

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE POPLARS MOTOR INN, COONABARABRAN ON THURSDAY, 24 NOVEMBER 2011
COMMENCING AT 9.05AM PAGE 1

PRESENT: Cr P Shinton (Chairman), Cr K Campbell, Cr M Coe, Cr R Lewis, Cr M Powell, Cr V Schmidt, Cr R Sullivan, Cr Todd, S Loane (General Manager), R Ryan (Acting Director Corporate Services), K Tighe (Director Technical Services) and A Meppem (Acting Director Environmental Services).

In Attendance: C Nasmith (Minutes).

APOLOGIES: Cr Dissanayake and F Luckhurst (Acting Director Community Services).

169/1112 RESOLVED that the apologies of Cr Dissanayake and F Luckhurst be accepted.

Sullivan/Powell
The motion was carried

The General Manager called for Declarations of Interest (to declare pecuniary or non-pecuniary interest) from Councillors and Senior Staff in any matter listed in the Agenda for consideration at the meeting.

There were no declarations at this time.

9.05am

Presentation to Paul Sullivan of the Warrumbungle Shire Council Employee Excellence in Achievement Award.

9.10am

Forum

Friends of the Piliga – Milton Judd – spoke on the following matters with regard to the Coal Seam Gas issue:

- Artesian Water
- Fire risk and lightening strikes
- Flaring – total fire bans
- Withdrawn application for the Southern Pipeline – will now run north
- Farming income benefit questionable
- Land values
- Public reaction
- Jobs questionable
- Gas companies do not pay royalties

9.22am

Confirmation of Minutes

**CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF
WARRUMBUNGLE SHIRE COUNCIL HELD 20 OCTOBER 2011**

170/1112 RESOLVED that the Minutes of the Ordinary Meeting of the Warrumbungle Shire Council held 20 October 2011 be endorsed.

Powell/Sullivan
The motion was carried

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ADOPTION OF THE RECOMMENDATIONS OF THE WASTE FACILITIES ADVISORY COMMITTEE MEETING HELD 20 OCTOBER 2011

171/1112 RESOLVED that the Minutes of the Waste Facilities Advisory Committee meeting held 20 October 2011 be adopted.

Sullivan/Powell
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD 27 OCTOBER 2011

172/1112 RESOLVED that the Minutes of the Traffic Advisory Committee meeting held 27 October 2011 be adopted.

Lewis/Coe
The motion was carried

173/1112 RESOLVED that Warrumbungle Shire Council take every action needed to ensure that John Street, Coonabarabran remains open for Pony Club, Anzac Day and Remembrance Day Parades, and any other event deemed appropriate.

Sullivan/Schmidt
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE SPECIAL MEETING OF THE WARRUMBUNGLE SHIRE CONSULTATIVE ADVISORY COMMITTEE HELD 3 NOVEMBER 2011

174/1112 RESOLVED that the Minutes of the Special Consultative Advisory Committee meeting held 3 November 2011 be adopted.

Schmidt/Sullivan
The motion was carried

GENERAL MANAGER'S REPORT

1.1 Publication Guide - GIPA

175/1112 RESOLVED that Council endorse and adopt the 2011 Publication Guide.

Lewis/Coe
The motion was carried

1.2 Council Administered Elections 2012

176/1112 RESOLVED that Council engage the services of the New South Wales Electoral Commission (NSWEC) to administer the September 2012 elections on their behalf. **Further**, that Council write immediately to the NSWEC notifying the Electoral Commissioner of this decision.

Schmidt/Campbell
The motion was carried

177/1112 RESOLVED that Council write to the Hon. Kevin Humphreys, the Premier and Minister for Local Government expressing disappointment in the NSW Electoral Commission process for the 2012 elections.

Powell/Sullivan
The motion was carried

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1.3 Relocation Expenses Policy

178/1112 RESOLVED that Council endorse the following amended Relocations Expenses Policy:

Eligibility for Reimbursement of Relocation Expenses

Successful appointees for senior management (ie General Manager and Director) and management (Manager and CFO) positions may apply for payment of relocation expenses if the applicant is required to relocate from an area outside Warrumbungle Shire. In addition in order to attract quality staff, Council may elect to pay expenses for hard to recruit positions, such as (but not limited to) those in recognised national skills shortage areas.

Conditions for the Payment of Relocation Expenses

- Council will pay the cost of relocation expenses up to a maximum of \$6,000 or as otherwise approved by the General Manager.
- Three removalists quotes must be submitted prior to relocation, with the General Manager's consent to the selected removalist to be obtained. Council may choose to reimburse the costs of the cheapest removalist, whilst the employee may choose another removalist and pay the balance.
- Should the employee resign from the position within 3 years the relocation costs will be deducted from the employee's final termination payment based on a pro rata sliding scale.

Schmidt/Powell

The motion was carried

1.4 Warrumbungle Shire Council - Coonabarabran Acquisitive Art Prize

179/1112 RESOLVED that this item be held over until the next meeting and that Council invite a representative from Warrumbungle Arts and Crafts Incorporated to speak at the next meeting regarding criteria for the Award.

Sullivan/Lewis

The motion was carried

1.5 Internal Reporting Policy - Public Interest Disclosures Act 1994

180/1112 RESOLVED that Council endorse the Internal Reporting Policy.

Powell/Schmidt

The motion was carried

1.6 Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

181/1112 RESOLVED that following consideration of submissions and comments, Council endorse the amended Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors.

Schmidt/Coe

The motion was carried

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Strategic 1.1

Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

(Pursuant to Sections 12, 23A, 252, 253 and 254 of the Local Government Act and Clauses 217 and 403 of the Local Government (General) Regulation 2005)

Part 1 - INTRODUCTION

Title and Commencement of the Policy

This Policy shall be cited as the Policy for the Payment of Expenses and Provision of Facilities to Councillors and is effective from 24 November 2011 and replaces the previous policy titled Policy for the Payment of Expenses and Provision of Facilities to Councillors adopted by Council on 21 October 2010.

Purpose of the Policy

The purpose of this Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Councillors. The Policy also ensures that the facilities provided to assist and support the Councillors to carry out their civic functions are reasonable.

Objectives and Coverage of the Policy

The objectives of this Policy are to:

- Provide a guide to councillors expenses and facilities
- Outline the process for paying expenses so that they can be properly recorded, reported and audited
- Comply with the guidelines issued by the Department of Local Government.

In this Policy, unless otherwise stated, the expression "Councillor" refers to all Councillors of Warrumbungle Shire Council including the Mayor and Deputy Mayor.

Basis of this Policy

The relevant legislative provisions for this policy are set out below.

In this Legislation the expression "year" means the period from 1 July to the following 30 June.

Local Government Act 1993

252 Payment of expenses and provision of facilities

- (1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.
- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.

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- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.
- (4) A council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
 - (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

Part 2 - PAYMENT OF EXPENSES

Allowances and expenses

Council does not provide general expense allowances to Councillors. Councillors are entitled to the expenses set out in this policy provided that they satisfy the stated requirements.

This Policy is intended to cover most situations where a Councillor reasonably incurs expenses in discharging the functions of civic office.

The payment of expenses and reimbursement of expenses under this Policy shall only be in respect of costs directly associated with discharging the functions of civic office.

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2.1 Establishment of Monetary Limits and Standards

This policy identifies and publishes monetary limits and standards applicable to the payment of various expenses to Councillors. This allows members of the public to know the expected cost of providing services to Councillors and to make comment during the public consultation phase of making or amending the policy. It also avoids the situation where Councillors incur expenditure that is unforeseen or considered unreasonable by other Councillors and the public.

Monetary limits prescribed in this Policy set out the maximum amount payable in respect of any expense or facility.

Where a Councillor incurs expenses in the course of discharging their civic office responsibilities, such expenses will be reimbursed. Typical examples of such expenses include:

- Course fees
- Fares / parking / tolls
- Accommodation
- Meals
- Incidentals, including telephone or facsimile charges, internet charges, laundry and dry cleaning etc while attending conferences, seminars etc

Wherever possible, every effort should be made to minimise the extent of such expenses to a reasonable level. Furthermore, in the majority of cases course/conference fees and accommodation will be pre-booked, negating the need for out-of pocket expenses to be incurred.

For accommodation or meals that Council has not prepaid, and for incidental expenses, Council will reimburse expenses incurred while at conference, seminars or official functions to the limits of the allowances set out in the Australian Tax Office's Taxation Determination TD 2010/19 or such determinations or policies of the Australian Tax Office that supersede it.

The limits will be applied as follows:

- Where Councillors' meals are not prepaid by Council or are not included in the seminar, conference, event or briefing fee, the monetary limits per day for meals are those set out under 'Food and Drink' in Table 3 paragraph 11 of TD 2010/19 (see Appendix A) or such determination or policies of the Australian Tax Office that supersede it. (As at October 2011 – Meal Allowance (per day) Breakfast \$27.00; Lunch \$38.00; Dinner \$65.00)
- Where Councillors incur incidental expenses, such as phone call and similar expenses, the monetary limits per day for those expenses are the rates set out under 'Incidentals' in Table 3 of paragraph 11 of TD 2010/19 or such determinations or policies of the Australian Tax Office that supersede it. (As at October 2011 – Incidental Expenses (per day) \$24.05)

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- Where Councillors' accommodation expenses are not prepaid by Council or are not included in the seminar, conference, event or briefing fee, the monetary limits per day for those expenses are those set out under 'Accommodation' in Tables 3 and 4 (see Appendix A) of paragraph 11 of TF 2010/19 or such determinations or policies of the Australian Tax Office that supersede it.

With the approval of the Mayor and General Manager, a Councillor may expend more than the individual monetary limits per day for meals and incidental expenses, provided that the overall monetary limit per day in that case will be the sum of all of the monetary limits per day for meals and incidental expenses.

On completion of a discretionary trip or attendance, Councillors should provide a written report to Council on the aspects of the attendance that are relevant to Council's business and/or the local community. A report is not required for the annual conference of the Local Government and Shires Associations.

Where applicable the standard of any equipment, facility or service to be provided shall be to the maximum standard prescribed in this Policy.

2.2 Requirement for receipts

Council will not reimburse any expenses unless a receipt or tax invoice is produced and the necessary claim forms completed.

2.3 Payment of Reimbursed claims

Councillors are to submit all claims for reimbursement, including all travel expenses, to the General Manager or delegate in a form and manner acceptable to the General Manager in the circumstances to enable full assessment of the claim on a monthly basis and these will be paid with their monthly allowance. Tax invoices and receipts are to be supplied to support claims. All payments to Councillors will be via direct deposit to their nominated bank account. Councillors are to seek reimbursement for their expenses within three (3) months of the expense being incurred.

Should a determination be made that a claim should not be paid, the General Manager shall explain such decision to the Councillor and should the Councillor still believe that the claim should be paid, in part or in full, it shall be considered that a dispute exists.

In the event of a dispute at any time regarding this Policy, the parties to the dispute shall provide a written report on the nature of the dispute. The General Manager shall submit such reports to the next meeting of Council to have the dispute determined by a resolution of Council having regard to this Policy, the Act and any other relevant law. The decision of Council shall be binding on all of the parties.

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2.4 Accommodation and meal expenses

Councillors shall be accommodated in the hotel where the conference, seminar, or training course is being held or the nearest hotel to it that is of a similar standard, or as authorised by the host organiser where the conference is not located within the Sydney metropolitan area. Accommodation shall be provided at the rate of a double room.

Such attendance to be confirmed by Council with reimbursement of costs and expenses to be made upon the production of appropriate receipts and/or tax invoices and completion of the required claim forms. Alternatively, accommodation can be booked by Council order form and allowance for incidental expenses as provided under clause (2.5).

2.5 Incidental Expenses

Incidental expenses such as public transport fares, parking fees, phone/fax expenses and expenses incurred as the result of the purchase of refreshments during meetings related to council business or meals not included in the registration fees for conferences or similar functions, will be reimbursed by Council on production by the Councillor of the relevant receipts together with an approved claim form in accordance with Table 3 of paragraph 11 of TD 2010/19 (see clause 2.1).

Council will not meet any expenses for alcohol, cigarettes or personal requirements. Council will not fully fund any activity where the Councillor is not in attendance for at least 90% of the specified activity. Other than in the most exceptional circumstances, where Councillor's expenses have been met by Council but the Councillor does not attend at least 90% of the activity, that Councillor will be required to show cause why they should not reimburse Council for any costs incurred.

2.6 Payment of expenses for spouses, partners and accompanying persons

In this clause *accompanying person* means *a person who has a close personal relationship with a Councillor and/or provides carer support to the Councillor.*

Where the attendee is accompanied at a conference or seminar by his or her spouse or partner or accompanying person, the attendee will be required to meet all costs associated with their spouse or partner or accompanying person's travel expenses, additional accommodation expenses, tours and attendance unless otherwise resolved by Council.

Council will meet the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature. Examples would be Australia Day award ceremonies, citizenship ceremonies and civic receptions. Such functions would be those that a Councillor's or General Manager's spouse, partner or accompanying person could be reasonably expected to attend.

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By resolution of Council, costs and expenses incurred by the Mayor, Councillors (or General Manager or nominee) for other events or functions on behalf of their spouse, partner or accompanying person shall be reimbursed if the cost or expense relates specifically to the ticket, meal, travel and accommodation and/or direct cost of attending the function. A total pool of \$4,510 per year per term is available for this purpose.

2.7 Payments in advance

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home or for the cost of service associated with a civic duty. Councillors must fully reconcile all expenses against the cost of the advance.

Within one (1) week of incurring the cost and/or returning home the Councillor shall submit the details to the General Manager for verification and pay back to Council any unspent money. The level of the supporting documentation is to be commensurate with the nature of the expenditure. The maximum value of a cash advance is \$563.20.

2.8 Approval arrangements

Approval for discretionary trips and attendance at conferences and the like should be where possible, approved by a full meeting of the Council. If this is not possible then the approval should be given jointly by the Mayor and the General Manager. If the Mayor requires approval to travel outside of council meetings it should be given jointly by the Deputy Mayor or another Councillor and the General Manager.

2.9 Attendance at seminars and conferences

Council will allocate up to \$24,000 per year (including GST) to fund attendance at conferences, investigatory delegations and similar events. However, Council may agree to allocate additional funds in specific cases where it decides that there is a benefit to council from the attendance.

The following seminars, conferences and meetings are endorsed for attendance by council representatives:

- C Division Conference (Any Councillors and General Manager)
- Annual conference of the Local Government and Shires Association / One Association - (Three (3) Councillors and General Manager)
- Roads Congress (Two (2) Councillors and General Manager)
- OROC meetings
- Country Mayor's Association meetings
- Australian Council of Local Government (Mayor)

After returning from the conference, Councillors or a member of council staff accompanying the councillor/s, should provide a written report to council on the aspects of the conference relevant to council business and/or the local community.

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No written report is required for the Annual Conferences of the Local Government and Shires Association.

Requests for attendance at other conferences or seminars should be lodged in writing outlining the benefits for Council.

Council will meet the costs of conference / seminar registration fees including the costs of related official lunches and dinners and associated tours where they are relevant to the business and interests of the Council. Council will also meet the reasonable cost of transportation and accommodation associated with attendance at the conference and Council shall meet the cost of breakfast, lunch and dinner for Councillors where any of the meals are not provided as part of the conference, seminar or training course.

2.10 Registration fees

Registration fees for attendance at Council approved conferences and seminars will be paid by Council. These fees will include the costs of related official lunches and dinners and associated tours where they are relevant to the business and interests of the council.

2.11 Travel Expenses

Council will meet all reasonable costs of transportation to and from conferences and seminars when they are not included in the conference fees. Councillors are entitled to use Taxis provided that the cost of a single trip does not exceed \$100 (including GST).

All travel by councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

Travel arrangements can include the use of a private vehicle, public transport, taxis, or travel using a council vehicle. Costs associated with parking fees and road tolls will be refunded on production of a receipt. The driver is personally responsible for all traffic or parking fines incurred while travelling in private or council vehicles on council business.

Claims for travelling expenses under this Policy shall include details of:

- Date and place of departure
- Date and place of arrival
- Distance travelled
- Fares and parking fees paid
- Amount claimed as travelling allowances
- Total amount of claim

Travel in a Councillor's own vehicle to Council and Committee meetings, formal or social functions or activities or other meetings involving the community whilst representing Council where attendance is approved by the Mayor and/or General Manager is to be paid at the per kilometre rate payable for claims by staff in the Local Government (State) Award.

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Where the approved meeting, function or activity is within the Warrumbungle Shire Council boundary, reimbursement shall be on the basis of the distance from the Councillor's principal place of residence (if it is within the Warrumbungle Shire Council boundary) to the venue or, if the Councillor resides outside the Warrumbungle Shire Council boundary, from the Warrumbungle Shire Council boundary to the venue.

Where the Councillor uses his/her own vehicle to travel to an approved function that is outside the Warrumbungle Shire Council boundary then council's reimbursement will be based on the total distance travelled from residence to venue and return if the Councillor resides within the Warrumbungle Shire Council boundary. If the Councillor does not reside within the Warrumbungle Shire Council boundary, then Council will reimburse the distance either:

- a) from the Councillor's residence to the venue, or
- b) from the Warrumbungle Shire Council boundary closest to the Councillor's residence to the venue, whichever is the lesser.

Claims for the above expenses require the submission of a claim form signed by the claimant detailing date, distance and reason for journey(s) with such claims to be submitted monthly.

Travel associated with authorised conferences, seminars and meetings may be undertaken by Council vehicle (where available) subject to prior approval by the General Manager, with fuel expenses etc. to be met by Council.

Council will meet the cost of return economy air travel or equivalent payment for attendance at authorised conferences/seminars.

Elected members using private vehicles will be paid the kilometre rate to a maximum payment, which is not to exceed economy class air fares to and from the particular destination.

All travel by Councillors that involves an overnight stay of one or two nights must be authorised in advance by the Mayor and General Manager (or in the event that the Mayor requires approval to travel outside of council meetings approval should be given jointly by the deputy mayor or another councillor and the general Manager.)

All travel by Councillors that involves an overnight stay of more than two nights must be authorised in advance by the Council.

Where travel for Council business or approved activities outside of the local government area is to be undertaken – arrangements for both travel and accommodation must be made through the General Manager and will be by the most practical method.

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Prior approval of travel should generally be required for interstate travel. The application for approval should include full details of the travel, including itinerary, costs and reasons for the travel.

Overseas travel on behalf of council must be approved by a meeting of the full council prior to a councillor undertaking the trip.

2.12 Attendance at dinners and other non-council functions

The costs of attendance by Councillors at dinners and other non-council functions which provide briefings to councillors from key members of the community, politicians and business will only be met by Council when the function is relevant to the council's interests and authorised by Council in advance.

No payment shall be made by Council for attendance by a councillor at any political fundraising event, for any donation to a political party or candidate's electoral fund, or for some other private benefit. Any expenses to be incurred that would be directed towards such events and activities will not be approved for payment.

2.13 Gifts

Where it is appropriate for councillors **to give** a gift or benefit, these gifts and benefits will be of token value and in accordance with council's Code of Conduct.

2.14 Training and Educational expenses

Council will only meet the costs of training or attendance at an educational course that is directly related to the Councillor's civic functions and responsibilities and is approved by Council prior to undertaking such training or attendance. Council will allocate up to \$ 1500 per year per councillor (including GST) to fund relevant training and educational courses and attendances at briefings.

2.15 Telephone and internet expenses

Except as otherwise set out in this policy, Council will not reimburse Councillors for telephone expenses incurred in using their private/mobile phones for Council business. Phones are available for Councillors' use at the Coolah and Coonabarabran offices of Council.

2.16 Mobile telephone

Council shall meet the cost of a mobile telephone for the Mayor, for which Council shall pay rental and 100% of metered calls charged against that service, to a limit of \$205 per month for Council business calls and \$20 per month for incidental personal calls, provided that the number is available to be given out for general public information.

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2.17 Internet

Council shall meet the cost of providing and maintaining an internet connection at the residence of the Councillor by an allowance of \$50.00 per month to cover Councillors' costs of communication via computer OR provision of a facsimile machine.

2.18 Insurance Provisions

Council will maintain adequate insurance against public liability and professional indemnity for matters arising out of Councillors' performance of their civic duties and/or exercise of their council functions.

Council shall pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

2.19 Legal Expenses and Obligations

Council shall, if requested, indemnify or reimburse the reasonable legal expenses to a maximum of \$200,000 of:

- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act; or
- a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act, provided that the outcome of the legal proceedings is favourable to the councillor; or
- a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter before investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a councillor, legal costs will only be made available where a matter has been referred by the General Manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs will only be made available where a formal investigation has been commenced by the Division of Local Government. Legal costs must only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This can include circumstances in which a matter does not proceed to a finding.

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act shall be distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly by using knowledge of a proposed rezoning for private gain is not covered by this provision.

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Council shall not meet the costs for any legal assistance in respect of legal proceedings initiated by a Councillor in any circumstances.

Council must not meet the legal costs of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Council shall not meet the costs of any enquiry, investigation or hearing initiated at the request of, or to any legal proceedings taken by, Council itself.

2.20 Special requirements of Councillors – Care and Other Related Expenses

Council shall meet reasonable expenses associated with any special requirements of a Councillor, such as disability and access needs, in order to discharge the functions of civic office.

Council will meet reasonable costs of facilitating access to council premises, functions and activities where, by reason of disability, care-giver role or other special need, a councillor would not otherwise have equity of access with other councillors. Such support will allow the fullest participation reasonably possible. Council will reimburse the reasonable cost of care arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of councillors to allow councillors to undertake their council business obligations.

The total amount paid to a Councillor under this provision shall not exceed \$800 per year of term.

Part 3 – PROVISION OF FACILITIES

Councillors shall not generally obtain private benefit from the provision of equipment and facilities. However, incidental personal use of Council equipment and facilities may occur from time to time without requiring reimbursement of the cost by a Councillor. No entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral fee or the Councillors fee.

Unless otherwise authorised in this Policy, if a Councilor does obtain a private benefit for the use of a facility provided by Council the Councilor shall be invoiced for the amount of the private benefit with repayment to be in accordance with Council's normal terms.

The value of the private benefit shall be determined by Council in non-confidential session of a Council meeting.

Equipment, facilities and services provided under this Policy shall not be used to produce election material or for any other political purposes.

WARRUMBUNGLE SHIRE COUNCIL

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3.1 Mayoral Expenses, Facilities, Equipment and Services

The Mayor will be entitled to receive the following benefits:-

- a) Provision of a Council vehicle for appropriate use by the Mayor to carry out his duties as Mayor. Council to meet all costs associated with the provision of the vehicle. The Mayor will have no right of private use of this vehicle.
- b) Secretarial services relating to the discharge of his/her civic functions, including use of official stationery, writing pads, pens, diaries, folders and postage of official correspondence.
- c) Administrative assistance associated with civic functions, meetings and the like.
- d) Office refreshments
- e) Supply of Name Badges, Business Cards, Diaries and Attaché Case.

3.2 Elected Members – Facilities, Equipment and Services

The Councillors including the Deputy Mayor are entitled to receive the following benefits:-

- a) Use of Council Chambers, telephone and limited hospitality facilities (tea and coffee) for Council business or functions or community consultation.
- b) Secretarial services relating to the discharge of his/her civic functions, including use of official stationery where authorised by Mayor or General Manager.
- c) Postage of official correspondence dealing with Council business.
- d) Access to facsimile and photocopying facilities for Council related business.
- e) Transport to official functions when deputising for the Mayor. (ie) Use of Mayoral vehicle if required.
- f) Supply of Name Badges and Note Books.

3.3 Bluetts Handbook

Provide all Councillors with a copy after their election.

3.4 Policies

Provide all Councillors with a full and up to date copy of policies and manuals.

Part 4 – OTHER MATTERS

4.1 Acquisition and return of equipment and facilities by Councillors

At the completion of their term of office, during extended leave of absence or cessation of civic duties, Councillors are to return equipment and other facilities to the General Manager. At the cessation of their duties, the option to purchase at a fair market price or written down value of equipment previously allocated to Councillors will be subject to determination by Council.

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4.2 Status of the Policy

This is the second version of the Policy. This Policy replaces the previous version of the Policy adopted by Council on 21 October 2010 Minute No. 123.

24 November 2011, Minute No. 181. The Policy shall only be amended at a subsequent meeting of Council, subject to compliance with the Act.

Appendix A

Table 3: Employee's annual salary – \$172,701 and above				
Place	Accomm. \$	Food and drink \$ B'fast 27.00 Lunch 38.00 Dinner 65.00	Incidentals \$	Total \$
Adelaide	209	130.00	24.05	363.05
Brisbane	236	130.00	24.05	390.05
Canberra	230	130.00	24.05	384.05
Darwin	265	130.00	24.05	419.05
Hobart	195	130.00	24.05	349.05
Melbourne	265	130.00	24.05	419.05
Perth	275	130.00	24.05	429.05
Sydney	265	130.00	24.05	419.05
Country centres	\$190, or the relevant amount in Table 4 if higher	130.00	24.05	Variable – see Table 4 if applicable

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Country centre	\$	Country centre	\$
Albany (WA)	118.20	Horsham (VIC)	113.00
Alice Springs (NT)	113.00	Jabiru (NT)	198.00
Ballarat (VIC)	122.50	Kalgoorlie (WA)	138.50
Bendigo (VIC)	122.00	Karratha (WA)	285.00
Bright (VIC)	113.00	Katherine (NT)	120.50
Broome (WA)	214.00	Kununurra (WA)	182.00
Bunbury (WA)	122.50	Launceston (TAS)	115.50
Burnie (TAS)	125.00	Mackay (QLD)	132.50
Cairns (QLD)	123.00	Maitland (NSW)	111.50
Carnarvon (WA)	146.30	Mount Isa (QLD)	158.50
Christmas Island (WA)	150.00	Newcastle (NSW)	132.50
Cocos (Keeling) Islands	110.00	Newman (WA)	195.00
Dalby (QLD)	110.00	Norfolk Island	132.50
Dampier (WA)	174.40	Port Hedland (WA)	270.00
Derby (WA)	181.50	Port Lincoln (SA)	112.00
Devonport (TAS)	128.50	Port Macquarie (NSW)	115.00
Echuca (VIC)	122.30	Queanbeyan (NSW)	113.50
Emerald (QLD)	119.50	Tamworth (NSW)	111.00
Esperance (WA)	118.00	Thursday Island (QLD)	180.00
Exmouth (WA)	190.00	Townsville (QLD)	124.00
Geelong (VIC)	121.00	Wagga Wagga (NSW)	117.50
Geraldton (WA)	133.50	Warmambool (VIC)	114.20
Gladstone (QLD)	118.50	Weipa (QLD)	138.00
Gold Coast (QLD)	135.00	Whyalla (SA)	118.00
Halls Creek (WA)	147.50	Wilpena-Pound (SA)	142.00
Hervey Bay (QLD)	119.00	Wonthaggi (VIC)	122.00
Horn Island (QLD)	169.00	Yulara (NT)	331.00

POLICY DOCUMENT CONTROL:

Policy		Resolution	Date
Payment of Expenses Policy	Endorsed	233	16 June 2005
Payment of Expenses Policy	Amendment	49	18 August 2005
Payment of Expenses Policy	Amendment	393	18 May 2006
Payment of Expenses Policy	New Policy endorsed	199	17 December 2009
Payment of Expenses Policy	Revised Version	123	21 October 2010
Payment of Expenses Policy	Revised Version	181	24 November 2011

WARRUMBUNGLA SHIRE COUNCIL

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1.7 November Report - Manager Human Resources

Noted

1.8 Mining Related Councils

182/1112 RESOLVED that Council note the appointment of the 2012 Mining Related Councils Executive Committee.

**Schmidt/Todd
The motion was carried**

1.9 Sister City – Ibara City Japan

183/1112 RESOLVED that the report of the visit to Ibara City, Japan in October 2011 be received and noted.

**Sullivan/Campbell
The motion was carried**

1.10 Australia Day Awards

184/1112 RESOLVED that the following awards be made for presentation on Australia Day 2012:

- that Rita Keech of Coonabarabran receive Council's Citizen of the Year Award
- that Lewis Varty of Baradine receive Council's Young Citizen of the Year Award
- that Woody Carberry of Coolah receive Council's Senior Citizen of the Year Awards
- that Gabi Olsen of Baradine receive Council's Sportsperson of the Year Award
- that Jessica Cormie of Coonabarabran receive Council's Young Sportsperson of the Year Award

**Powell/Schmidt
The motion was carried**

185/1112 RESOLVED that Council conduct a debrief after Australia Day to discuss organisation issues.

**Sullivan/Campbell
The motion was carried**

1.11 Staff Awards 2011

186/1112 RESOLVED that Council accept the recommendation from MANEX and present Paul Sullivan with a Warrumbungle Shire Council Employee Excellence in Achievement Award.

**Schmidt/Lewis
The motion was carried**

1.12 Leave of Absence – Cr Dissanayake

Councillor Tilak Dissanayake has advised Council by letter dated 16 November 2011 that he will be unable to attend the Ordinary Council Meeting scheduled for 24 November 2011 and will therefore be absent.

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A Motion was moved by Cr Campbell and seconded by Cr Schmidt, that the Leave of Absence for Cr Dissanayake be granted.

187/1112 An Amendment was moved by Cr Coe and seconded by Cr Lewis, that the Leave of Absence for Cr Dissanayake not be granted.

The Amendment was put and Carried.

The Amendment became the substantive Motion and was Put and Carried.

1.13 Community Strategic Plan

188/1112 RESOLVED

- i. That Council receive and adopt the Preliminary Draft (November 2011) Warrumbungle Shire Community Strategic Plan (CSP) and
- ii. place the document on public exhibition for community input, and
- iii. note that the final CSP sessions to be held in each town in early 2012.

These Q&A session dates are proposed as follows;

- Dunedoo - Tuesday 31 January 2012 6pm - 8pm
- Coolah - Wednesday 1 February 2012 6pm - 8pm
- Binnaway - Thursday 2 February 2012 6pm - 8pm
- Coonabarabran - Tuesday 7 February 2012 6pm - 8pm
- Baradine - Wednesday 8 February 6pm - 8pm
- Mendooran - Thursday 9 February 6pm - 8pm

**Schmidt/Coe
The motion was carried**

1.14 Details of 2011-2012 Grant Calculations

Noted

1.15 Notice of Motion

189/1112 RESOLVED that with Council's current knowledge of coal seam gas extraction Warrumbungle Shire Council does not support coal seam gas mining within the Shire and encourages surrounding Councils to do likewise.

**Schmidt/Sullivan
The motion was carried**

1.16 Management Plan Quarterly Review – September 2011

190/1112 RESOLVED that the Management Plan Quarterly Review – September 2011 be received and noted.

**Schmidt/Powell
The motion was carried**

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191/1112 **RESOLVED** that costings be obtained on road construction for the Stannix Park land acquisition project and a report brought back to Council.

Sullivan/Schmidt
The motion was carried

192/1112 **RESOLVED** that Council write to the Minister for Health seeking an explanation regarding inconsistency with the pricing of food services (Meals on Wheels) across the Warrumbungle Shire Council area.

Sullivan/Schmidt
The motion was carried

ACTING DIRECTOR CORPORATE SERVICES

2.1 Bank Reconciliation – Month Ending October 2011

193/1112 **RESOLVED** that the Bank Reconciliation as at 31 October 2011 be received and noted.

Schmidt/Lewis
The motion was carried

2.2 Rates and Charges Collection Report up to and including October 2011

194/1112 **RESOLVED** that the Rates and Charges Collection Report as at the end of October 2011 be received and noted.

Schmidt/Lewis
The motion was carried

2.3 Budget Review – end of September 2011

195/1112 **RESOLVED** that the Budget review as at the end of September 2011 be received and noted.

Schmidt/Lewis
The motion was carried

DIRECTOR TECHNICAL SERVICES

3.1 Tender for Reading of Water Meters within the Shire

196/1112 **RESOLVED** that the contract for reading water meters within the shire between the period 1 February 2012 and 30 May 2014 be awarded to PR and DM McCormack Enterprises Pty Ltd for a nominal annual price of \$20,045.92 (incl GST) subject to the following conditions:

- Submission to Council of insurance coverage for public liability, workers compensation and motor vehicle insurance.
- Purchase of meter reading hardware that is able to integrate with Council's electronic database.

Lewis/Campbell
The motion was carried

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3.2 2012/2013 Regional Road Repair Program

197/1112 RESOLVED that Council's priority for REPAIR programme funding in 2012/2013 and Forecast Programme is as follows:

Project No.	Project Description	Total Project Cost		
		2012/13	2013/14	2014/15
1	Realignment of vertical and horizontal approaches to Saltwater Creek No 2 on MR129 with initial seal of 1.1 km	\$800,000		
2	Rehabilitation and widening of MR55 north of Coolah, Segments 62,65,66,72		\$800,000	
5	Rehabilitation and widening of MR55 south of Coolah, Segments 28, 29			\$800,000
Total		\$800,000	\$800,000	\$800,000

Sullivan/Lewis
The motion was carried

3.3 Newell Highway Task Force – Draft Five Year Vision Statement

198/1112 RESOLVED:

1. That Council note the Vision Statement for Freight Access along the Newell Highway as proposed by the Newell Highway Taskforce and provide concurrence to the contents of the Statement.
2. That Council is represented at future meetings of the Newell Highway Taskforce by the Mayor, Cr Lewis and Director Technical Services, with the next meeting to be held in Narrandera on 13 February 2012.

Lewis/Powell
The motion was carried

ACTING DIRECTOR ENVIRONMENTAL SERVICES

4.1 State of Environment Report

199/1112 RESOLVED that Council adopt the tabled Regional State of the Environment Report 2010-2011.

Powell/Campbell
The motion was carried

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4.2 Re-Classification of Public Land

200/1112 RESOLVED:

- (a) That Public Hearings be conducted in relation to the proposed Reclassification in Coolah and Coonabarabran in accordance with the relevant provisions of the Local Government Act 1993 and the Environmental Planning and Assessment Act 1979.
- (b) That the Report on outcomes from the Public Hearings be made available to Councillors for further consideration.

Campbell/Powell
The motion was carried

4.3 Rural Addressing Issues on Warrumbungle Way

201/1112 RESOLVED that Council write to the affected residents who own property along the section of the Warrumbungle Way east of Coolah to advise them of the need to change the road name and request their input into a proposed name and that the matter be brought back to Council for determination.

Powell/Lewis
The motion was carried

4.4 Proposal for Funding within current 2011-12 Budget for a Pool Kiosk Retainer at Baradine Pool

202/1112 RESOLVED that Council modify the 2011-2012 budget to allow for a retainer of up to \$3450 for the operation of a Pool Kiosk at Baradine Pool, with an effective start date of 1 December 2011 until close of the pool on 29 March 2012.

Campbell/Todd
The motion was carried

4.5 Development Applications

203/1112 RESOLVED that Council note the Applications Received for the month of September 2011, the Applications Held Pending as at 31 September 2011 and their status, and of those approved during September 2011, under Delegated Authority.

Sullivan/Campbell
The motion was carried

4.6 Warrumbungle Shire Council 149 Certificates Processed October 2011

204/1112 RESOLVED that the 149 Certificates processed as at October 2011 be received and noted.

Sullivan/Campbell
The motion was carried

ACTING DIRECTOR COMMUNITY SERVICES

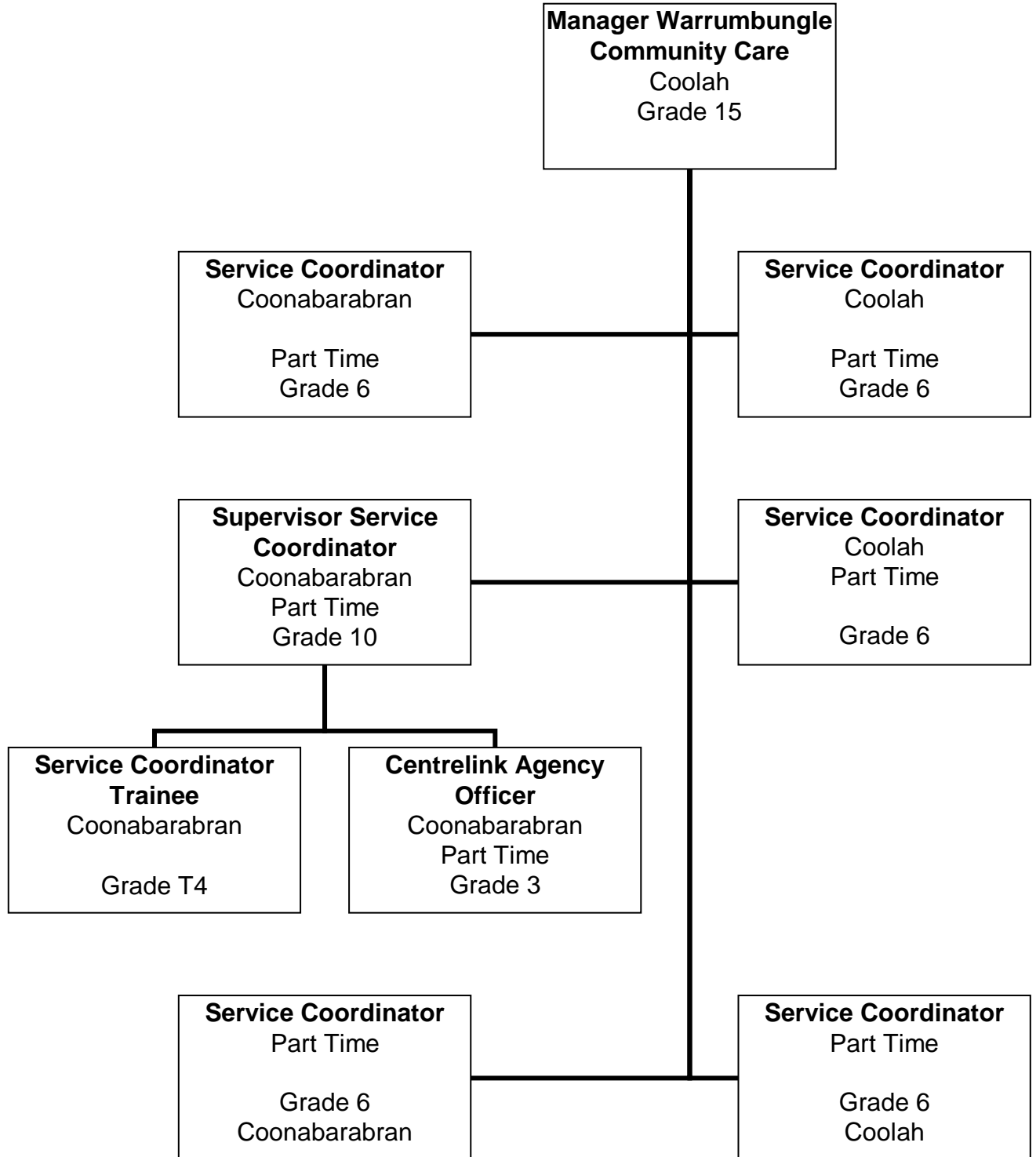
5.1 Restructure Warrumbungle Community Care - Coonabarabran

205/1112 RESOLVED that Council accept the proposed Warrumbungle Community Care structure subject to endorsement from the Consultative Committee and approval from the General Manager.

Sullivan/Campbell
The motion was carried

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5.2 National Rural and Remote Health Infrastructure Program Baradine

206/1112 RESOLVED that Council becomes a project partner with NSW Health, Baradine Progress Association and the Baradine Health Council, providing the necessary auspice for a National Rural and Remote Health Infrastructure Program Round six application to be submitted to fund the Baradine MPS Nurses and Allied Professionals Accommodation Project. **Furthermore** that Council provide an in-kind commitment for site clearing works in the 2012-2013 budget of \$10,000.

**Schmidt/Campbell
The motion was carried**

5.3 Boat Ramp Castlereagh River - Coonabarabran

207/1112 RESOLVED that :

1. Council undertake a minor clean up (within the current operational budget) of the boat ramp at No 3 Oval in Coonabarabran providing single boat access to the Castlereagh River,
2. The Castlereagh River is an unrestricted waterway however the depth and condition in places are not conducive to anything more than low speed trolling in small engine electric motor boats
3. Council advise the outcome to the Department Industry and Investment NSW - Fisheries Division.

**Sullivan/Schmidt
The motion was carried**

QUESTIONS FOR NEXT MEETING

Cr Lewis

- requested Ulinda Creek naming update with regard to previous Notice of Motion and the manner in which various Creeks within the Shire are named.

208/1112 RESOLVED that Council rely on the recommendation from the Geographical Names Board for naming of all Roads and Infrastructure within the Shire.

**Schmidt/Campbell
The motion was carried**

- Poplar trees on the corner of Chappell Avenue and White Street restricting sight for motorists. DTS to investigate.

Cr Todd

- Baradine Flood Study – DTS advised that a draft Flood Management Plan was being prepared and that advice has been sought from the Consultant with regard to further information needed to adequately cover some issues.
- Requested signage be installed at the disabled parking spot in Wellington Street, Baradine. DTS to investigate.

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Cr Schmidt

- Minutes of town committee meetings – ADCS advised that they will be made available at the next Ordinary Meeting.
- Crooked Mountain Concert – enquired if Council could assist with the organisation of this event.

Cr Campbell

- Guinema Road - maintenance grading required
- Give Ways signs required at the Recycle Centres at Baradine and Coonabarabran

Cr Sullivan

- Requested an update on the Ulamambri Bridge – DTS advised that geotechnical reports, initial survey and design work was being prepared.

Cr Powell

- Advised that Mount Hope Road requires attention – DTS to investigate.
- Possibility of using Roundup to control roadside grass instead of slashing –DTS advised that this was worth investigating. The Mayor advised of the danger of weed resistant chemicals and spray drift.
- New building/subdivision developments – is it feasible to place power underground – ADES spoke about the increased cost and impact on prospective purchasers.

Cr Coe

- Washed out gateway on Avonside West Road – DTS to investigate
- Landholder request for a grid on Lewis Lane, east of Dunedoo (at landholder's expense) to assist with grain removal and stock crossing – DTS advised that after formal application received the matter will be addressed.

General Manager

- Advised that directional and information signage is required at the Coonabarabran Waste Depot.
- Boral Quarry – discussions held with Kevin Larcombe regarding Memorandum of Understanding and completion of a survey of the property. Advised that the original concrete proponent has withdrawn their interest. It is anticipated that a report will be brought to the December meeting.

ADES

- Advised tender documents for new Council building now available and distributed to interested parties. Tenders close 10 January 2012. Expect to conduct a Tender meeting on-site Tuesday 6 December 2011.

There being no further business the meeting closed at 12.20 pm.

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CHAIRMAN