the safety, health or wellbeing of any child enrolled at the service, the approved provider must ensure that parents of children enrolled at the service are notified as soon as practicable after making a change referred to in subregulation (1). The nominated supervisor discussed that families are not informed at least 14 days before changes are made to service policies or procedures.	The new Nominated Supervisor has introduced a policy review system to ensure all families are notified at least 14 days before making any changes to a policy. The new policies are now available in the foyer on the sign in table at the service giving the families opportunities to review, comment or discuss changes before the policy is adopted. Evidence attached.	

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 1 VACATION CARE – AUDIT REPORT AND REVIEW

Reference to the National Law and lor Regulations (Short title only)	Breach/s identified	Action taken by service	Evidence provided Yes/No
Regulation – 185 Law and regulations to be available	The approved provider of an education and care service must ensure that a copy of the Law and these Regulations is accessible at the education and care service premises at all times for use by nominated supervisors, staff members, volunteers, parents of children enrolled at the service and any person seeking to make use of the service. The authorised officer asked the nominated supervisor for a copy of the Children's Services Regulations and Law. These were not available at the service.	The new Nominated Supervisor has now accessed a copy of all Regulations and Laws and are now available in the folders at the service. Evidence attached.	
Regulation – 56(1) Review and revision of quality improvement plans	(1) The approved provider of an education and care service must review and revise the quality improvement plan for the service having regard to the National Quality Standard— (a) at least annually; and (b) at any time when directed by the Regulatory Authority. The current quality improvement plan was developed in 2014/2015 and has not been regularly updated. The most recent progress note is recorded as: 29/6/15 – 3.1.1 Checklist created	The new Nominated Supervisor has now updated the QIP. The QIP has been reviewed and revised while giving families, educators and children a chance to add to also. The QIP is now been displayed in the foyer of the service with each quality area available for feedback to families, educators and children. Evidence attached.	

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

(S19-2)

RECOMMENDATION That the;

- 1. information be received and noted and;
- 2. following Project Management Strategies be implemented;
 - a projects management team be formed including the General Manager; and
 - a project plan is developed prior to projects commencing; and
 - a Gantt chart is developed for each project as part of the project plan.

PURPOSE

The purpose of this report is to provide Council with information on the works at the Warren War Memorial Swimming Pool, in response to the Notice of Motion presented at the October 2020 Council meeting (minute 232.10.20).

BACKGROUND

Council resolved at the March 2019 Council meeting to advertise the Warren War Memorial Pool refurbishment project on TenderLink for a minimum of 28 days (in support of the recommendation from the Warren Sporting Facilities Committee 61.3.19). The initial tender closed date was 28th May 2019. This was extended for one more week as a request during the site visit meeting, therefore the tender closed 2pm 4th June 2019 and nil submissions were received.

Council then resolved at the June 2019 Council meeting, to enter into negotiations with sub-contractors to proceed with the necessary filtration works in the present off season, and Council canvas those suitable qualified and skilled contractors for the refurbishment works, with the intention of commencing works during the 2020 off season (minute 136.6.19).

REPORT

Below is a timeline of events and information as requested;

2 nd June 2020	Engagement of Beau Corp (scope of works attached).
16 th June	Site inspection by Beau Corp.
27 th June	Secondary site inspection by Beau Corp.
2 nd July	Email sent requesting timeline.
18 th July	Email received advising later commencement date due to wet
	weather, to commence Monday 27 th July
21 st July	Email sent re-requesting timeline.
22 nd July	Email received confirming commencement onsite Tuesday 28th July
28 th July	Sandblasters onsite.
4 th August	Concern re dust emitted from sandblasting and volume of loose material onsite.
5 th August	Sandblasting stopped due to dust.
5 th August	Email sent requesting Gantt chart.
6 th August	Gantt chart received (Attached below).
11 th August	Painters arrive onsite and commence preparation work including hand grinding and buffing.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

WARREN WAR MEMORIAL SWIMMING POOL

ITEM 2

erglass
spray
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o poor angle
acks.
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Several phone conversations expressing concern regarding timeline with Beau Corp took place. The workmanship was poor and hence the request to return to complete quality control work twice. The painting had protruding sharp imperfections as well as sharp edges of pitted areas and pin holes.

The scope of works was underestimated by the contractor and issues with dust emitting from sandblasting, water emitting from underneath the fiberglass, the spray paint machine not working, and the poor quality of work has resulted in delays.

The time period from 2nd October to the 13th October was due to the contractor unable to attend any earlier due to other work commitments.

The cracks that have appeared are adjacent to previous cracks and are caused from hydrostatic pressure underneath the pool. These cracks will need further investigation and repair. The sub soil drainage well will be kept empty at all times and is of the upmost importance for the structural integrity of the pool.

The secondary quality control works completed on the 13th and 14th October, have resulted in a better surface however the surface does have pitted areas and is not of a smooth finish. The painting works do come with warranty cover. The contractor will be required to complete outstanding works under warranty.

The Pool was ready to fill with water on the Friday 16th October 2020. However, it was decided that the chlorine levels were to be increased in the reservoir that was providing the filtered water, prior to filling the pool. Filling the pool commenced approximately 3pm Tuesday 20th October 2020.

23 rd October	The chlorine injector pump broke down. It was repaired Monday 26 th
	October 2020 and the filling of the pool re-commenced. It was also
	dicovered that the prefilter/pump strainer was leaking (cracked)for
	the filtration unit which had to be ordered in. This was a manufacturing
	fault.
27 th October	The dosing system was repaired, and super chlorinated water was entering the 50m pool. The toddlers pool was full.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2	WARREN WAR MEMORIAL SWIMMING POOL	CONTINUED
29 th October	The 50m pool was full.	
30 th October	The replacement part from the filtration unit arrived (o 26 th) and was fitted.	ordered Monday
2 nd November	A new inlet pipe on the filtration was cracked in 2 plate to be repaired.	aces and needed
5 th November	Issues with sewerage pump station No. 1 in town and sewer main prevented back washing of the pool.	a blocked
6 th November	Super chlorinated water was entering the 50m pool.	
10 th Novembe	r Trility onsite commissioning chlorine analysers.	
11 th Novembe	r Ongoing vacuuming and backwashing on the pool to tr clarity of the water.	y to improve the
24 November	Hydrocare contacted	

One of the new filtration unit's membrane has failed and will require repairing. The pool can operate on the other three remaining units.

FINANCIAL AND RESOURCE IMPLICATIONS

		2019/20	2020/21	Committed		
Full Account	Total Budget	Expenses	Expenses	Total	Total Expenses	Balance
0100-0009 - SWIMMING POOL REFURBISHMENT						
0100-0010-0000 - Swimming Pool - Refurbishment	1,492,956.00	.00	.00	.00	.00	
0100-0010-0001 - Backwash Pump Station - Pool	.00	60,019.08	31,999.43	.00	92,018.51	
0100-0010-0005 - Tender & Procurement Process	.00	18,556.15	.00	.00	18,556.15	
0100-0010-0010 - Pool Covers - from Mudgee	.00	1,166.74	.00	.00	1,166.74	
0100-0010-0012 - Install Air-con - Filter Shed	.00	3,760.00	.00	.00	3,760.00	
0100-0010-0015 - Filtration Unit - Childrens Po	.00	54,182.08	.00	.00	54,182.08	
0100-0010-0020 - Filtration Unit - Main Pool	.00	282,393.75	2,117.90	.00	284,511.65	
0100-0010-0025 - Design of Filtration System	.00	.00	.00	.00	.00	
0100-0010-0030 - Const Filt Skids & Contain Sys	.00	.00	.00	.00.	.00	
0100-0010-0035 - Transport & Deliver to Site	.00	241.78	.00	.00	241.78	
0100-0010-0040 - Setout & Site Preparation	.00	58,816.78	32,819.61	.00	91,636.39	
0100-0010-0045 - Chlorine System Upgrade	.00	63,074.85	.00	6,384.58	69,459.43	
0100-0010-0050 - Civil Works Concourse & Remedi	.00	138,513.10	391,298.47	2,910.00	532,721.57	
0100-0010-0055 - Pipelaying	.00	41,124.99	32,341.17	.00	73,466.16	
0100-0010-0060 - Electrical Services	.00.	11,114.13	40,339.20	.00	51,453.33	
0100-0010-0065 - Commissioning & Acceptance	.00	.00	.00	.00	.00	
0100-0010-0070 - Fencing	.00	43,590.73	22,030.00	.00	65,620.73	
0100-0010-0100 - Shade Structures Repair	.00	1,067.91	320.76	.00	1,388.67	
0100-0010-0110 - Purchase Shade Structure	.00	.00	20,795.95	.00	20,795.95	
0100-0010-0120 - Fibreglassing wading pool	.00	16,470.00	.00	.00	16,470.00	
0100-0010-0130 - Fibreglassing of 50M Pool	.00	.00	126,927.27	.00	126,927.27	
0100-0010-2200 - Project Staff Costs	.00	.00	20,989.31	.00	20,989.31	
0100-0009 - SWIMMING POOL REFURBISHMENT Total	1,492,966.00	794,092.07	721,979.07	9,294.58	1,525,365.72	-32,399.72

LEGAL IMPLICATIONS

The Warren Pool did not meet health guidelines for water filtration and the separation of the wadding pool from the 50m pool was required. The improvement works will achieve the required compliance.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

CONTINUED

The pool not opening on time does not pose any legal implications, although it should be noted of the adverse effects upon community members by not opening the pool on time. As a result, community members have not been able to utilise the pool for leisure, health and wellbeing, swimming lessons, squad training, stroke correction, time trials and/or birthday parties and/or other functions e.g. family fun days.

Implementing a project plan will ensure that Warren Shire Council has pre-planned projects and can determine and review the associated risks both of a Work Health and Safety nature as well as financially and timeline wise.

RISK IMPLICATIONS

Council has experienced the impacts upon the community because of the Warren War Memorial Pool not opening on time and the resulting loss of faith of the community towards Council. To try to minimise extensive delays from occurring again in the future, project management practices are required to be implemented, across the whole organisation.

STAKEHOLDER CONSULTATION

An improvement to Stakeholder consultation would be achieved with a project plan and a communications strategy as part of the plan, detailing what information is provided, the target audience, when the information is provided, via which communication method and by whom.

EXAMPLE OF COMMUNICATIONS STRATEGY

What Information	Target Audience	When	Communication Method	Provider
Funding confirmed	Warren Shire Community, Businesses	Announcement of funding	Press release, social media	Warren Shire Council
Project Commenced	Warren Shire Community, Businesses	Once project has commenced	Press release, social media	Warren Shire Council
Project finalised	Warren Shire Community, Businesses	At completion of project.	Press release, social media, Mayors Column, newspaper	Warren Shire Council

OPTIONS

If Council wishes to improve its delivery and transparency of projects, Council should implement project management practices as detailed below.

All maintainance works and improvement projects that are to occur at the pool, should be scheduled in the off season and need to be set time wise due to the time sensitivity. Advertising and procuring during the season to ensure this can be achieved. If sufficient time is not available, consideration towards postponing works until the following off season should be contemplated.

Extensive plans including a Project Plan of all proposed works should be developed and made available for all staff, contractors and reported to the appropriate Committee to ensure the committee members and Councillors are informed. This should be implemented across the whole organisation.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

CONTINUED

A project plan detailing the following;

- Executive Summary
- Project Scope, including roles and responsibilities, definition of scope and time management
- Budget and Costs including procurement
- Quality
- Human Resourcing
- Communications Strategy
- Risk Management

Plans to support the project plan can include the following examples;

- Concept Plan
- Survey Plan
- Electrical Plan
- Stormwater Plan
- Sewer Plan
- Mechanical Plan
- Design Plan
- Specification
- Gantt Chart

CONCLUSION

Project plan components need to be implemented to ensure pre-planning is completed and that specifications and timelines are adhered too. Communication with the community can be addressed as part of the plan, which is also an important component.

The following Project Management Strategies should be implemented when developing and constructing significant Council run projects;

- a projects management team be formed including the General Manager; and
- a project plan is developed prior to projects commencing; and
- a Gantt chart is developed for each project as part of the project plan

LINK TO POLICY AND / OR COMMUNITY STRATEGIC PLAN

- 1.1.2 Maintain high levels of community cohesion and community spirit
- 3.2.2 Monitor pool management and implement maintenance and upgrades
- 3.2.4 Maintain community facilities to an appropriate standard
- 5.2.1 Quality customer service focus by Council staff

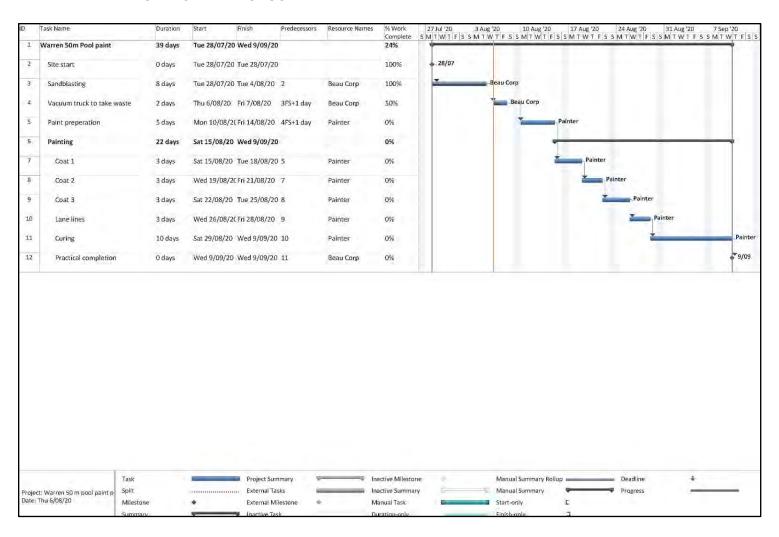
ATTACHMENTS

Gantt Chart

Scope of works from Beau Corp

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL



Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

CONTINUED

I have pleasure in submitting our proposal for the project at the above address. This proposal is based on the discussions held with yourself and Wendy.

General

- Comprehensive works insurance during construction
- Site access by client
- Pool must be fully dried and able to remain empty (Asset owner responsibility)

Site Works

- Progressive site cleans and cleared upon completion
- Site and safety signage

Scope of Works - Pool Painting -50m surface including pool gutters.

- Drain pool
- Ensure well is running (Asset owner)
- · Pressure blasting of existing pool surface
- Assess pool shell surface and repair any minor surface damage.
- Supply and apply first coat 2 Pack Epoxy Commercial Grade pool paint being the undercoat/primer (Pacific Blue)
- Supply and apply the second coat of 2 Pack Epoxy Commercial Grade pool paint (Pacific Blue)
- Supply and apply the third coat of 2 Pack Epoxy Commercial Grade pool paint (Pacific Blue)
- Supply and apply the lane lanes using 2 Pack Epoxy Commercial Grade pool paint (Black)
- Supply and apply new Sika pool caulking to internal joints

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

CONTINUED

Allow 7 day curing process prior to filling.

Exclusions

- Commissioning of pool including
- Sewer and storm water provision to be provided by others
- Drainage works
- Supply of water to fill pool

Variations

- Either party may give to the other a written notice requesting a variation of the works.
- During the course of the engagement should any unforeseen issues arise, we will bring them to your attention for consultation.
- All additional costs will be presented for deliberation and acceptance, before we proceed.
- Any variations or unforeseen issues must accompany signed work orders.

Site Conditions

- The site of works will be cordoned off and access is gained by permission from Beau Corp.
- Working hours will commence between 6.30am and 5.30pm Monday Saturday.
- All visitors must gain permission from Beau Corp to be on site due to safety conditions
- All trades must comply with Beau Corp Work Method Statements and must be site inducted.
- Beau Corp is to act as the principal contractor for the swimming pool construction only in accordance with the Workplace Health & Safety Act 1995 and may exclude or remove from the land any persons' who, in the opinion of the builder, fails to comply with the act.

Start Date

- This will be determined upon acceptance of this proposal and the release of plans from Council.
- Estimated program of 4 weeks.
- The project time for contract will be estimated prior to signing contract.
- Specifications to be provided including samples of all proposed finishing's.
- Beau Corp is able to commence works according to the proposed start dates.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

CONTINUED

Payments

- Upon acceptance of this proposal a 10% deposit is required with a Purchase Order to commence product order.
- Payment will be made progressively during the course of the engagement (See contract) 7 day preference.
- At completion of the various stages Beau Corp invites the clients to inspect the completed works before payment is made.

Beau Corp will supply all new materials, machinery and trades people to complete the project. Work is to be as per the plan and comply with the Building Code of Australia and Council by laws.

We would like to thank you for the opportunity, and trust that this proposal is to your satisfaction. If you have any queries, please do not hesitate to contact me.

Swimming Pool - Pool Paint – 3 Year warranty | 4 week program \$129,950.00 Ex GST

As discussed a more wholistic and long term solution to your pool is the option of a water tight PVC membrane.

Scope of Works - PVC Membrane Alternative. 50m Pool

- Supply 'Ice Blue' coloured 'Aqua-Force' 1.15mm reinforced PVC membrane from Abgal in sufficient quantity to line the existing 50 m by 15.3 m metre pool interior including floor, walls and gutters
- To install a rigid PVC track as necessary to the pool perimeter in a watertight manner at the top of the pool wall as required facilitating proper and professional fitting of the membrane.
- Install the above mentioned membrane material into the pool covering the existing floor, walls including diving bowl in a watertight manner by hot-air welding sheet to sheet and onto the PVC track in a watertight manner insitu or as specifically required to grates and penetrations and fittings as provided.
- Included are 6 x 250mm wide lane lines and wall targets in 1.15mm Black Aquaforce PVC membrane in accordance with FINA requirements.
- All welded seams will be seam sealed with liquid PVC.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 2 WARREN WAR MEMORIAL SWIMMING POOL

CONTINUED

Gutter lining of Main Pool

Supply 'Ice Blue' coloured 'Aqua-Force' 1.15mm reinforced PVC membrane from Abgal in sufficient quantity to line the existing 50 m pool gutter interiors from 100 above gutter, down and across the roof of gutter, down back wall across floor and up onto the divider wall top.

Install the above mentioned membrane material into the pool gutter as above in a watertight manner by hot-air welding sheet to sheet and onto a heat activated urethane adhesive as required ready to receive tiling above the gutter and the wall membrane on the dividing wall top in a watertight manner insitu or as specifically required to grates or penetrations leading to the balance tank.

All welded seams will be seam sealed with liquid PVC.

Swimming Pool PVC Membrane – 10 Year warranty | 6 week program \$386,823.00 Ex GST

We look forward to working with you to build your vision.

Yours sincerely,

Michael Hoy

Director

Beau Corp Aquatics & Construction

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN (P16-18.26)(P16-18.25)

RECOMMENDATION That;

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

PURPOSE

The purpose of this report is to provide Council with information on the construction of the two (2) new Council dwellings, in response to the Notice of Motion present at the October 2020 Council meeting (minute 232.10.20)

BACKGROUND

Hotondo Homes were engaged to construct two dwellings for Warren Shire Council, in Gunningbar Estate, Deacon Drive Warren, in April 2019.

REPORT

Both dwellings were nearing practical completion in June 2020, when the dwelling on Lot 58, 8 Deacon Drive (inside of the circle) experienced issues with the irrigation system, resulting in the system flooding onsite. These issues have been rectified.

On the 19th June 2020, a walk-through of the dwelling revealed movement. Emails were sent 2nd July and the 4th August in relation to the flooding events and requesting a structural engineers report advising of any resultant damage to the slab and building integrity, and details of their proposed plan of action to address the issue. A report was prepared on the 25th September 2020 provided by the builder's engineer (Attachment 1). Council also commissioned an independent engineer's report (Attachment 2) from Barnson.

Both engineer's reports are conflicting as to the cause of the movement.

Structerre (Attachment 1) refers to uncontrolled fill (pad under slab) not being compacted causing the structural movement and the subsequently Dynamic Cone Penetrometer (DCP) test results also suggesting the cause. [A DCP test is a weight dropped from a height and the resulting depth of depression converted to a bearing capacity].

The fall of the concrete paths around the dwelling were noted as falling towards the dwelling, rather than away and site drainage management around the perimeter of the dwelling was inadequate. Structerre have suggested underpinning or soil injection stabilisation, as a possible fix. However, given the bearing pressure of an E-D site (2.5tonne per m²) underpinning is not considered suitable as underpinning is used in circumstances where buildings have subsided, not exposed to bearing pressure of soil reactivity.

Attachment 1 is lacking the detail in relation to the irrigation systems flooding events resulting in high moisture content of the soil and the recommended control methods for an extremely reactive site. Page 6 of Macquarie Geotech soil classification report detailing the design and maintenance precautions for reactive soils (guidelines associated with the soil test results of Classification E), states the following

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

"Leaking plumbing or blocked drains should be repaired promptly and site grading maintained to prevent ponding near foundations. Garden watering, particularly by fixed systems, should be controlled to avoid over watering. Proper garden maintenance should produce year-round uniform moisture conditions".

The report also suggests that repair works to the water main located approximately 80m away (near Azar Place) is responsible for the abnormal moisture conditions in the soil. This is incorrect and not the cause of localise flooding to the site.

Barson's report (Attachment 2) states that the slab design provided by Structerre does not comply with Australian Standard 2870 Residential Slabs and Footings for a H2-D site. However, it should be noted that the site classification is E-D and therefore a full assessment cannot be achieved without further investigations and expenditure.

The report also states that "dishing" of the slab has occurred due to the seasonal conditions from a drought to wetter weather conditions and the irrigation system also contributing to the extreme movement, associated with an E-D site.

Barnson have suggested that once the site has dried out that repairs are completed, and investigations are carried out to validate if damage to pipework has occurred.

No formal response has been received from the builder in relation to the report to date. However, conversations with the builder has revealed that Structerre is reviewing their design and will provide their assessment analysis on the slab design.

Practical completion of the dwelling on Lot 52, 21 Deacon Drive was Monday 20th July 2020. There were several outstanding items that have been rectified, there was no evidence of movement at that time.

The dwelling has minor defects which, under contract will be repaired at six months after practical completion. Since 20th July, this dwelling has also moved and cracked, showing the same characteristics as the dwelling located on Lot 58, 8 Deacon Drive, however it is of a much lesser severity of movement. Barnson have advised that the defects do not present any structural risk to the building.

FINANCIAL AND RESOURCE IMPLICATIONS

There will be increased ongoing repair costs to both dwellings as a result of the movement and cracking. The design and installation of a sub soil drainage system would also involve a cost.

LEGAL IMPLICATIONS

Given that there is no structural risk to the building, it is unlikely that Council would successfully prosecute the builder and the additional cost to Council would not be justifiable.

It is proposed to arrange a mediation meeting with the builder to negotiate an extended warranty period in relation to the repairs from the "dishing", and the design and installation of a sub soil drainage system.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

RISK IMPLICATIONS

Council is working with the builder to negotiate an agreement however there is a risk to Council that the builder may refuse to participate in negotiations or abandon the project. Council is withholding the final payment.

STAKEHOLDER CONSULTATION

Many discussions have taken place with Hotondo Homes. The tenants have also been informed of the issues and 21 Deacon Drive is scheduled for occupation. However, 8 Deacon Drive tenancy occupation will be subject to final handover agreement

OPTIONS

Council may wish to prosecute the builder however the probability that Council would be successful is unlikely. If the builder refuses to mediate, then Council may need to take legal action.

Council should progress with a mediation avenue with the builder to achieve an agreeable warranty period and scope of works, as a result of the "dishing" of the slab. The scope of works would include but not limited to the recommendations from the Barnson's report as follows;

- a) Gaps of walls to floors: Replace wall to roof ties where these ties are at the end of their adjustment range. Then remove and re-install the skirting boards to cover the gaps. Repaint affected areas.
- b) Cornice Cracks to walls and ceilings: Remove affected sections of cornice. Install new sections of cornice with fixing to ceilings only. Place masking tape between cornice and wall to prevent dust from falling through the gap. Repaint affected areas.
- c) Plasterboard wall cracks: For cracks greater than 1mm width, replace the affected section of plasterboard and install a plasterboard expansion joint aligning with the corner of the window or door. For cracks less than 1mm width, provide plaster repair and paint over affected areas.
- d) Cornice corner gaps: Fill gaps with flexible sealant and paint over.
- e) Built in wardrobe sliding doors: Re-level doors so they close evenly against the door jambs.
- f) Internal doors sticking: Plane doors which stick in the door frame. Re paint affected areas.
- g) External Brickwork cracks: Cracks less than 1mm wide require no repair. If cracks are more than 1mm wide by the end of the drying out period, then provide a thin depth of similar coloured mortar to help mask the crack.
- h) External articulation joint movement: Remove sealant and replace with new sealant to match gap width.
- i) External Soffit quads: Remove quads and re-install where gap to brickwork greater than 5mm

Other strategies to manage the site have been discussed with the engineer. The design and installation of a sub soil drainage line and pump system should be considered. This will assist with achieving uniform moisture conditions and minimising the travel of moisture to underneath the slab.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

CONCLUSION

Ensuring consistent moisture control to ensure the site does not experience drying out or inundation of water needs to be implemented. The irrigation system will assist with achieving this. From Barnson's structural report, the slab design was under engineered and has resulted in the "dishing" of the slab and movement and cracking of the dwelling. It is recommended that Council. mediate with the builder to achieve an agreed scope of works including sub soil drainage and an extended warranty period

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

ATTACHMENT 1



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Structural Report

Project Address: Lot 58, No. 8 Deacon Drive, Warren. NSW

For: Hotondo Homes Dubbo

Date: 25/09/2020

Structerre Job Number: 3.19.10057.2

Hotondo Homes Dubbo Job Number: 1808

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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Hotondo Homes Dubbo 60 Talbragar Street Dubbo NSW 2820

Re: Structural Report for Lot 58, No. 8 Deacon Drive, Warren. NSW

Brief

This report has been prepared subsequent to your recent request.

The report addresses the following:

- o Observations made during inspection with respect to cracking/defects
- o Relevant information furnished during/after inspection
- Reasons for occurrence of defects
- Suggested methods for rectification

It must be noted that the inspection performed was of a purely visual nature. As such, no attempts were made to remove floor coverings, wall linings, ceiling linings etc. in order to expose structural elements, nor was any attempt made to document an extensive inventory of all cracks and other defects observed. Rather, the emphasis of the report has been placed on identifying the existing defects, commenting on the likely cause(s) of these defects, and recommending methods of rectification such as to minimise the likelihood of further cracking.

Observations

At your request, an engineer representing this company performed an inspection of the premises at the above address on 20 August 2020. Accordingly, our observations were as follows:

1.0 The dwelling is located on the south side of Deacon Drive and consists of a single storey brick veneer dwelling with timber frame construction, a sheet roof, and a waffle raft slab founded on fill. At the time of the inspection the neighbouring lots were vacant with natural muddy/grassed areas (photos 1 - 3). There was water ponding on the boundary of the eastern neighbouring lot (photo 4). Abnormal moisture conditions due to a drainage issue was observed approx. 100 metres to the west of the site with excessive moisture and ponding occurring due to an apparent damaged watermain (photo 5). It is our understanding this issue has been occurring since October 2019. This is possibly causing abnormal moisture

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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conditions for the subject site and should be investigated and remediated as soon as possible.

- 2.0 The scope of our inspection was limited to:
 - The exterior of the dwelling
 - The interior areas of the dwelling (excluding roof space)
- 3.0 Inspection of the exterior areas revealed the following:
 - 3.1 The dwelling peripheral areas were finished as follows:

Northern elevation (front): A concrete driveway is positioned to the western side with grassed areas across the front of the dwelling to the street. The land falls away from the house towards the road. A concrete paving slab, approx. 1200mm wide, extends around the perimeter of the dwelling and appears to have minimal fall (photos 6 - 10).

Western elevation (right side as viewed from street): The relatively flat concrete paving slab extends down the western side of the dwelling with a gravel area continuing to the boundary fence. Moisture staining was observed in the concrete paving slab and first brick course. The A/C unit and HW units are positioned along the external walls of Bed 4 and Bed 3. The rainwater tank is located on a separate slab at the rear corner of the dwelling. The land has a slight fall away from the dwelling towards the neighbouring property (photos 11-15).

Southern elevation (rear): The concrete paving slab continues around the perimeter of the dwelling and alfresco with grassed areas extending the width of the site from the dwelling to the rear boundary. There were visible signs of moisture staining and efflorescence in the concrete paving slab and patio slab. The brick articulation joint (AJ) on the western wall of the alfresco was observed to have approx. 6mm difference in width from top to bottom. There was minimal fall noted in the paving slab with the surrounding land falling away from the dwelling towards the southern boundary (photos 16 - 23).

Eastern elevation (left side as viewed from street): The concrete paving slab continues along the eastern perimeter of the dwelling with grassed areas continuing to the side boundary. A difference of 7mm was observed in the width of the AJ to the external wall of Bed 1. The land falls away from the

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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dwelling towards the eastern site boundary with minimal fall noted in the paving slab. There was evidence of moisture ponding along the boundary and in the neighbouring lot. At the time of inspection the grassed areas appeared very moist (photos 24 - 29).

- 3.2 Brick articulation joints (AJ's) were observed at approximately 5.5m centres with the max distance between two AJ's of 6.5m observed along the northern wall from the Bed 1 window to the front entry door. There were no visible signs of cracks in the brickwork.
- 4.0 Inspection of the dwelling interior revealed the following damage to walls in accordance with Table C1 of AS 2870-2011:
 - 4.1 Negligible to very slight damage (<1mm crack width):
 - Bed 1: WIR corner of opening (0.75mm), corner of ensuite door (0.3mm) (photos 30 & 31).
 - 4.2 Slight damage (<5mm):
 - Bed1: corner of window (1.0mm to 1.4mm), corner of ensuite door (1.4mm), separation of tiles in ensuite (1.6mm), ensuite shower silicone gap (2mm) (photos 32 - 36).
 - Family room: skirting separation (4mm) (photos 37 & 38).
 - 4.3 Moderate damage (5mm to 15mm):
 - Garage: skirting separation (7mm) (photo 39).
 - Entry Hallway: skirting separation (5mm to 7mm) (photos 40 & 41).
 - Family room: skirting separation (5mm) (photos 42 & 43).
 - 4.4 It was observed that the slab floor level was falling away from the external walls towards the centre of the dwelling in the kitchen area. The change in floor levels over the length of a 2m long spirit level was measured as follows:
 - · Entry: 5mm fall towards linen cupboard
 - Dining/Family: 5-7mm fall towards kitchen
 - Bedroom Hallway: 9mm fall from Bed 3 doorway towards Family room and 8mm fall from Bed 4 doorway towards Laundry
- 5.0 A Dynamic Cone Penetrometer (DCP) Test of the existing fill material was conducted by Barnson Pty Ltd on the 21/09/2020 with the test results supplied to Structerre on the 22/09/2020. Refer to the Comments section for further analysis of the results.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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Technical Information

The current version of "AS 2870 – Residential Slabs and Footings", the 2011 edition adopts a classification for damage to walls (Table C1). In the majority of cases, Category 1 (Very Slight) and Category 2 (Slight) damage may be taken to be an acceptable limit. However, even Category 3 (Moderate) damage may well be acceptable in the absence of other compounding factors.

In the particular occurrence of cracking to which this report is engaged, the majority of damage observed in the walls appears to lie in the Category 0-2 range (Negligible to slight) with skirting separation in the Category 2-3 range (slight to moderate).

Comments

The slab was designed based on the removal of all topsoil/estate dressing from the site and all replacement fill consisting of either controlled fill or rolled fill in accordance with AS 2870 for which a certification of compaction was to be provided (Refer to latest structural engineering plans 44560 Rev B). It is our understanding that a compaction certificate has not been supplied however a DCP test was conducted on the 21/09/2020 to evaluate the bearing capacity of the fill material used to support the slab. Clause 2.4.5(b) of AS 2870-2011 specifies a minimum design bearing capacity for residential slab and footing of 50 kPa under all beams and slab panels. Based on the DCP tests carried out there is up to 800mm of material with a bearing capacity less than 50 kPa. The only conclusion is that uncontrolled fill is present. The blow counts recorded suggest the fill is poorly compacted. We believe this is the main contributing factor to the damage observed during the site inspection.

Additionally, it was observed that the site drainage management around the perimeter of the dwelling was inadequate. For an E class slab in accordance with AS 2870-2011, the ground or paving slabs immediately adjacent to the building should be graded to a uniform fall of 50mm minimum away from the building over the first metre and shaped to avoid water ponding. This was not evident on site and as a result, it is possible that excess water may pond against the dwelling causing the underlying clays to swell locally resulting in additional edge heave. Evidence of this can be seen in photo 12 where excessive moisture is observed in the paving slab and first brick course indicating water ponding. We believe that the inadequate bearing capacity of the fill material and resulting excessive settlement of the dwelling may have contributed to this issue by altering the fall in the external paving slabs leading to the abnormal moisture conditions noted above. Subsequent to the bearing issues being resolved, it is recommended that site drainage and ground/paving slab falls be corrected, and leaking pipework is checked/repaired to prevent water ponding and infiltration to the foundations, which may cause further issues in the future.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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From the above investigation and observations it is our opinion that the slab has experienced excessive settlement due to inadequate compaction of the fill material resulting in and contributing to poor site drainage management around the dwelling periphery. We believe these two issues have produced the damage observed during the site inspection.

Recommendations

In view of the nature of the defects observed and with due regard to the likely causes, we recommend the following:

- Provide underpinning piers to the perimeter of the dwelling and at regular internal intervals. Piers are to be socketed into natural stiff clay material with a minimum bearing capacity of 150 kPa. The design and detailing of the slab underpinning piers are to be done by a suitably qualified structural engineer.
- Alternatively, soil injection stabilisation of the fill material may be undertaken however further investigation of this method will be required to determine its suitability. For further information on foundation stabilisation or underpinning pier design and detailing please contact this office.
- Ensure all drainage pipes are properly connected into the drainage system, ensuring no water from the AC and RW tank are allowed to enter the surrounding soil.
- The provision of surface drainage/providing fall in the ground surface and paving slabs to ensure no ponding occurs near the dwelling during wet weather.
- A compaction certificate should be supplied at the earliest convenience or we recommend additional testing of the fill material is undertaken to determine if it is adequate.

Your attention is drawn to the importance of long-term site management and maintenance. Further useful information to this end can be found in the CSIRO brochure BTF 18, which can be sourced online at the CSIRO website.

After the above works have been satisfactorily completed, the foundation must be allowed to attain a state of practical constant moisture content. Allow some 6-12 months, depending on prevailing weather conditions. During this waiting period, we recommend that the principal crack locations be monitored to ensure that no further movement/crack propagation is occurring (this can be done by installing tell-tale crack gauges). Cracks that are no longer propagating may be readily repaired. Cracks that are progressing, however, should be monitored until such progression has ceased before attempting repair works.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



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We note that whilst the listed remedial measures will serve to lessen the likelihood of cracking, no guarantee can be given that any further footing movement/cracking will not occur; such is the nature of dwellings built upon highly reactive clay foundations. Should further significant cracking/movement continue to occur after execution of these measures and expiry of the waiting period, further in-depth investigation would be warranted.

Conclusions

The site has experienced negligible to slight cracking within the walls which is within the expected performance of footing systems for a normal site as outlined in AS 2870-2011 clause B3. However, due to the inadequate bearing capacity of the fill material as outlined in the DCP test results, the slab does not comply with the requirements of AS 2870-2011 for residential slabs and footing and will therefore need to be rectified to maintain its structural adequacy and ensure further damage is minimised. Until the rectification work is completed we cannot guarantee the performance of the slab.

This report shall not be construed as relieving any other party of their responsibilities, liabilities or contractual obligations. Should you require further information or clarification regarding any of the above, please do not hesitate to contact this office

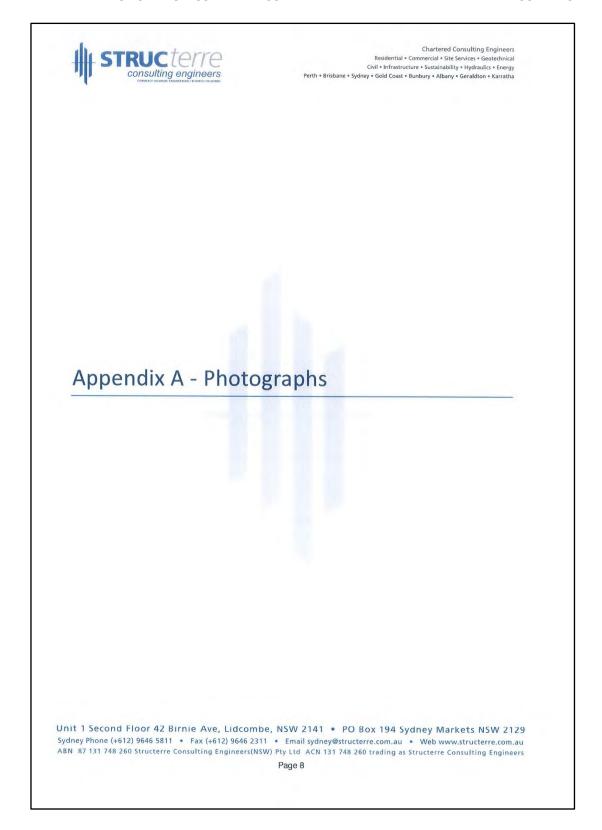
Yours faithfully

Gervase Purich I CEO

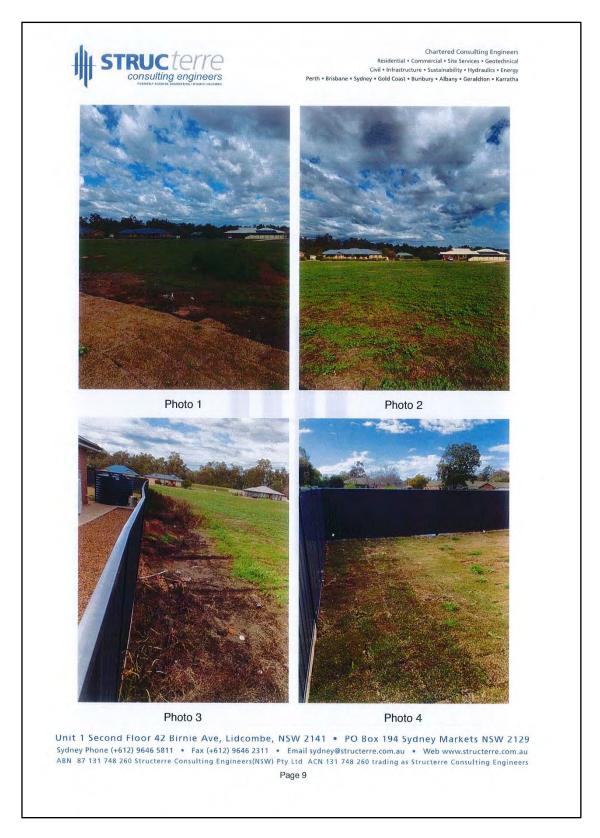
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For and on behalf of Structerre Consulting Engineers

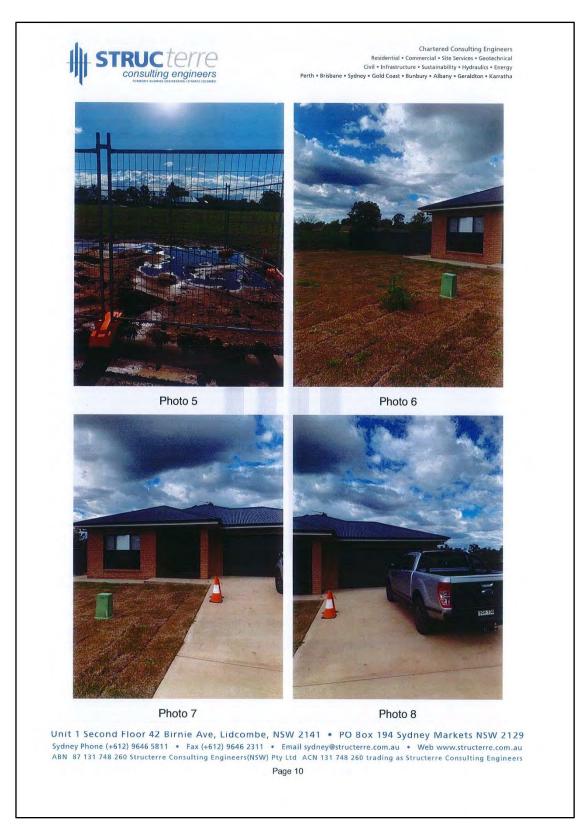
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



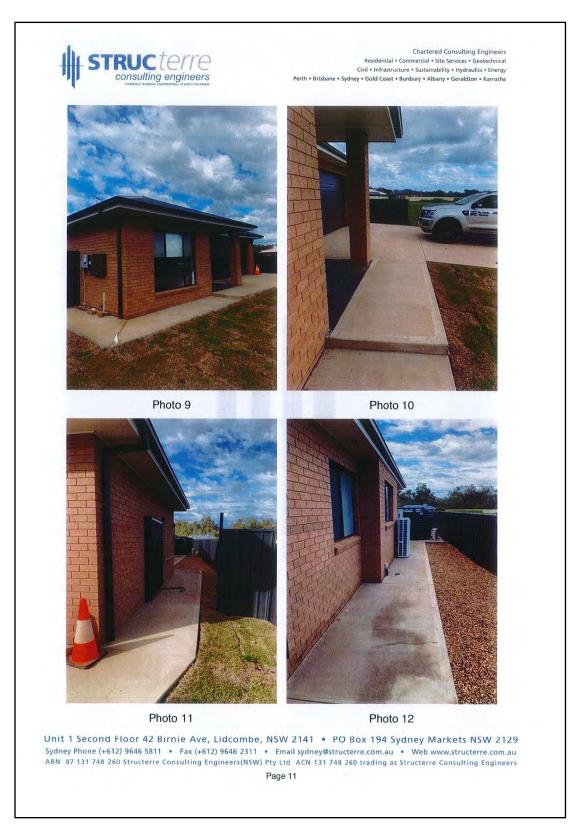
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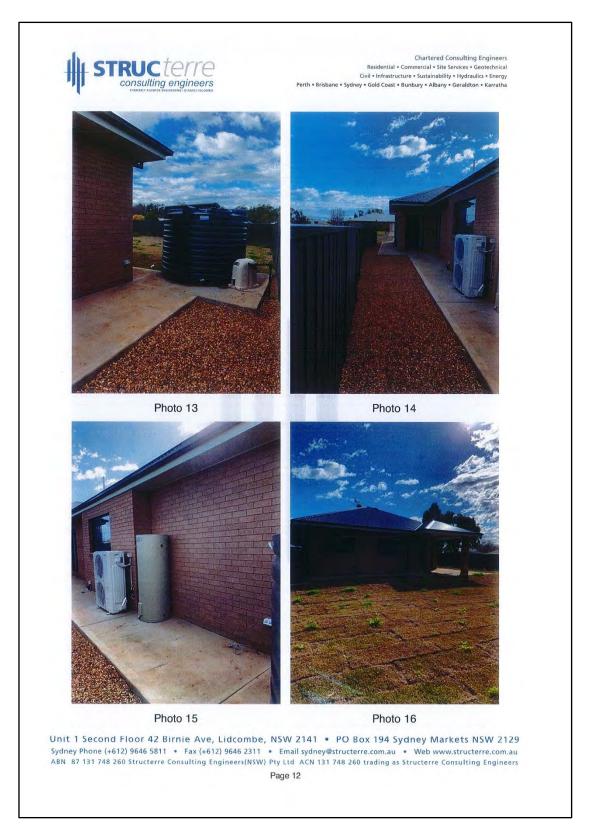
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



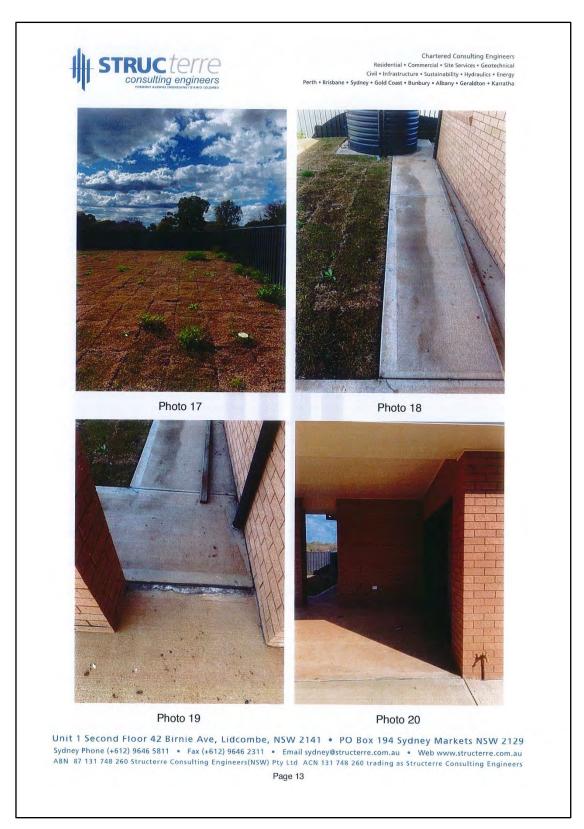
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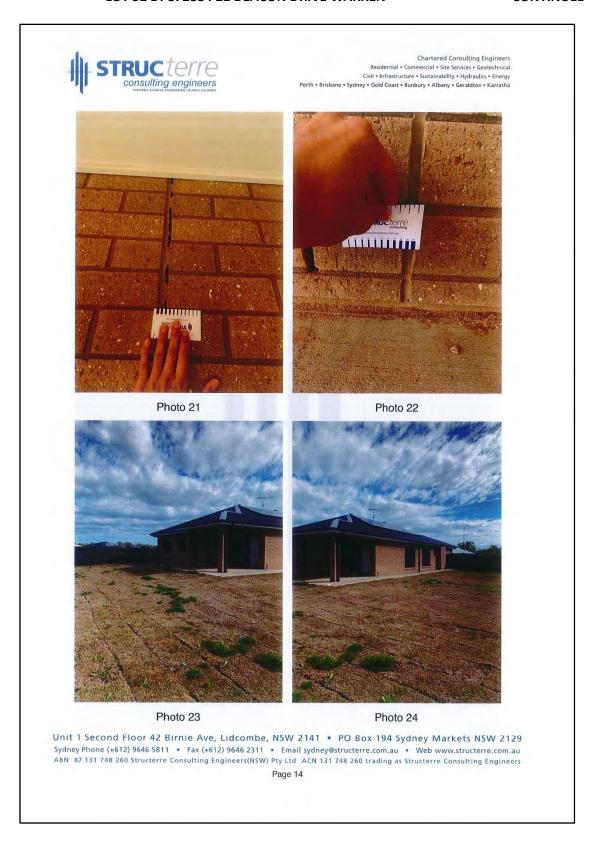
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



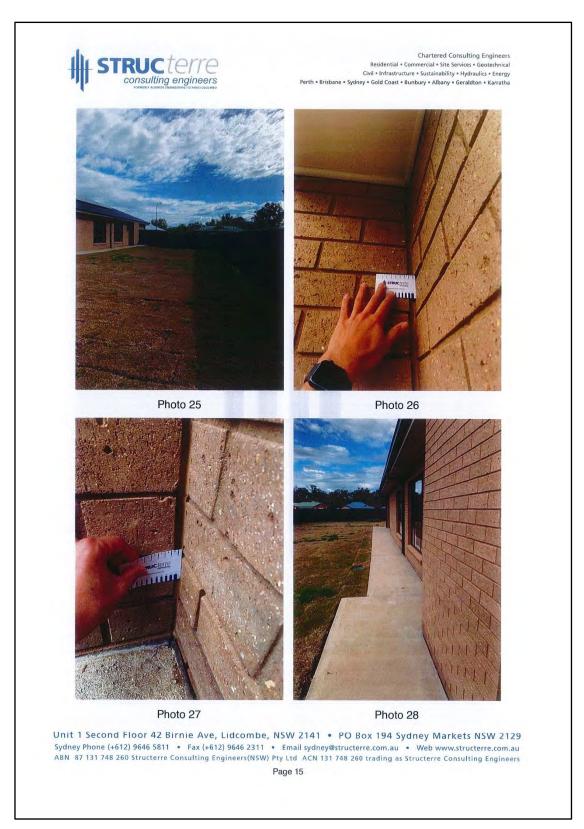
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



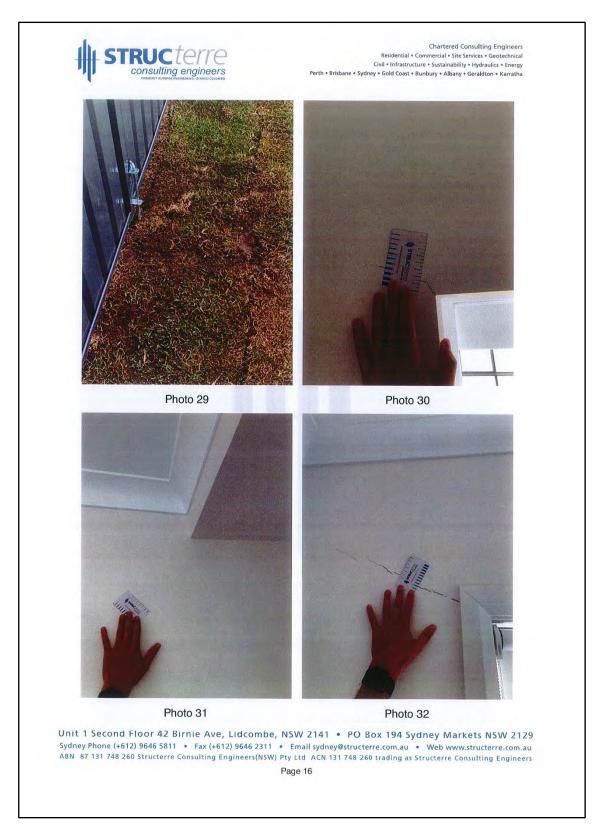
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



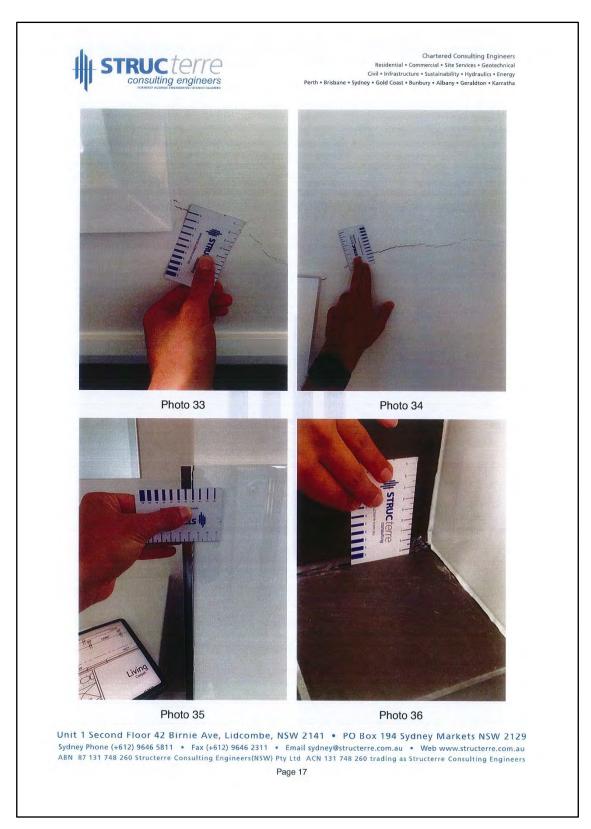
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



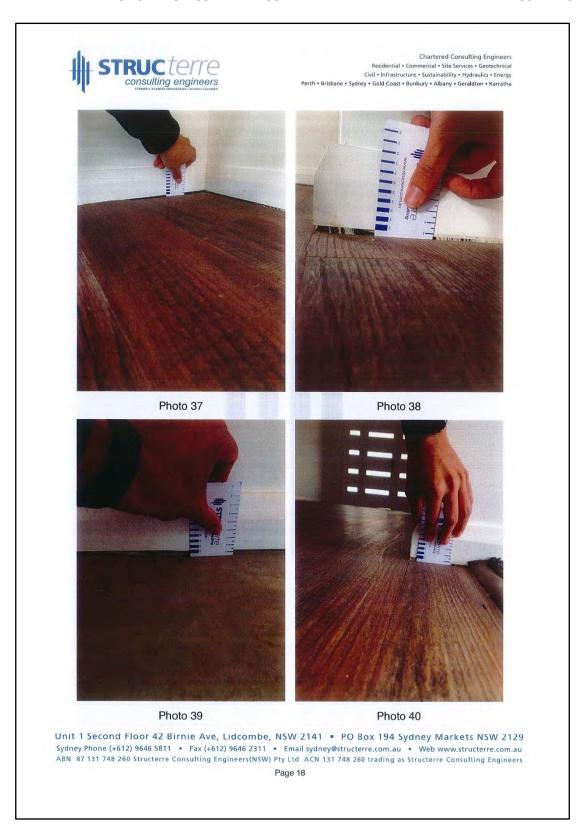
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

ATTACHEMENT 2





Structural Engineer's Report

Client: Warren Shire Council

Attn: Maryanne Stephens

Site Address: 8 Deacon Drive, Warren NSW 2824

(Our Reference: 35002-SR01_B.docx)

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 **CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED**



- Unit 1 / 1 Rankin Street Bathurst NSW 2795
- 1300 BARNSON (1300 227 676)
- generalenquiry@barnson.com.au
- www.barnson.com.au

date 16.11.2020

reference 35002-SR01_A

receiver Warren Shire Council Attn: Maryanne Stephens 115 Dubbo Street Warren NSW 2824 Dear Maryanne,

Re: 8 Deacon Drive, Warren NSW 2824 Structural Engineering Investigation Report

As requested, the undersigned inspected the abovementioned property on Tuesday, 27th October 2020. Present at the inspection was Michael Letfallah from Newlet Constructions and Maryanne Stephens from Warren Shire Council.

The inspection was carried out to provide a structural assessment on the property, confirm the cause of damage and recommendations for repairs.

If you have any further enquiries regarding this matter, please contact the undersigned.

Yours faithfully BARNSON PTY LTD

Richard Noonan

BE(Hons) ME FIEAust CPEng NER

Director

bathorst | dubbo | mudgee | sydney | taniworth

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



Disclaimer

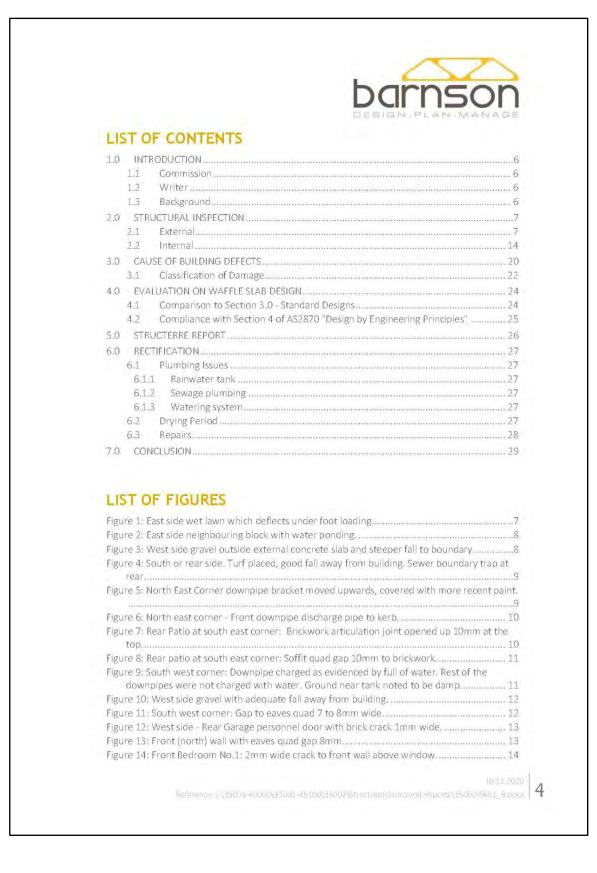
This report has been prepared solely for Warren Shire Council in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report.

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Project Name:	Structural Engineering Investigation for 8 Deacon Drive Warren NSW 2824		
Client:	ENData Insurance Claims Management		
Project No.	35002		
Report Reference	35002-SR01_B.docx		
Date:	16.11.2020		
Revision:	A		

Prepared by:	
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Richard Noonan	
BE(Hons) ME FIEAust CPEng NER	
Director	

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 **CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND** LOT 52 DP872884 21 DEACON DRIVE WARREN **CONTINUED**



Figure 15: Bedroom No. 1: Cracks to internal wall - 0.8mm wide to walk in robe and 2mm v to ensuite openings.	
Figure 16: Ensuite: 1.4mm wide crack to east side window.	
Figure 17: Ensuite: 0.5mm wide crack above door to bedroom.	
Figure 18: Hall ceiling lifted off linen room wall by an estimated 10mm to cause cornice separation.	16
Figure 19: Hall near living room: Wall separated from floor by 10mm.	16
Figure 20: Dining room: Living room wall separated from floor by up to 8mm, zero gap at ea	est
end	17
Figure 21: Pantry door: Cornice above separated by estimated 4mm	17
Figure 22: Bedroom No. 2 (rear middle): Built in wardrobe sliding door with 10mm gap at to	op.
near rear wall	18
Figure 23: Bedroom No. 3 (South west corner): Built in wardrobe sliding door gap 6mm. Do	or
sticks at bottom	18
Figure 24: Bedroom No. 4 (west side): Bult in wardrobe sliding door gap 5mm	19
Figure 25: Excerpt from CSIRO BTF18 "Foundation Maintenance and Footing Performance:	A
Homeowner's Gulde"	21
Figure 26: Excerpt from AS2870-2011, table C1	22
Figure 27: Excerpt NSW "Guide to Standards and Tolerances 2017	23
Figure 28: Excerpt NSW "Guide to Standards and Tolerances 2017	23

APPENDICES

Appendix A - Curriculum Vitae Richard Noonan

Appendix B – NCAT Procedural Direction No.3 Expert Witness

Appendix C – Architectural Drawings

Appendix D – Footing Slab Drawings by Structerre

Appendix E - DCP Test Results by Barnson

Appendix F – Simplified Slab Deflection Calculation to AS2870 Section 4.5

reference: 1 (35001-40000)35001-35000/35002\Structura\Scructural Reports\35002-56(u_8xocx

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



1.0 INTRODUCTION

1.1 Commission

The following report was requested by Warren Shire Council. The purpose of the report is to advise on the cause of reported cracking and movement of the recently constructed residential building at No. 8 Deacon Drive, Warren. It is understood the building was constructed by Newlet Constructions, trading as Hotondo Homes, Dubbo. At the time of writing, Council had not taken occupation due to concerns with the building.

1.2 Writer

The writer is Mr Richard Noonan, a Practising Structural Engineer with Barnson Pty Ltd. The writer has over twenty five years' experience in the design of footing slabs for buildings on reactive clay soils. The writers Curriculum Vitae is contained in APPENDIX A. The writer agrees to be bound by the NCAT Procedural Direction 3 "Expert Witnesses" as attached in APPENDIX B.

The writer inspected the building on 27th October 2020 in the presence of Michael Letfallah of Newlet Constructions (builder) and Maryanne Stephens, of Warren Shire Council.

1.3 Background

The builder and Council provided the below relevant background information:

- a) Architectural drawings provided by Hotondo homes are attached in APPENDIX C.
- b) Footing slab was poured around August 2019.
- c) Building was completed early 2020.
- d) Building movement was noted soon on completion, and during final painting.
- e) Warren was subject to severe drought in 2017-2019. Significant rainfall has been received since late 2019 and most of 2020.
- f) External concrete slabs were placed and the east side, rear and front areas turfed, by the builder. The lawns are watered by an automatic watering system. It was reported by Council that this watering system had been overwatering the lawns.
- g) The footing slab was constructed on approximately 400mm fill which consisted of "Toucan" gravel which was placed by Council.
- Footing slab is a waffle pod slab as per drawings by Structerre Consulting Engineers reference no. 44560, numbered S-000-001, 10, 201-209 revision B as contained in APPENDIX D.
- i) Site Classification report by Macquarie Geotechnical, dated 10/7/2018, indicates "anticipated surface movement (Ys) of at least 75mm and is classified as Class E-D"
- j) Barnson Geotechnical branch conducted Four Dynamic Cone Penetrometer Tests (DCP) on the eastern and southern sides of the building on 21/9/20, as attached in APPENDIX E, as requested by the Builder.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND ITEM 3 LOT 52 DP872884 21 DEACON DRIVE WARREN **CONTINUED**



2.0 STRUCTURAL INSPECTION

During the inspection by the writer on 27th October 2020, the below was noted as described in the below photographs:

2.1 External



Figure 1: East side wet lawn which deflects under foot loading

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND ITEM 3 LOT 52 DP872884 21 DEACON DRIVE WARREN **CONTINUED**





Figure 2: East side neighbouring block with water ponding.



Figure 3: West side gravel outside external concrete slab and steeper fall to boundary.

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED





Figure 4: South or rear side. Turf placed, good fall away from building. Sewer boundary trap at rear.



Figure 5: North East Corner downpipe bracket moved upwards, covered with more recent paint.

16.11.2020

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020





Figure 6: North east corner - Front downpipe discharge pipe to kerb.



Figure 7: Rear Patio at south east corner: Brickwork articulation joint opened up 10mm at the top.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED





Figure 8: Rear patio at south east corner: Soffit quad gap 10mm to brickwork.



Figure 9: South west corner: Downpipe charged as evidenced by full of water. Rest of the downpipes were not charged with water. Ground near tank noted to be damp.

16.11.2020

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020





Figure 10: West side gravel with adequate fall away from building.



Figure 11: South west corner: Gap to eaves quad 7 to 8mm wide.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND ITEM 3 LOT 52 DP872884 21 DEACON DRIVE WARREN **CONTINUED**





Figure 12: West side - Rear Garage personnel door with brick crack 1mm wide.



Figure 13: Front (north) wall with eaves quad gap 8mm.

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



2.2 Internal

Refer to the architectural floor plan in APPENDIX C for room names as referred to below.



Figure 14: Front Bedroom No.1: 2mm wide crack to front wall above window.



Figure 15: Bedroom No. 1: Cracks to internal wall - 0.8mm wide to walk in robe and 2mm wide to ensuite openings.

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14

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED





Figure 16: Ensuite: 1.4mm wide crack to east side window.



Figure 17: Ensuite: 0.5mm wide crack above door to bedroom.

The Garage cornice had a 1mm wide crack at a re-entrant corner. The front hall had some ceiling separation of the cornice from the wall plasterboard.

16.11.2020

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND ITEM 3 LOT 52 DP872884 21 DEACON DRIVE WARREN **CONTINUED**





Figure 18: Hall ceiling lifted off linen room wall by an estimated 10mm to cause cornice separation.



Figure 19: Hall near living room: Wall separated from floor by 10mm.

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED





Figure 20: Dining room: Living room wall separated from floor by up to 8mm, zero gap at east end.



Figure 21: Pantry door: Cornice above separated by estimated 4mm.

16.11.2020

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020





Figure 22: Bedroom No. 2 (rear middle): Built in wardrobe sliding door with 10mm gap at top near rear wall.



Figure 23: Bedroom No. 3 (South west corner): Built in wardrobe sliding door gap 6mm. Door sticks at bottom.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED





Figure 24: Bedroom No. 4 (west side): Bult in wardrobe sliding door gap 5mm.

16.11.2020

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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



3.0 CAUSE OF BUILDING DEFECTS

From the defects noted above, particularly the floor to wall gaps and ceiling cornice cracks, the cause of the defects is due to slab "dishing". When the building was constructed, the subsoil would have been very dry due to the then current drought and lack of any gardens on the site. Since the building was constructed, the external surfaces have become much wetter due to higher rainfall and lawn watering, particularly on the east side which is still very damp. The increase in soil moisture has caused the extremely reactive clay soil to swell, particularly on the east side, and this has lifted the external wall which has lifted the roof trusses causing cornice cracks as well as potentially lifting non load bearing internal walls, or the walls have lifted due to the slab dishing (edges higher than middle of slab).

The DCP test results in APPENDIX E indicate the soil next to the footpath was wet and soft at the time of testing. Given that the waffle slab thickness is 475mm, the DCP results indicate a bearing capacity of 50kPa at 500mm depth, the approximate depth of the waffle pod, except for at the south east and south west corner, where this isn't achieved until 900mm depth. The minimum design bearing capacity for waffle pod slabs per AS2870-2011 "Residential footings code" is 50kPa. Therefore, from these results, this has not been achieved for the south or rear side, however the extent of defects along this side is not as severe as that near the east side. The testing was conducted on the edge of the footpath, some 0.9m from the footing slab, and thus may not indicate the strength of the soil under the waffle slab, which would not have been subjected to as much moisture, due to protection offered by the footpath. The DCP tests do not indicate insufficient compaction of the gravel base provided by Council, the tests indicate insitu strength of the subsoil only. If the fill had settled externally, then the slab would of "domed" with the external being lower than internally, assuming more compactive effort was provided in the middle of the slab.

It is clear to the writer that from the orientation of movement noted, the slab has dished and this is known to be the result of external swelling of clay soils, as per the below excerpt of the CSIRO BTF18 "Foundation Maintenance and Footing Performance: A Homeowner's Guide".

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



Seasonal swelling/shrinkage in clay

Swelling foundation soil due to rainy periods first lifts the most exposed extremities of the footing system, then the remainder of the perimeter footings while gradually permeating inside the building footprint to lift internal footings. This swelling first tends to create a dish effect, because the external footings are pushed higher than the internal ones.

The first noticeable symptom may be that the floor appears slightly dished. This is often accompanied by some doors binding on the floor or the door head, together with some cracking of cornice mitres. In buildings with timber flooring supported by bearers and joists, the floor can be bouncy. Externally there may be visible dishing of the hip or ridge lines.

Figure 25: Excerpt from CSIRO BTF18 "Foundation Maintenance and Footing Performance: A Homeowner's Guide".

To confirm the amount of slab differential movement, a level survey of the floor slab is recommended

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



3.1 Classification of Damage

Reference is made to table C1 of AS2870-2011 which provides classification of damage with reference to walls, as repeated below:

TABLE C1
CLASSIFICATION OF DAMAGE WITH REFERENCE TO WALLS

Description of typical damage and required repair	Approximate crack width limit (see Note 1)	Damage category	
Hairline cracks	<0.1 mm	0 Negligible	
Fine cracks that do not need repair	<1 mm	1 Very slight	
Cracks noticeable but easily filled. Doors and windows stick slightly	<5 mm	2 Slight	
Cracks can be repaired and possibly a small amount of wall will need to be replaced. Doors and windows stick, Service pipes can fracture. Weather tightness often impaired	5 mm to 15 mm (or a number of cracks 3 mm or more in one group)	3 Moderate	
Extensive repair work involving breaking out and replacing sections of walls, especially over doors and windows. Window frames and door frames distort. Walls lean or bulge noticeably, some loss of bearing in beams. Service pipes disrupted	15 mm to 25 mm but also depends on number of cracks	4 Severe	

NOTES:

- 1 Where the cracking occurs in easily repaired plasterboard or similar clad-framed partitions, the crack width limits may be increased by 50% for each damage category.
- 2 Crack width is the main factor by which damage to walls is categorized. The width may be supplemented by other factors, including serviceability, in assessing category of damage.
- 3 In assessing the degree of damage, account shall be taken of the location in the building or structure where it occurs, and also of the function of the building or structure.

Figure 26: Excerpt from AS2870-2011, table C1.

The defects noted on the west side are less than 1mm wide cracks and thus damage category 1 is suggested. The movement on the east side indicate up to 10mm separation which is damage category 3 or "Moderate". The NSW guide to Standards and Tolerance guide 2017 recommends the below in terms of acceptance of masonry wall cracking and plasterboard cracking:

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



3.2 Damage to masonry walls

Refer to Table 3.02 for descriptions of categories of damage.

Category 3 or greater damage to walls is defective and requires investigation, stabilisation, monitoring and rectification work, which may include breaking out and replacing sections of the wall.

Category 2 cracks to walls are to be monitored for a period of 12 months. At the end of the monitoring period, a crack rated at Category 2 or above is defective and requires rectification. Category 2 damage may be defective and requires minor repair work such as repointing.

Figure 27: Excerpt NSW "Guide to Standards and Tolerances 2017

And for internal plasterboard and cornices:

10.14 Cracking in plasterboard, hard plaster and other plaster elements

Cracking in walls, ceilings and bulkheads is defective if it exists at handover or exceeds 1 mm in width within the first 24 months of completion and can be seen from a normal viewing position.

Cracking in recessed and butt joints is defective if it exists at handover or exceeds 1 mm in width within the first 24 months of completion and can be seen from a normal viewing position.

10.15 Cracking in cornices

Cracking of cornice joints such as butt joints and mitres, and at junctions with walls and ceilings, is defective if it exists at handover or exceeds 1 mm in width within the first 24 months of completion and can be seen from a normal viewing position.

Figure 28: Excerpt NSW "Guide to Standards and Tolerances 2017

The masonry cracking is minor, only being noted at the rear garage door, which is 1mm wide, thus is not considered a defect. The plasterboard and cornice cracks are greater than 1mm wide on the east side and thus are considered to be a defect to the guide.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



4.0 EVALUATION ON WAFFLE SLAB DESIGN

The waffle pod design is attached in APPENDIX D. The design has been evaluated with comparison to AS2870-2011, "Residential Foundations Code". Below is presented the findings.

4.1 Comparison to Section 3.0 - Standard Designs

The code has no standard design for class E-D sites. However, it is considered to be beneficial to examine if the slab design is compliant with a "H2-D" site classification, which is advised where characteristic surface movement is less than 75mm. The comparison is presented below

Design Feature	Structerre design	AS2870 class H2-D design For Articulated Masonry veneer	Compliance with H2-D standard design
Slab overall Depth	General Slab depth 475mm	Depth 460mm	Compliant
Slab overall Depth	Garage, patio and wet areas depth = 400mm	Depth 460mm	Not compliant
Slab reinforcement	SL82 and N12 @ 200	SL82 < 20m, SL92 <30m long	Compliant
Edge beam bottom reinforcement	3-L11TM or 2-N12	2 x 3-L11Tm or 3- N16	Not compliant
Edge beam top reinforcement	1-N12	No additional	Compliant
Rib bottom Reinforcement	1-N16	1-N16	Compliant

From the above, the current design is not compliant with the standard AS2870 H2-D design for section 3, for reinforcement and depth of some of the slab. It is therefore assumed by the writer that the design is intended to comply with Section 4 of the code, "Design by Engineering Principles" as explored below.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



4.2 Compliance with Section 4 of AS2870 "Design by Engineering Principles"

Reference is made to section 4.5 of the code which provides a simplified method for raft designs. This method is not suitable for use as depth of seasonal movement, Hs>3m, and surface movement is greater than 70mm. However a design check was done as contained in APPENDIX F. This found the differential movement of the 475 slab with rib beams at 1.2m centre spacing would be 37mm, which was in excess of 30mm as specified in table 4.1 of the code.

It is assumed by the writer that the designers have used some software to undertake a rigorous analysis of the slab to show compliance with the code. The writer has not undertaken a rigorous analysis as access to such software is not available. The simplified analysis from comparison with standard designs and the simplified method calculations, indicate there could be some concerns with the design and thus rigorous analysis by an engineer suitably qualified is recommended.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 **CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED**



5.0 STRUCTERRE REPORT

Council has provided the writer with a structural report from Structerre dated 25/09/2020, ref 3.19.10057.2. The below comments are made on this report:

- a) Slab movement: The report states the slab has moved differentially with the external slab being higher than the internal, which is agreed.
- b) External paving slabs: The Structure report indicates the external pavement slabs are too flat and not in compliance with AS2870-2011 which specifies a fall of 50mm over the first one metre from the building. This is agreed with. It is my opinion that the external soil has heaved and has thus decreased the fall of these slabs. The report recommends these footpaths be replaced with proper fall.
- c) DCP tests: The Structerre report states based on the DCP tests that the soil bearing capacity is less than 50kPa and takes this to indicate that uncontrolled fill was placed. This is not agreed with as the DCP test is a strength indication, not a compaction indication, yet soil of low compaction does have low strength as does wet soil. The fill on the edge of the footpath would have been placed after construction of the house slab, and would not be representative of the fill under the house slab.
- d) Rectification: The report recommends external underpinning or soil injection. This is not agreed with as the external slab has heaved due to clay swelling, and thus underpinning would only act to keep the slab at it's present dished shape. It is therefore recommended that this is NOT undertaken.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



6.0 RECTIFICATION

On the assumption that rigorous analysis of the slab design is found to be acceptable to AS2870-2011, the below is the recommended scope of works for rectification.

6.1 Plumbing Issues

6.1.1 Rainwater tank

The rainwater tank appears to be fed by one charged downpipe. There appears to be no reason for this pipe to be charged, it could discharge directly to the tank at high level. The stormwater pipes are not pressure rated, and thus leakage of charged pipes will occur. It is recommended the charged pipe be removed and the downpipe connected to the top of the rainwater tank at high level.

The remaining downpipes should be filled with water to confirm they discharge to the street.

6.1.2 Sewage plumbing

Due to the amount of soil movement experienced, it is possible this may of damaged the sewer plumbing, particularly if suitable lagging of pipes, which carry through the slab, and flexible joints were not incorporated in the construction. It is recommended all internal sewage pipes be either inspected by CCTV or flood tested to check for leaks.

6.1.3 Watering system

It is recommended the water system be better controlled to limit excess watering. It could be turned off until the season turns drier.

6.2 Drying Period

The moisture under the edge of the slab will dissipate to the internal sections under the slab, in time. The dissipation of the moisture will allow for the slab to re-level itself to some extent. However, from experience, the re-levelling is never even as the soil moistures around the perimeter of the building will never be even, given different sides will have varying exposure to sun. It is anticipated the drying out period could take eighteen months to 2 years, depending on the upcoming seasons.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND ITEM 3 **LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED**



During this period, the building can be occupied, as the defects noted do not present any structural risk to the building.

To determine when movement has stabilised, it is recommended that crack measurements are made, and these are monitored on a monthly basis.

6.3 Repairs

After the amount of movement has stabilised over a six-month period, as evidenced by crack monitoring measurements, the cracks and gaps can be repaired as recommended below:

- a) Gaps of walls to floors: Replace wall to roof ties where these ties are at the end of their adjustment range. Then remove and re-install the skirting boards to cover the gaps. Repaint affected areas.
- b) Cornice Cracks to walls and ceilings: Remove affected sections of cornice. Install new sections of cornice with fixing to ceilings only. Place masking tape between cornice and wall to prevent dust from falling through the gap. Repaint affected areas.
- Plasterboard wall cracks: For cracks greater than 1mm width, replace the affected section of plasterboard and install a plasterboard expansion joint aligning with the corner of the window or door. For cracks less than 1mm width, provide plaster repair and paint over affected areas.
- d) Cornice corner gaps: Fill gaps with flexible sealant and paint over
- e) Built in wardrobe sliding doors: Re-level doors so they close evenly against the door
- Internal doors sticking: Plane doors which stick in the door frame. Re paint affected
- g) External Brickwork cracks: Cracks less than 1mm wide require no repair. If cracks are more than 1mm wide by the end of the drying out period, then provide a thin depth of similar coloured mortar to help mask the crack.
- h) External articulation joint movement: Remove sealant and replace with new sealant to match gap width.
- External Soffit quads: Remove quads and re-install where gap to brickwork greater than

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



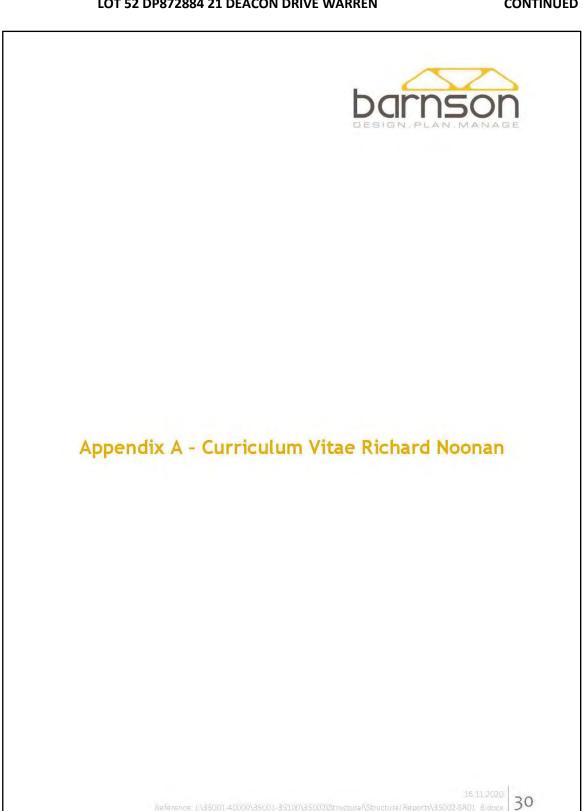
7.0 CONCLUSION

The newly constructed building at No. 8 Deacon Drive, Warren, has had some significant footing movement caused by extremely reactive clay swelling from a substantial increase in soil moisture around the perimeter of the building, due to change in season from dry to wet, and possibly lawns being overwatered.

The footing waffle slab design, from simple analysis, appears to be non-compliant to AS2870-2011. This needs to be confirmed by an engineer using rigorous analysis computer software designed for this purpose.

If the slab design is found to be compliant, then the site needs to be left for 1.5 to 2 years to enable the soil moisture to dissipate and then the building repaired, with an effort to allow for future movement to occur.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

Richard Noonan



ROLE: DIRECTOR/SENIOR ENGINEER

OVERVIEW

Richard has over 25 years of experience in engineering design, having worked in local government and private consulting. Richard established Barnson in September 1992 and previously worked in various local councils within Central West NSW. Richard designs, documents, and supervises many structural, civil, and geotechnical engineering projects that Barnson works on.



QUALIFICATIONS

- Bachelor of Engineering (Civil) (Hons), University of Technology, Sydney.
- Master of Engineering, Deakin University, Victoria.
- Private Pilot's Licence, NVFR, PIFR

PROFESSIONAL ASSOCIATIONS

- Fellow of the Institution of Engineers, Australia.
- Member of the Civil College of the Institution of Engineers, Australia.
- Member of the Structural College of the Institution of Engineers, Australia.
- Registered on National Engineers Register (NER).
- Authorised signatory of the National Association of Testing Authorities, Australia.
- Member of the Stormwater Institute of Australia.
- Member Australian Steel Institute.
- Member of Concrete Institute of Australia.
- NSW Accredited Certifier Category C1 to C7, C12, C15, C16
- Registered Building Practitioner, Victoria, Engineer-Civil
- Registered Professional Engineer, QLD, Civil
- NT Registered building Practitioner, certifying engineer structural and Hydraulic

PROFESSIONAL EXPERIENCE

1994-Current Barnson Pty Ltd, Dubbo

Title: Company Director, Structural & Geotechnical Engineer.

Duties:

- Geotechnical Investigations and reports.
- Authorised signatory for the Barnson Pty Ltd NATA registered soils and concrete laboratory.
- Design, documentation and supervision of structural and civil engineering projects.
- Design and inspections of industrial and commercial buildings in concrete, steel and timber frames.
- Design of residential foundations, design of structural members including roof trusses, beams and cold formed steel frames.
- Bridge Design with prestressed concrete members.

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Page 1 of 2

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

Richard Noonan



1993

Warren Shire Council, Warren

Title: Acting Deputy Shire Engineer (Contracted from Barnson Pty Ltd).
Duties:

 Supervision of Council's town works and design office, local government engineering design and documentation.

1992-1993

Barnson Pty Ltd, Dubbo

Title: Company Director

Duties:

 Design, documentation and supervision of structural and civil engineering projects.

1992

Warren Shire Council (Engineering Dept), Warren

Title: Project Engineer

Duties:

· Project design, documentation and supervision.

1991

Warringah Shire Council (Engineering Dept), Dee Why

Title: Contracts Engineer

Duties:

• Supervision of civil engineering project works.

1989 - 1990

Allco Steel Constructions Pty Ltd, Tomago.

Title: Site Engineer.

Duties:

 Chifley Tower project Sydney - Supervision of structural steelwork erection and quality control.

1988

Warren Shire Council (Engineering Dept), Warren

Title: Junior Engineer.

Duties:

· General Local Government Engineering Design and Drafting.

1987

Allco Steel Constructions Pty Ltd, Tomago.

Title: Trainee Engineer.

Duties:

 Darling Harbour Redevelopment Project, Sydney - Supervision of construction of concrete foundations and structural steelwork.

1986

Warren Shire Council (Engineering Dept), Warren

Title: Junior Engineer.

Duties

General local government engineering design and drafting.

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Page 2 of 2

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND ITEM 3 LOT 52 DP872884 21 DEACON DRIVE WARREN **CONTINUED**



Appendix B - NCAT Procedural Direction No. 3 **Expert Witness**

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



NCAT Procedural Direction 3

(20 December 2013)

EXPERT WITNESSES

This Procedural Direction applies to:	Proceedings in all Divisions
Effective Date	1 January 2014
Replaces Procedural Direction	Not Applicable
Notes	You should ensure that you are using the current version of this Procedural Direction. A complete set of Procedural Directions and Guidelines is available on the Tribunal website at www.ncat.nsw.gov.au

Introduction

- The Tribunal may rely on evidence from expert witnesses to reach a conclusion about a technical matter or area of specialised knowledge that is relevant to an issue to be determined in proceedings. It is important that experts' opinions are soundly based, complete and reliable.
- This Procedural Direction sets out:
 - a code of conduct for expert witnesses (based upon Schedule 7 to the Uniform Civil Procedure Rules 2005); and
 - (b) information on how experts may be required to give evidence.
- Experts who give evidence in the Tribunal must comply with the experts' code of conduct.
- The Tribunal may excuse an expert witness or any other person from complying with this Procedural Direction before or after the time for compliance.
- Nothing in this Procedural Direction prevents the Tribunal from giving any directions concerning expert witnesses or expert evidence that the Tribunal considers appropriate in any particular proceedings before the Tribunal.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

 This Procedural Direction is made by the President under s 26 of the Civil and Administrative Tribunal Act 2013.

Definitions

Word	Definition
Act	Civil and Administrative Tribunal Act 2013
Expert witness	A person who has specialised knowledge based on the person's training, study or experience and who gives evidence of an opinion based wholly or substantially on that knowledge.

 Words used in this Procedural Direction have the same meaning as defined in the Act.

Application

- 8. This Procedural Direction applies to:
 - (a) any evidence given by an expert witness in the Tribunal;
 - (b) any arrangement between an expert and a party for the expert to provide evidence or a report for the purposes of proceedings or proposed proceedings in the Tribunal; and
 - (c) any arrangements for Tribunal appointed experts,

except that this Procedural Direction does not apply to evidence obtained from treating doctors, other health professionals or hospitals (who might otherwise fall within the definition of expert witness), unless the Tribunal otherwise directs.

Parties' and Experts' Duties

- Any party who retains an expert to provide evidence or a report for the purposes of proceedings or proposed proceedings in the Tribunal must bring to the expert's attention the contents of this Procedural Direction, including the experts' code of conduct.
- 10. Where an expert is unable to comply with the experts' code of conduct, whether because of a conflict of interest or otherwise, the expert is not to give evidence or provide an expert's report for use in proceedings in the Tribunal, unless the expert raises the inability with the Tribunal and the Tribunal expressly permits the expert to give evidence or provide a report.

Experts' Code of Conduct

Application of code

- 11. This experts' code of conduct applies to any expert witness who:
 - provides an expert's report for use as evidence in proceedings or proposed proceedings in the Tribunal, or
 - (b) gives opinion evidence in proceedings in the Tribunal.

2

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

General duty to the Tribunal

- An expert witness has an overriding duty to assist the Tribunal impartially on matters relevant to the expert witness's area of expertise.
- An expert witness's paramount duty is to the Tribunal and not to any party to the proceedings (including the person retaining the expert witness).
- 14. An expert witness is not an advocate for a party.
- 15. An expert witness must abide by any direction given by the Tribunal.

Duty to work co-operatively with other expert witnesses

- 16. An expert witness, when complying with any direction of the Tribunal to confer with another expert witness or to prepare a joint report with another expert witness in relation to any issue must:
 - exercise his or her independent, professional judgment in relation to that issue, and
 - endeavour to reach agreement with any other expert witness on that issue, and
 - (c) not act on any instruction or request to withhold or avoid agreement with any other expert witness.

Experts' reports

- 17. An expert's report must (in the body of the report or in an annexure to it) include the following:
 - (a) the expert's qualifications as an expert on the issue the subject of the report;
 - the facts, and assumptions of fact, on which the opinions in the report are based (a letter of instructions may be annexed);
 - (c) the expert's reasons for each opinion expressed;
 - (d) if applicable, that a particular issue falls outside the expert's field of expertise;
 - (e) any literature or other materials used in support of the opinions;
 - any examinations, tests or other investigations on which the expert has relied, including details of the qualifications of the person who carried them out;
 - (g) in the case of a report that is lengthy or complex, a brief summary of the report (to be located at the beginning of the report);
 - (h) an acknowledgement that the expert has read the experts' code of conduct and agrees to be bound by it.
- If an expert witness who prepares an expert's report believes that it may be incomplete or inaccurate without some qualification, the qualification must be stated in the report.

3

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED

- 19. If an expert witness considers that his or her opinion is not a concluded opinion because of insufficient research or insufficient data or for any other reason, this must be stated when the opinion is expressed.
- 20. If an expert witness changes his or her opinion on a material matter after providing a report, the expert witness must immediately provide a supplementary report to that effect containing such of the information referred to in paragraph 18 as is appropriate.

Experts' conference

- 21. An expert witness must abide by any direction of the Tribunal:
 - (a) to confer with any other expert witness;
 - (b) to endeavour to reach agreement on any matters in issue;
 - to prepare a joint report, specifying matters agreed and matters not agreed and reasons for any disagreement;
 - (d) to base any joint report on specified facts or assumptions of fact.
- 22. An expert witness must exercise his or her independent, professional judgment in relation to such a conference and joint report, and must not act on any instruction or request to withhold or avoid agreement.

How may expert evidence be given?

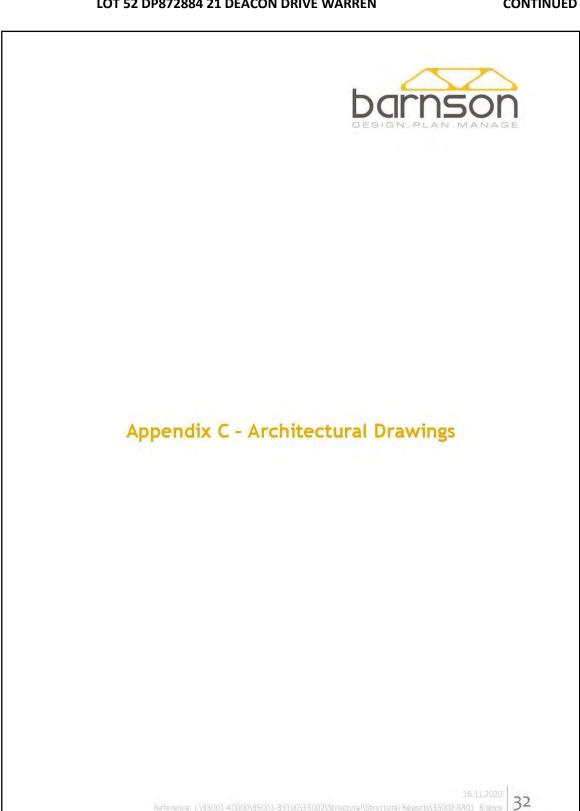
- The Tribunal may regulate the conduct of proceedings involving expert witnesses including by:
 - (a) requiring expert evidence to be given by written report;
 - requiring expert witnesses to confer and prepare a joint report, specifying matters agreed and matters not agreed and reasons for any disagreement;
 - specifying when and in what order expert evidence at a hearing will be given;
 - (d) controlling the form and duration of cross examination of expert witnesses;
 - (e) requiring expert witnesses to give evidence at a hearing concurrently.
- 24. If the Tribunal requires or permits expert witnesses to give evidence concurrently this will usually involve the expert witnesses in one particular field of expertise:
 - sitting together in the witness box or some other convenient place in the hearing room;
 - (b) being asked questions by the Tribunal;
 - (c) being asked questions by the parties or their representatives (if any);
 - (d) being given the opportunity to respond to the other witness's evidence, as that evidence is given; and

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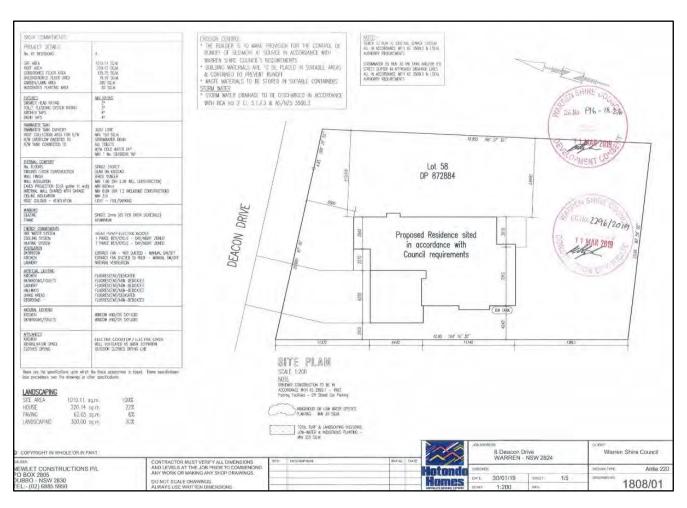
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

	(e) being given the opportunity to ask any questions of the other witness, a the evidence is being given, where those questions might assist the Tribunal in determining the matter.	S
	Tribunal in determining the matter.	
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	Justice Robertson WRIGHT	
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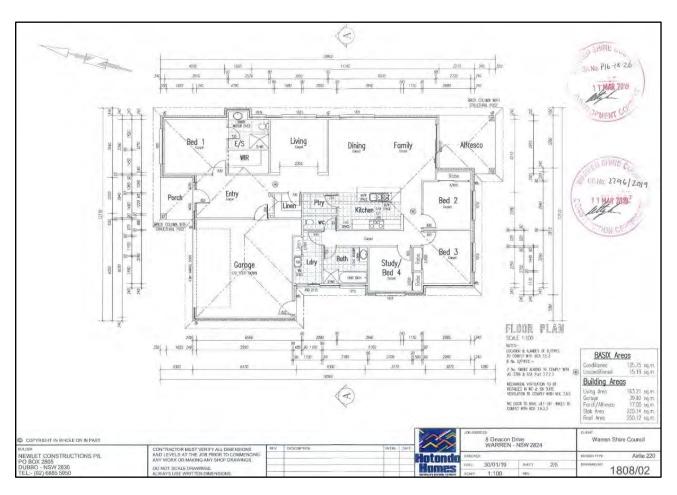
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



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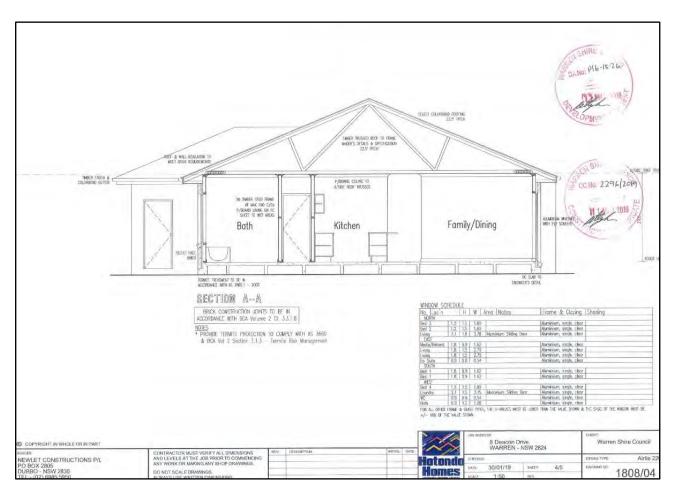
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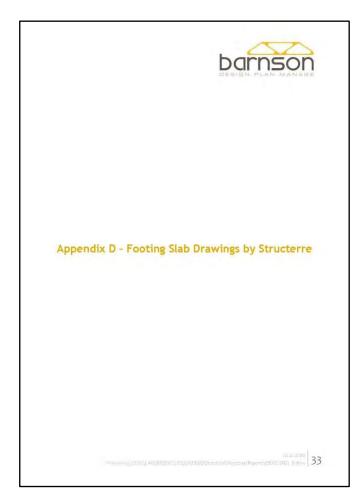
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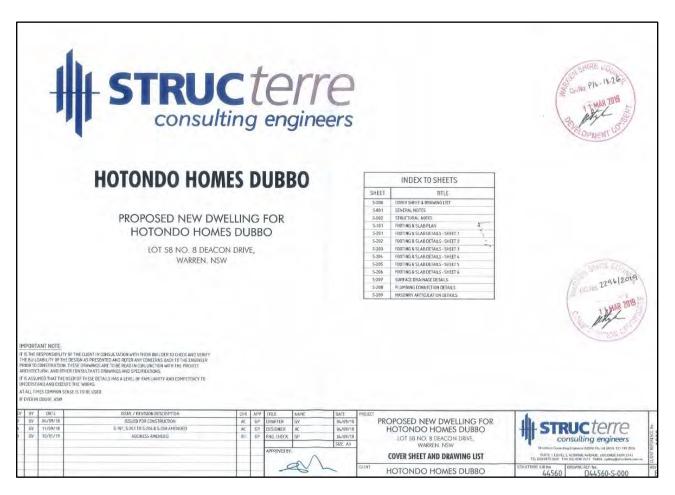
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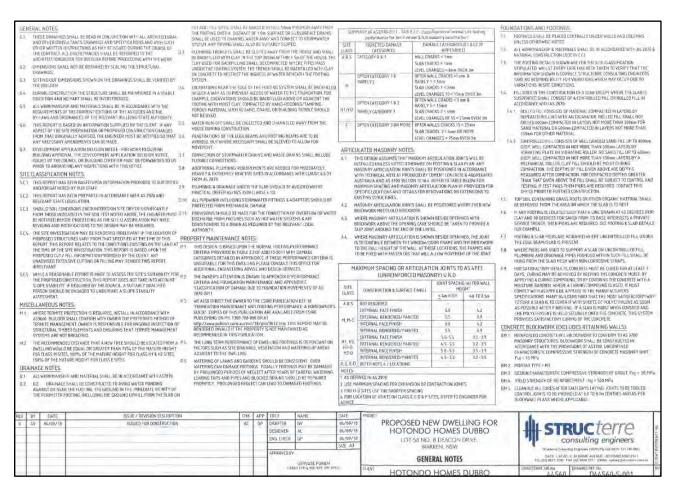
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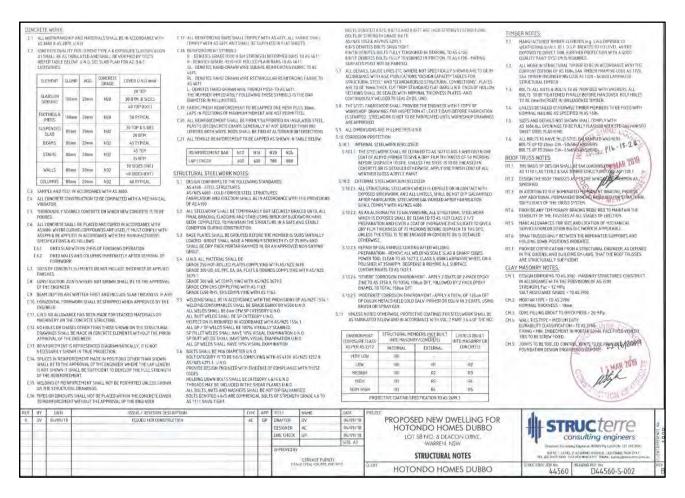
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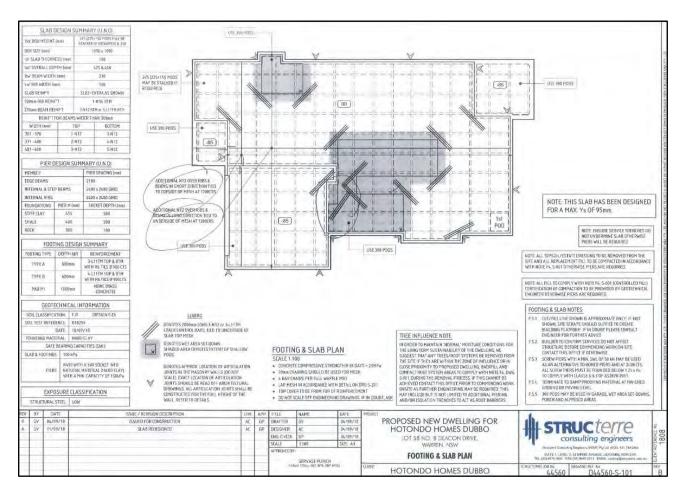
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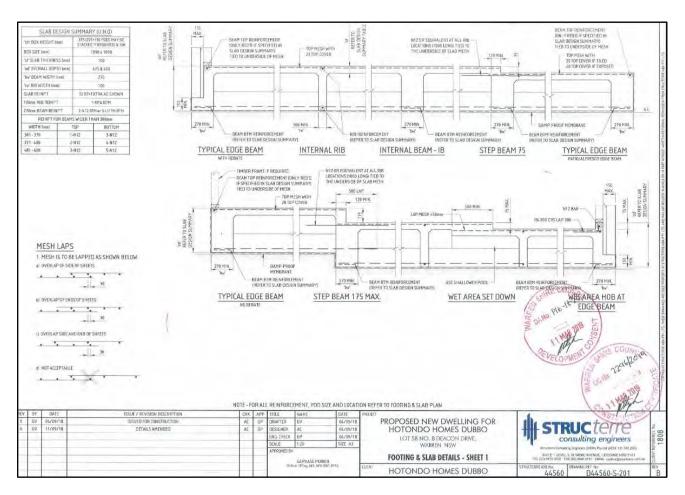
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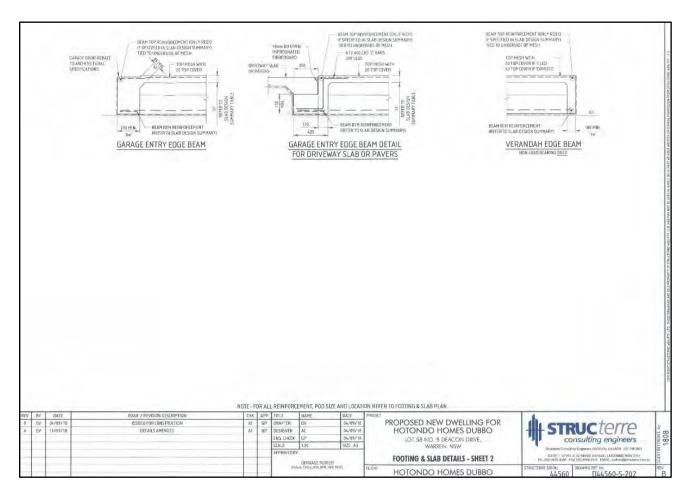
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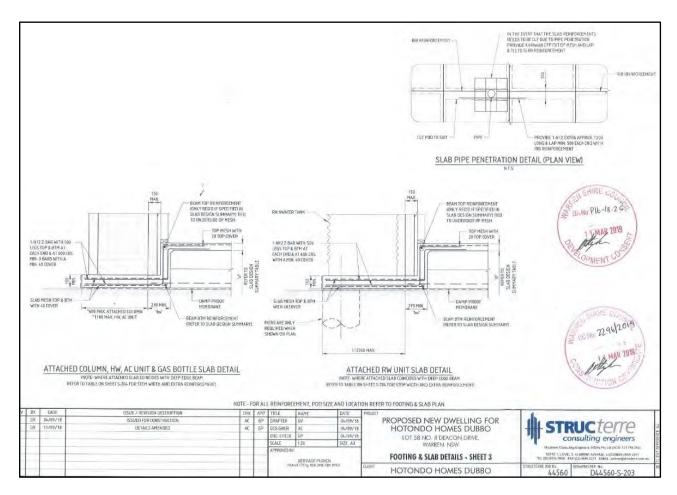
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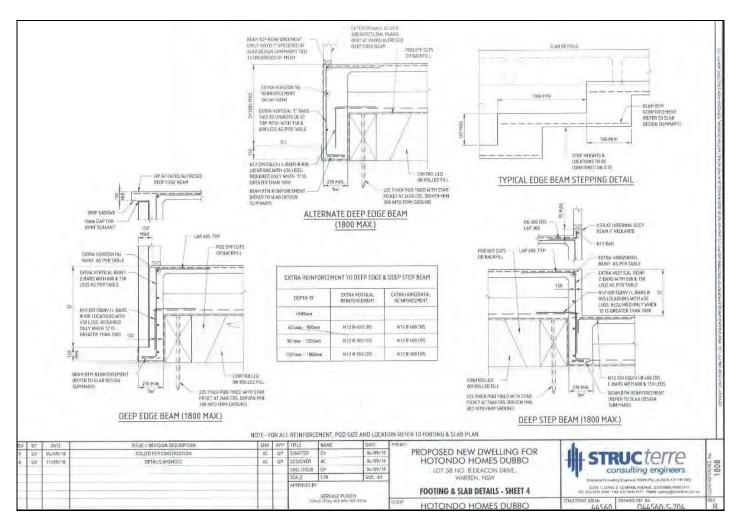
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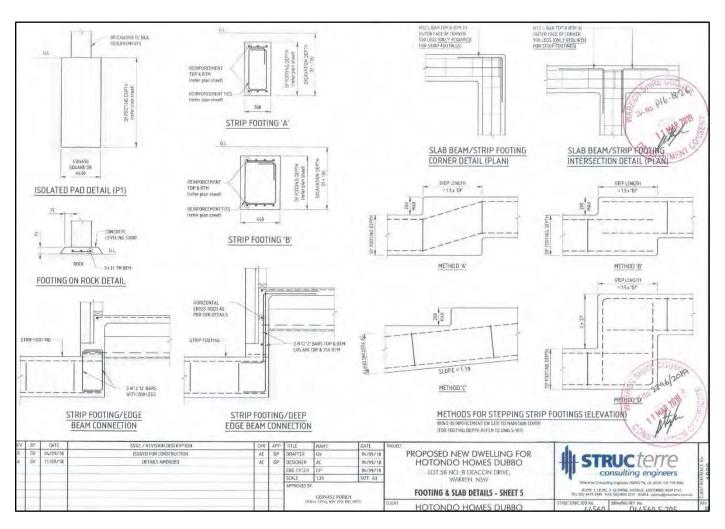
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



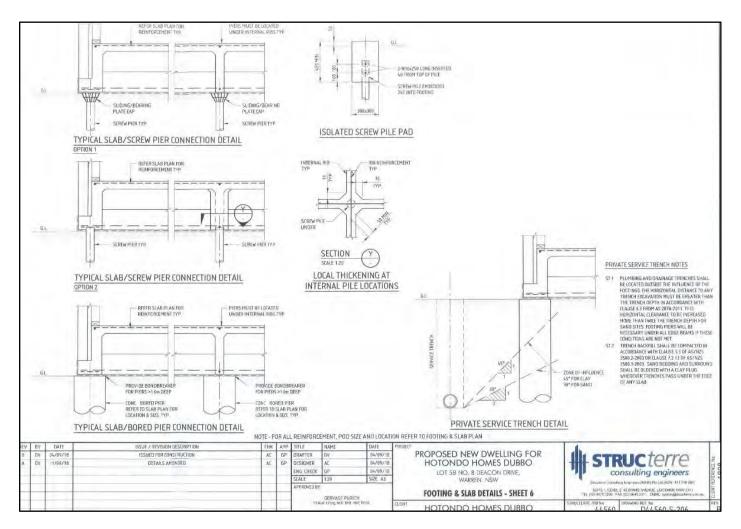
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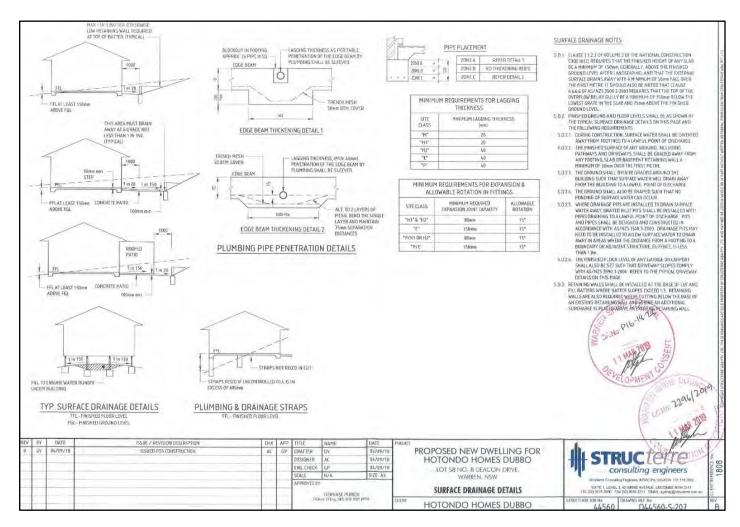
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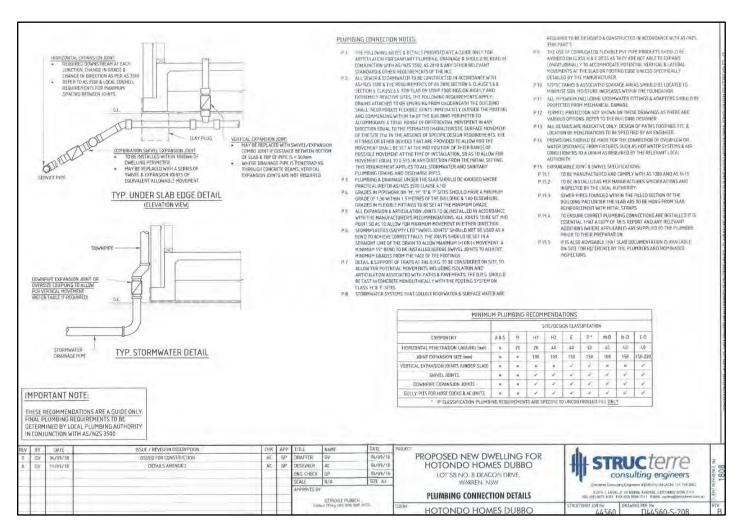
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



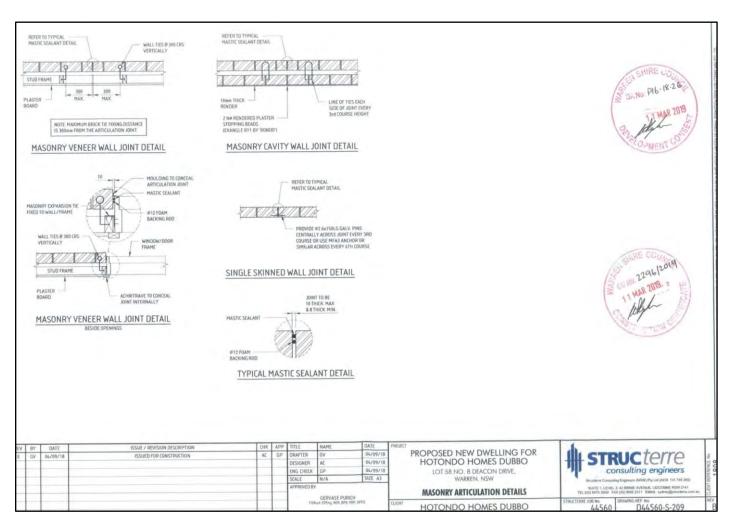
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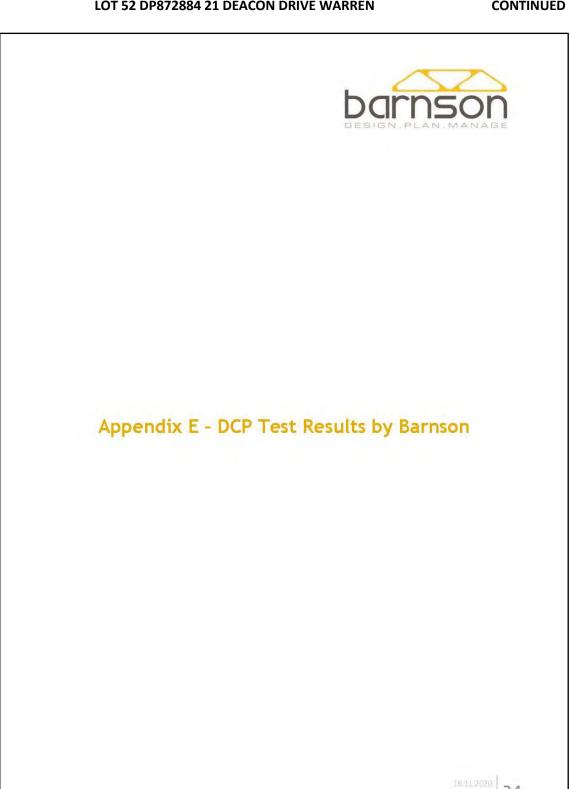
Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

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ate: 21/09/20 REA: Existing	House													
Location	Northea	1 ast Corner to Path	2 Eastern Side Next to Path		3 Southeast Corner Next to Path		4 Southwest Corner Next to Path							
RL Of Test					9									
Depth (mm)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)	DCP Blows	Factored Ultimate Bearing Capacity (kPa)
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500	2	50	2	50	0	<25		<25						
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700	3	65	3	65	0	<25	1	<25						
900	3	65 65	2	50 100	5	<25 120	3	<25 65						
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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 3 CONSTRUCTION OF COUNCIL HOUSES LOT 58 DP872884 8 DEACON DRIVE AND LOT 52 DP872884 21 DEACON DRIVE WARREN CONTINUED



Appendix F - Simplified Slab Deflection Calculation to AS2870 Section 4.5

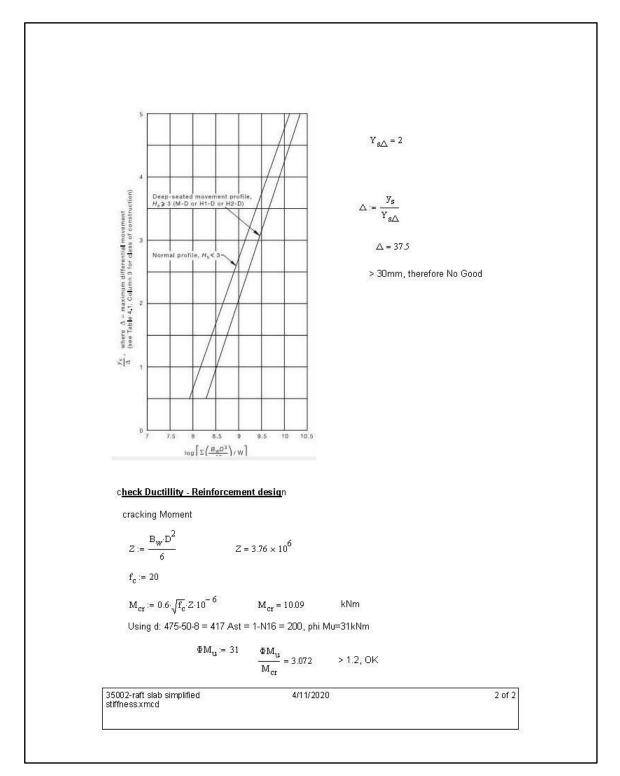
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Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

Client: Warren Shi	re Council			
Address: 8 deaco	n dr. warren			
by: RN, Date 04/11 Ref: 35002	/20			
Simplified Raft slab design ch	eck to AS2870-2011, cl	4.5		
Beam Web width (mm)	$B_{\mathbf{w}} \coloneqq 100$			
Beam Depth overall (mm):	D:= 475			
Number of beams in direction	n A, bed 4 and 5:	n :=	9	
width of slab normal to beam	direction in metres:	$W_s := 10.8$		
Seasonal soil Movement:	y _s = 75			
Slab deflection for Articu	lated Masonry veneer p	er table 4.1 Δ_a	$mv \approx 30$	
Stiffness := $log \left(\frac{n \cdot B_W^{-} D^3}{\frac{12}{W_S}} \right)$ Stiffness = 8.872				
$\frac{y_s}{\Delta_{amv}} = 2.5$				
Read Ys/∆ figure 4.1 /	AS2870	$Y_{s\Delta}:=2$		

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020



Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND (P16-20.23)

Applicant Mrs Sophie O'Brien, Warren Pastoral & Agricultural

Association

Owner/s NSW Department of Industry – Lands & Water

Description of Development Demolition of existing pavilion and construction of new

pavilion

Subject Land Crown Land, LOT 7032 DP1020887, 7267 Old Warren Road

Warren

Zoning RE2 Private Recreation

Date Received 3rd November 2020

Estimated Cost \$220,000.00

Introduction

Council is in receipt of Development Application P16-20.23 for the demolition of the existing Ron McCalman Pavilion and the construction of a new pavilion on Lot 7032 DP 1020887 Old Warren Road Warren. This report considers the proposal and makes recommendation for the determination of the application.

Description of Proposal

A development application has been received for the demolition of the existing Ron McCalman Pavilion and the construction of a new pavilion on Lot DP 755314 & Old Warren Road Warren, in the same location at the Warren Showground.

Statutory Provisions

The Environment Planning and Assessment Act 1979, and the State Environmental Planning Policy (Infrastructure) 2007, apply to the assessment and determination of applications for development approval.

Community Awareness

Notification of this application is not required under the "Community Awareness Development Policy" as the proposed use is not different from the current use of the land.

Development Assessment

Section 4.15 of the Environmental Planning and Assessment Act, 1979 sets out the matters that must be considered, if relevant, when assessing and determining a development application.

(a) the provisions of any environmental planning instrument (EPI).

Clause 66 (2)(d)(iv) of the State Environmental Planning Policy (Infrastructure) 2007 states the following;

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

66 Exempt development

- (2) Development is carried out in the prescribed circumstances if the development is carried out
 - a. on land referred to in clause 65(1) by or on behalf of a public authority, or
 - b. on land referred to in clause 65(2)(a) or (b) by or on behalf of the Centennial Park and Moore Park Trust or the Parramatta Trust, as the case may be, or;
 - c. in connection with a public reserve (other than Crown managed land) by or on behalf of a public authority, or
 - d. on Crown managed land, by or on behalf of
 - i. the Secretary, or
 - ii. a Crown land manager of the land (or an administrator of the manager), or
 - iii. the Ministerial Corporation, or
 - iv. (iv) a council having control of the land under section 48 of the Local Government Act 1993, or
 - v. the Minister administering the Crown Land Management Act 2016.

Clause 65 (3)(c) of the State Environmental Planning Policy (Infrastructure) 2007 states the following;

"65 Development permitted without consent

(3) Any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council—
(c) demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).

Note-

The term **building** is defined in the Environmental Planning and Assessment Act 1979 as including any structure."

Therefore, the demolition of the existing Ron McCalman Pavilion and the construction of a new pavilion is permitted without consent or exempt development. However, as the site is defined as bushfire prone land and flood prone land, the applicant must consult with Council to ensure that these matters are to be considered, as per Clause 15 of the Infrastructure SEPP. Recommended conditions addressing these matters have been suggested.

SEPP No. 44 - "Koala Habitat Protection" requires Council to consider whether or not the land is a potential koala habitat. Potential koala habitat means areas of native vegetation consisting of the tree types listed in the SEPP. This is not applicable, as the application does not involve the removal of any trees.

SEPP No.55 – "Remediation of Land" requires that Council must not consent to a development of land unless it has considered whether the land is contaminated. There is no evidence to suggest this land is contaminated.

The Building Sustainability Index (BASIX) SEPP does not apply to this application.

No other SEPP is relevant to the proposal No Regional Environmental Plan is applicable to the proposal.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

(b) the provisions of any draft EPI that is or has been placed on public exhibition and details of which have been notified to the consent authority

There is currently no draft EPI that requires consideration.

(c) the provisions of any development control plan (DCP).

No clauses within the Warren Shire Council Development Control Plan apply to this development.

(d) the provisions of any planning agreement (PA).

The Shire is not aware of any PA that affects this development.

(e) the provisions of the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates.

The land is identified as bush fire prone on the "Warren LGA – Bush Fire Prone Map" dated 23rd May 2006. Section 4.14 of the Environmental Planning & Assessment Act 1979 requires Council to ensure the proposal complies with the "Planning for Bushfire Protection" guide produced by Planning NSW and the NSW RFS prior to determining an application. This proposal is considered not to be inconsistent with the guide and any necessary requirements have been addressed with recommended conditions.

Clause 92 of the *Environmental Planning and Assessment Regulation 2000* specifies the additional matters that must be considered if relevant. These relate to the Government Coastal Policy and demolition works. Warren is outside the area the Coastal policy applies too. The demolition works proposed have been suitably addressed with recommended conditions.

(f) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

The development is unlikely to impact adversely on the current use of this land or adjoining land.

(g) the suitability of the site for the development.

The land is subject to flooding, but this does not restrain this site for this use. There is no evidence to suggest it is affected by contaminated soils. There exists no significant bush fire risk to the development.

(h) any submissions made in accordance with this Act or the regulations.

The application was not notified to the community in general or to adjoining owners.

(i) the public interest

There are no other known matters of public interest that may affect this proposal. There are no known restrictive covenants, general State or Federal Government policies that may apply

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

CONCLUSION

The proposed development of demolishing the existing pavilion and the construction of a new pavilion is exempt from obtaining approval or permitted without consent under the infrastructure SEPP. However, as the site is subject to flooding and is bushfire prone land the applicant must consult with Council. From the assessment, conditions addressing these matters have been recommended. The proposed development is in the same location, is acceptable and the application should be determined by issuing suitable recommended conditions for the applicant to adhere too.

RECOMMENDATION That;

- 1) the information be received and noted; and
- 2) Council note that approval is exempt or permitted without consent under the *State Environmental Planning Policy (Infrastructure) 2007*, and Council issue the following conditions as a result of the assessment of the site;
- 1. Construction, demolition and associated work shall be carried out only between the times

Stated as follows: -

Mondays to Fridays 7.00am to 6.00pm. Saturdays 8.00am to 5.00pm

Sundays & public holidays no construction work to take place.

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

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

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

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

Reason: To ensure public safety is not compromised.

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

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

Reason: To maintain public safety.

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

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

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

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

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

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

Reason: To maintain public safety.

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

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

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

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

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

Reason: To protect the amenity and safety of the public

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

Reason: To protect the amenity and safety of the public

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

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

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

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

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

Reason: To ensure public safety is not compromised.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

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

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

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

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

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

Reason: To ensure traffic safety is not compromised.

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

Reason: To ensure public safety is not compromised.

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

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

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

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

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

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

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

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

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

Note – Plastic type material is not permitted.

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

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the

the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

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

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

Advisory Note;

Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact :Telstra's Network Integrity Team on Phone Number 1800810443.

Report of the Manager Health & Development Services to the Ordinary Meeting of Council to be held at the the Council Chambers, Warren on Thursday 3rd December 2020

ITEM 4 DEVELOPMENT APPLICATION DEMOLITION AND REBUILDING OF THE McCALMAN PAVILION WARREN SHOWGROUND CONTINUED

