



# **Warrumbungle Shire Council**

**Council meeting**

**Thursday, 21 November 2013**

**to be held at the Council Chambers,  
Coonabarabran**

**commencing at 10.30 am**

***Mayor***

Councillor Peter Shinton

***Deputy Mayor***

Councillor Murray Coe

***COUNCILLORS***

Councillor Gary Andrews

Councillor Anne-Louise Capel

Councillor Fred Clancy

Councillor Victor Schmidt

Councillor Chris Sullivan

Councillor Ron Sullivan

Councillor Denis Todd

***MANAGEMENT TEAM***

Steve Loane (General Manager)

Rebecca Ryan (Director Corporate Services)

Kevin Tighe (Director Technical Services)

Fiona Luckhurst (Acting Director Environmental &  
Community Services)

# Warrumbungle Shire Council

## Vision

Excellence in Local Government

## Mission

We will provide:

- Quality, cost effective services that will enhance our community's lifestyle, environment, opportunity and prosperity.
- Infrastructure and services which meet the social and economic needs and aspirations of the community now and in the future.
- Effective leadership and good governance, by encouraging teamwork, through a dedicated responsible well trained workforce.

## We Value

### Honesty

Frank and open discussion, taking responsibility for our actions

### Integrity

Behaving in accordance with our values

### Fairness

Consideration of the facts and a commitment to two way communication

### Compassion

Working for the benefit and care of our community and the natural environment

### Respect

To ourselves, colleagues, the organisation and the community listening actively and responding truthfully

### Transparency

Open and honest interactions with each other and our community

### Passion

Achievement of activities with energy, enthusiasm and pride

### Trust

Striving to be dependable, reliable and delivering outcomes in a spirit of goodwill

### Opportunity

To be an enviable workplace creating pathways for staff development

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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**NOTICE** is hereby given that the **ORDINARY MEETING** of Council will be held on Thursday, 21 November 2013 at the Council Chambers, Coonabarabran commencing at 10.30am

## **AGENDA**

Welcome

Turn Off Mobile Phones

### **Order of Business**

#### **Forum**

Greg Smith – regarding water connection to southern end of Namoi Street, Baradine

#### **Presentation immediately following public forum:**

Robert Smith from NP&WS

#### **Apologies**

#### **Disclosure of Interest**

**Pecuniary Interest**

**Non Pecuniary Conflict of Interest**

#### **Reports**

#### **Questions and Matters of Concern**

#### **Reports to be considered in Closed Council**

Item 1C Financial Tendering for Supply of Concrete Pipes

Item 2C Financial Tendering for Supply of Hardware

.....  
**STEVE LOANE**  
**GENERAL MANAGER**

# **WARRUMBUNGL SHIRE COUNCIL**

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### **Matter to be dealt with “in committee”**

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

The items relate to Tenders and are classified CONFIDENTIAL under Section 10A(2) (c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

.....  
**STEVE LOANE**  
**GENERAL MANAGER**

# WARRUMBUNGLE SHIRE COUNCIL

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# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 1 Minutes of Ordinary Council Meeting – 17 October 2013

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Administration & Customer Service – Sally Morris
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

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**PRESENT:** Cr Murray Coe (Chairman), Cr Andrews, Cr Capel, Cr Clancy, Cr Schmidt, Cr C Sullivan, Cr R Sullivan, Cr Todd, General Manager (Steve Loane), Director Technical Services (Kevin Tighe), Acting Director Corporate Services (Stefan Murru) and Temporary Manager Communications & Community Services (Chris White) and Manager Regulatory Services (Michael Marks).

**In attendance:** Manager Administration & Customer Service (S Morris) (minutes)

**Cr Coe took the chair**

**APOLOGIES:** Cr Peter Shinton and Director Corporate Services (Rebecca Ryan)

**133/1314 RESOLVED** that in accordance with Resolution 20/1314 granting leave of absence, that the apologies of Cr P Shinton be accepted and **FURTHER** that the apologies of the Director Corporate Services also be accepted.

**R Sullivan/Schmidt**  
**The motion was carried**

**10.01am**

Presentation by Council's external Auditor, Mr Paul Cornall of Forsyths, regarding Audit of 2012/2013 Financial Statements.

**10.59am**

Presentation finished.

**134/1314 RESOLVED** that standing orders be suspended to break for morning tea.

**C Sullivan/Clancy**  
**The motion was carried**

**11.21am**

**135/1314 RESOLVED** that standing orders be resumed.

**Capel/Schmidt**  
**The motion was carried**

**Declaration of Pecuniary and Non-Pecuniary Interest**

Cr Clancy and Cr Coe declared a pecuniary interest in Item 31 regarding Swimming Pools Inspection Program as pool owners.



# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### REPORTS

#### Item 1 Minutes of Special Council Meeting – 19 September 2013

**136/1314 RESOLVED** that the resolutions contained in the Minutes of the Special Council meeting held on 19 September 2013 be endorsed.

**Capel/Schmidt**  
**The motion was carried**

#### Item 2 Minutes of Ordinary Council Meeting – 19 September 2013

**137/1314 RESOLVED** that the resolutions contained in the Minutes of the Ordinary Council meeting held on 19 September 2013 be endorsed.

**Schmidt/Capel**  
**The motion was carried**

#### Item 3 Minutes of Traffic Advisory Committee Meeting – 26 September 2013

##### **138/1314 RESOLVED:**

1. That Council accepts the Minutes of the Traffic Advisory Meeting held on 26 September 2013 at Coonabarabran
2. That Sacred Heart Catholic Church direction signs be erected, as per Australian Standard, at the intersections of Binnia Street and Charles Street and, Charles Street and Church Street, Coolah.
3. That request by Dubbo City Council to conduct the Toyota Tour de OROC Bike Ride along the Newell Highway, MR129 and various town streets within Coonabarabran and Baradine on 7-8 October 2013 be approved subject to compliance with RMS and NSW Police Force guidelines.
4. That request by Coonabarabran RSL to close John Street and Dalgarno Street between 11.00 am and 11.15 am on 11 November 2013 to conduct the annual Remembrance Day Service be approved subject to compliance with Council's Road Closure Policy and approval from RMS and NSW Police Force.
5. That request by Coolah Lions Club to close Binnia Street between 4.30 pm and 9.00 pm on 14 December 2013 to conduct the Annual Christmas Parade be approved subject to compliance with Council's Road Closure Policy and approval from RMS and NSW Police Force.
6. That Billy Kings Creek Crossing No 1 causeway on Purlewaugh Road be better delineated through the use of advance warning signs and guideposts.

**Schmidt/Capel**  
**The motion was carried**

#### Item 4 Minutes of the Audit and Risk Management Committee Meeting – 5 September 2013

##### **139/1314 RESOLVED:**

1. That Council accepts the Minutes of the Audit and Risk Management Committee meeting held on 5 September 2013 at Coonamble;
2. That the progress on action list items be noted;
3. That the Internal Audit Report as amended be noted;
4. That the action items list be updated to reflect completion dates for Management Letter Points.

**Todd/Capel**  
**The motion was carried**

# WARRUMBUNGLE SHIRE COUNCIL

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### **Item 5 Minutes of the Baradine Memorial Hall Advisory Committee**

**140/1314 RESOLVED** that the minutes of the Baradine Advisory Committee held on 30 July 2013 be accepted.

**Todd/Clancy**  
The motion was carried

### **Item 6 Responses to Questions from last meeting**

Received.

### **Item 7 Brick Bats and Bouquets**

Received.

### **Item 8 Pecuniary Interest Returns**

**141/1314 RESOLVED** that Council note the tabling of the Register of Disclosures.

**C Sullivan/Todd**  
The motion was carried

### **Item 9 Council Resolutions Report September 2012 – September 2013**

Received.

### **Item 10 LGNSW Annual Conference 2013**

Received.

### **Item 11 Restart NSW Cobbora Transition Fund**

**142/1314 RESOLVED** that Council will form and lead a community committee to formulate and investigate submissions to the NSW Restart Cobbora Transition Fund.

**Capel/R Sullivan**  
The motion was carried

**143/1314 RESOLVED** that an application be submitted to the committee for part of the \$1,000,000 already allocated to Warrumbungle Shire Council from NSW Restart Cobbora Transition Fund be used for investigation and a feasibility study of proposal for connection of Dunedoo to the natural gas supply and possible submission as a major project.

**Todd/C Sullivan**  
The motion was carried

### **Item 12 Human Resources Report on Activities**

Received.

### **Item 13 Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors**

**144/1314 RESOLVED** that the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors as amended by Council at the October 2013 meeting incorporating the new Tax Determination tables in TD2013/16, be placed on public exhibition, providing public notice of the intention to adopt a policy, and seek public submissions. **FURTHER** that the Policy and any submissions received be considered at the November 2013 Council meeting.

**Schmidt/Todd**  
The motion was carried

### **Item 14 Bank Reconciliation for month ending 30 September 2013**

**145/1314 RESOLVED** that Council accept the Bank Reconciliation Report for the month ending 30 September 2013.

**Capel/C Sullivan**  
The motion was carried

### **Item 15 Rates Report for Month Ending 30 September 2013**

# WARRUMBUNGLE SHIRE COUNCIL

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Received.

### Item 16 Investments and Term Deposits

**146/1314 RESOLVED** that Council accept the Investments Report for the month ending 30 September 2013.

**Capel/Schmidt**  
**The motion was carried**

### Item 17 Local Infrastructure Renewal Scheme – Round 3

**147/1314 RESOLVED** that this matter be deferred for consideration at November 2013 meeting.

**Schmidt/Andrews**  
**The motion was carried**

### Item 18 Warrumbungle Quarry

**148/1314 RESOLVED** that Council accepts the 2012/13 Income Statement for the Quarry business.

**Andrews/Schmidt**  
**The motion was carried**

### Item 19 Coonabarabran Men's Shed request for new Licence on Lot 1 DP 1171050

**149/1314 RESOLVED** that Council offer a three (3) year licence to the Coonabarabran Men's Shed Incorporated with the option to extend to a six (6) year Licence and that the lease be drawn up to include the extra space requested.

**R Sullivan/Schmidt**  
**The motion was carried**

### Item 20 Bushfire Surveillance Camera

**150/1314 RESOLVED** that Council allow this project to proceed using Council's auditable accounting system and approves the General Manager to sign the MOU.

**Clancy/Capel**  
**The motion was carried**

1.13 pm

**151/1314 RESOLVED** that standing orders be suspended to break for lunch.

**Andrews/Schmidt**  
**The motion was carried**

11.48pm

**152/1314 RESOLVED** that standing orders be resumed.

**C Sullivan/R Sullivan**  
**The motion was carried**

### Item 21 2014/15 Regional Road REPAIR Program

**153/1314 RESOLVED** that Council's priority for REPAIR programme funding in 2014/15 and forecast programme is as follows:

Project No.	Project Description	Total Project Cost			
		2014/15	2015/16	2016/17	2017/18
1	Mow Creek, MR396 Construction of a new bridge over Mow Creek including realignment of vertical and horizontal approaches.	\$800,000			
2	MR55 Segments 64,63,62,61(north of Coolah)		\$800,000		

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	Rehabilitation including culvert widening, pavement widening and overlay.				
3	MR55 Segments 60,59,58 (north of Coolah) Rehabilitation including culvert widening, pavement widening and overlay.			\$800,000	
4	MR55 Segments 69,68,67 (north of Coolah) Rehabilitation including culvert widening, pavement widening and overlay.				\$800,000
<b>Total</b>		<b>\$800,000</b>	<b>\$800,000</b>	<b>\$800,000</b>	<b>\$800,000</b>

Andrews/Clancy  
The motion was carried

### **Item 22 2013/14 Technical Services Works Program – Road Operations, Urban Services & Water Services**

Report noted as information only.

**154/1314 RESOLVED** that the recommendations in the following Items be endorsed:

#### **Item 23 DHS Agency Services**

That Council accepts the 2012-2013 Financial Statements and review of the DHS agency.

#### **Item 24 Connect Five Children's Services Review**

That Council accepts the 2012-2013 Financial Statements and review of Connect Five Children's Services.

#### **Item 25 Coonabarabran After School and Vacation Care (OOSH) Review**

That Council accepts the 2012-2013 Financial Statements and review of Coonabarabran After School and Vacation Care.

#### **Item 26 Warrumbungle Community Care 2012-2013 Review**

That Council accepts the 2012-2013 Financial Statements and review of Warrumbungle Community Care.

#### **Item 27 Castlereagh Family Day Care 2012-2013 Review**

That Council accepts the 2012-2013 Financial Statements and review of Castlereagh Family Day Care.

#### **Item 28 Youth Development Program Review**

That Council accepts the 2012-2013 Financial Statements and review of Youth Development Program.

#### **Item 29 Yuluwirri Kids Preschool and Long Day Care Centre 2012-2013 Review**

That Council accepts the 2012-2013 Financial Statements and review of Yuluwirri Kids Preschool and Long Day Care Centre.

Clancy/R Sullivan  
The motion was carried


### **Item 30 Street Stall Policy**

**155/1314 RESOLVED** that Council adopt the new Street Stall Policy as follows:

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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	<b>Street Stall Policy</b>
	<b>Strategic</b>

### **Purpose**

The purpose of this policy is to give clear guidelines as to Council's requirements and expectations for the use of public footpath areas for activities such as street stalls and raffle ticket selling.

### **Objectives of the Policy**

This policy will ensure that street stall activities do not adversely impact on residents or business operators, whilst at the same time provides an equitable opportunity for fundraising for all appropriate organisations.

### **Policy Scope**

This policy applies to all street stalls and raffle ticket selling conducted within the Warrumbungle Shire.

### **Policy Statement**

- i. All applications for a street stall shall be made with Council's application form and submitted at least 14 days prior to the proposed date of the activity and must indicate the times required.
- ii. Any organisation using a public footpath must keep effective public liability insurance cover for a minimum of \$20 million which indemnifies the organisation conducting the fundraising activity and Warrumbungle Shire Council against any claims for injury to person, or damage to property as a result of the fundraising activity.
- iii. Evidence of the public liability insurance cover must be provided with every application.
- iv. Consideration for street stalls will only be given to those located within the central business district of each town and village within the Shire.
- v. Consideration of street stall applications shall include affected shop owners, safety, pedestrian access and amenity.

### **Responsibilities**

The policy will be enforced by staff within the Environmental Services Department.

### **Associated Documents**

Application to Place Articles & Items on the Footpath

### **Getting Help**

The staff member who can assist with enquiries about the policy;

*Position:* Environmental Administration Officer

*Department:* Environmental Services

### **Version Control**

Staff Member Responsible for Review: Manager of Regulatory Services

This policy is subject to regular review at a maximum interval of two years.

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

Policy Name	Action	Resolution No.	Date
Local Approvals Policy	Adopted		
Street Stalls Policy	Draft		

**Schmidt/Andrews**  
**The motion was carried**

**2.02pm**

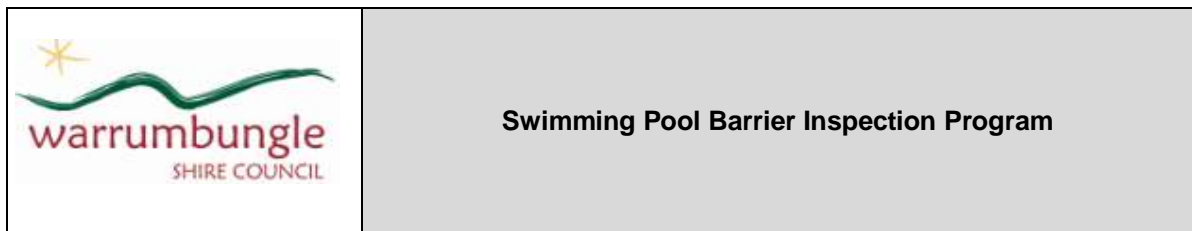
Cr Clancy declared a pecuniary interest in the next item before Council regarding swimming pools inspection program as a pool owner and left the room.

Cr Coe declared an interest as a pool owner but remained in the meeting.

### **Item 31 Swimming Pools Inspection Program**

**156/1314 RESOLVED:**

- That Council adopt the draft Swimming Pool Barrier Inspection Program.
- That Council agree to place the document on public exhibition for 28 days.
- Council add to its fees and charges a fee of \$150 for each initial swimming pool inspection.
- Council add to its fees and charges a fee of \$100 for each additional swimming pool inspection.



### **1. Background**

The Swimming Pools Act 1992 requires Council to develop and adopt a program for the inspection of swimming pool located within the Warrumbungle Shire. To fulfil its statutory obligation under this Act Council must inspect swimming pools in accordance with this program.

### **2. Purpose**

- To ensure Council meets its obligations under the Swimming Pools Act 1992,
- To set guidelines for the inspection program to ensure pools and pool owners comply with relevant legislation,
- To promote awareness within the Warrumbungle Shire of the requirements of the Swimming Pools Act 1992.

### **3. Scope**

This inspection program applies to all swimming pools and spas located within the Warrumbungle Shire that are capable of being filled with water to a depth greater than 300mm. Swimming pools and spas may be located indoor or outdoor and be above ground, inground or inflatable. This program does not apply to swimming pools or spa located on premises occupied by the Crown or a public authority.

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### 4. Inspection Program

The inspection program will be implemented in two stages based on risk and to best utilise Council's limited resources. Inspections will be carried out by Council staff and where compliant with the Act a Certificate of Compliance will be issued.

#### 4.1. Stage 1

The first stage of the inspection program will commence from 29 October 2013 for the following circumstances.

- When Council is made aware of swimming pool barriers that do not comply with the Swimming Pools Act;
  - during inspections of other works, such as from an approval, or
  - when a complaint is received by Council. Under Section 29A of the Act Council must investigate these matters within 72 hours of receiving the complaint, or
  - when a Notice is received under Section 22E of the Act from an Accredited Certifier who has inspected a pool and believes the requirements of the Act have not been met.
- When an inspection request is received by Council;
  - prior to the sale or lease of properties where a swimming pool is located (mandatory after 29 April 2014), or
  - when a voluntary request for inspection is made under Section 22C of the Act.  
Inspections for these pools will be carried out within 10 days from the date of the request.
- For swimming pools located at visitor and tourist accommodation premises or premises with more than 2 dwellings. These premises are required to be inspected at least once every 3 years. The first inspection of these premises must occur before 29 April 2014.

#### 4.2. Stage 2

The second stage of inspections is not mandatory under the Act and therefore will be commenced after the completion of Stage 1. The swimming pools identified in Stage 2 will be inspected using a risk based approach, with regards to child safety. The following pools will form part of Stage 2;

- Pools that are registered and the owner has identified that the pool barrier is non-compliant,
- Pools with an exemption under the Act,
- Pools without a valid Certificate of Compliance,
- Pools which have not been inspection within 10 years.

#### 4.3. Fees

For initial pool barrier inspections Council will charge an inspection fee in accordance with Clause 18A of the Swimming Pools Regulation 2008, currently \$150.

Should a further inspection be required, Council may charge an additional fee in accordance with Clause 18A of the Swimming Pools Regulation 2008, currently \$100. Any further inspection beyond this will not incur any fees.

#### 4.4. Certificates of Compliance

In order to obtain a Certificate of Compliance, under Section 22D of the Act, the swimming pool must:

- Be registered on the state wide Register of Swimming Pools

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- Be inspected by Council's authorised officer or an Accredited Certifier, and
- Comply with the requirements of Part 2 of the Act

A Certificate of Compliance is valid for 3 years after the date of issue. Council will not inspect any swimming pools with a valid Certificate of Compliance, unless they become subject of a complaint or are deemed high risk by Council due to modifications made to the pool safety barrier after the Certificate of Compliance was issued. A Certificate of Compliance will cease to be valid if the pool safety barrier is then determined to be non-compliant and a direction is given under Section 23 of the Act to make the barrier complaint.

### **4.5. Non Compliant Pool Barriers**

A Certificate of Compliance cannot be issued after an inspection if the pool barrier fails to meet the requirements of the Act. If upon inspection a barrier is found to be non-compliant then a notice will be issued to the owner, which will state the works required for a Certificate of Compliance to be issued. If the upgrade works are not performed within the timeframe specified, then a Penalty Infringement Notice may be issued and legal action may be taken (in accordance with the swimming pools legislation).

### **5. Version Control**

	<b>Version</b>	<b>Resolution No.</b>	<b>Date</b>
Swimming Pool Inspection Program			

**Schmidt/Capel**  
**The motion was carried**

**2.05pm**

Cr Clancy returned to the meeting.

### **Item 32 Development Applications**

Received.

### **Request for Leave of Absence – Councillor Fred Clancy**

**157/1314 RESOLVED** that Council accepts the notification from Councillor Fred Clancy and grants a Leave of Absence from the Ordinary November 2013 Council meeting.

**Andrews/C Sullivan**  
**The motion was carried**

### **QUESTIONS AND MATTERS OF CONCERN**

#### **Councillor R Sullivan**

- Financials in on time – congratulations to staff and also Council's Auditors on work undertaken

#### **Councillor Schmidt**

- Request for review of paving outside OEC building
- Columbarium wall at cemetery – concerns for safety at cemetery due to isolated area with overgrowth
- Graffiti Policy – could it incorporate removal of graffiti within specific timeframe

#### **Councillor Andrews**

- Tree in preschool yard overhanging into lane is damaging car aerials

#### **Councillor Todd**

- Thanks from Alan and Adam Menz to Council for assistance over years.

#### **Councillor Clancy**



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- Police house – request that Council investigate with the Department what the method of sale will be; inspect and assess building and land; could be used for cultural centre – report back
- Leadlight glass storage – General Manager informed meeting of current storage arrangements and progress on discussions for incorporation of glass into possible art works
- Councillor Clancy foreshadowed a motion that a letter be written to Essential Energy congratulating Essential Energy on the appointment of apprentices

### **Councillor C Sullivan**

- Rejected VPA – what is outcome of discussion with Kevin Humphries – General Manager informed meeting of discussion held with Mr Kevin Humphries
- Questions regarding Dapper bushfire brigade – General Manager informed meeting that membership of the Brigade has been decimated and not enough members to conduct brigade duties
- Questions regarding amalgamation of lots into one unit for rating purposes

### **Councillor Capel**

- Advised meeting that the business house meeting re windfarm was cancelled and is to be rescheduled
- Land holders getting close to signing agreements re windfarm
- Generosity shown for bushfire appeal – enquiry whether a document could be prepared of what was offered/provided/donated.
- Review of lighting policy – impact on observatory

### **General Manager**

- VPA – rejection of VPA
- Remediation of Spring Ridge Road – currently a flurry of activity up Spring Ridge Road – wear and tear - \$378,000 repair work required – unacceptable response from company
- Letter from Director General – Department Planning – response regarding Cobbora Coal Project – Department proposing consultation on Integrated land management plan.

### **Councillor Coe**

- Lost lifestyle blocks out of Dunedoo – pursue amendment to LEP and include a replacement of 25 lifestyle farms that were lost. General Manager to raise at meeting with Department of Planning.

There being no further business the meeting closed at 2.54 pm.

.....  
**CHAIRMAN**

### **RECOMMENDATION**

That the resolutions contained in the Minutes of the Ordinary Council meeting held on 17 October 2013 be endorsed.

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## Ordinary Meeting – 21 November 2013

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### Item 2 Minutes of Robertson Oval Advisory Committee Meeting - 16 October 2013

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Ovals
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF2.1 – Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

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**PRESENT:** Cr Chris Sullivan (Chair), Cr Murray Coe, Mr Matthew Guan, Mr Dale Hogden, Mr Kevin Tighe (Director Technical Services) and Mr Harold Sutton (Manager Urban Services).

**APOLOGIES:** Mrs Monica Foran and Mr Mark Yeo.

**CONFIRMATION OF MINUTES:**

**05/1314 RECOMMENDED** that the minutes of the meeting held on Wednesday, 21 August 2013 be accepted.

Sutton/Guan

**BUSINESS ARISING FROM THE MINUTES**

The following actions were noted as outstanding:

- Engagement of a registered surveyor to identify boundaries of Robertson Oval.
- Consultation with ARTC regarding boundary issues.
- Updating of master plan to include previously identified features.

An update of the irrigation project was provided to the committee.

**GENERAL BUSINESS**

Cobbora Coal Transition Fund

A general discussion was held regarding proposed upgrades to Robertson Oval and whether or not the project would meet funding criteria under the Cobbora Coal Transition Fund. Should funding become available the committee made the following Recommendation:

**06/1314 RECOMMENDED** that should funding become available, application will be made for the following projects at Robertson Oval in priority order as listed:

1. Installation of two (2) all weather multipurpose netball courts with lighting.
2. Development of athletic running track around the main oval, including relocation of light towers.
3. Construction of a second oval within the Robertson Oval complex.

Hogden/Guan

There being no further business the meeting closed at 6.26 pm.

The next meeting is to be held on Wednesday, 19 February 2014 commencing at 5.00 pm.

.....  
CHAIRMAN

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### RECOMMENDATION

1. That Council accept the minutes from the Robertson Oval Advisory Committee meeting held on 16 October 2013 at Dunedoo.
2. That should funding become available, application will be made for the following projects at Robertson Oval in priority order as listed:
  - a) Installation of two (2) all weather multipurpose netball courts with lighting.
  - b) Development of athletic running track around the main oval, including relocation of light towers.
  - c) Construction of a second oval within the Robertson Oval complex

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 3 Minutes of Warrumbungle Aerodromes Advisory Committee Meeting – 7 November 2013

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	PI1 – Public transport alternatives including bus and rail services connect local towns and villages and provide links with other regional centres.

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**PRESENT:** Cr Denis Todd (Chair), Cr Gary Andrews, Mr John Gill (Coolah), Mr Colin Tink (Coonabarabran), Mr Gary Connolly (Coolah), Mr Kevin Barrington (Coonabarabran), Mr Kevin Tighe (Director Technical Services) and Mr Shane Weatherall (Acting Manager Road Operations).

**IN ATTENDANCE:** Mr Craig Whitfield (Supervisor South), Mr Col Mercer and Mr Geoff Gazier.

**APOLOGIES:** Mr John Farrell (Baradine) and Mr Darren Worrell (Baradine).

**CONFIRMATION OF MINUTES:**

**08/1314 RECOMMENDED** that the minutes of the meeting held on Thursday, 1 August 2013 be confirmed.

**Tink/Gill**

**BUSINESS ARISING FROM THE MINUTES**

The following matters were noted as outstanding:

- Repair of runway lights at Coolah. The viability of the existing system was discussed when it appears that operation of the lights is dependent on each light functioning in series. Several options for engagement of a specialist including particular tradespeople in Coonabarabran, Dubbo and Tamworth, who are familiar with both solar and radio frequency systems, were outlined.
- Installation of tie down wire rope at Coolah Aerodrome. This matter was again discussed and the location for two tie down areas was confirmed.
- Obtain confirmation that BAE systems Tamworth still use Coolah runway for training exercises. This matter was again discussed and the possibility that donation from BAE towards upkeep was discussed.
- Repairs and maintenance to ramps and road surface on approach to Coonabarabran Aerodrome.
- Master plan for development at Aerodromes in Baradine, Coolah & Coonabarabran.
- Cost estimate for bitumen sealing of threshold areas on the runway strip at Coolah Aerodrome.

**AGENDA ITEMS**

a) Replacement of Windsock Lights at Baradine Aerodrome

**09/1314 RECOMMENDED** that investigations are made into condition of windsock lights at Baradine Aerodrome.

**Todd/Tink**

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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b) Condition of Pavement at Ends of Coolah Aerodrome Runway

**10/1314 RECOMMENDED** that an agronomist is engaged to advise on the best way to eliminate mixture of weeds growing along the length and at either end of the runway in Coolah **FURTHER** that steps are taken to place a final bitumen seal on existing primer seal and then paint white landing markers on the bitumen, all subject to budget allocations.

**Gill/Connolly**

c) Replacement / Repair of Pilot Operated Lighting System at Coolah Aerodrome

It was noted that steps have already been taken to ensure the reliability of landing lights at Coolah runway.

d) Installation of Gate Adjacent to Hangar at Coonabarabran Aerodrome

**11/1314 RECOMMENDED** that verbal request to install a pedestrian gate for private access on an external boundary at the Coonabarabran Aerodrome be refused on the basis that it will create another vehicle access off the existing road leading to increased maintenance and reduction in general appearance, and that it will increase the risk of unauthorised access to tarmac and the strip **FURTHER** that the applicant be invited to make a formal submission on creating a formalised sealed access to his hangar.

**Todd/Andrews**

### **GENERAL BUSINESS**

CASA – DAMP Reporting Requirements for ARN 542685 Coolah

It was noted that further investigation is required before Council can determine if development of a Drug and Alcohol Management Plan for Coolah Aerodrome is required.

RAAF – Approval to Operate on Coolah Airfield from 28 September 2013 to 2 November 2013

It was noted that RAAF have been given approval to use Coolah Aerodrome for landing zone measurements and airfield marking tasks.

Approval to Launch High Altitude Balloon at Baradine Airstrip on 10 / 11 October 2013

It was noted that a radio station, NOVA, has been given approval to launch a balloon from Baradine Aerodrome.

Windsock Productions – Review of Baradine Aerodrome Advertisement in Country Airstrip Guide

It was noted that information about Baradine Aerodrome would be provided to the Country Airstrip Guide.

Condition of Pedestrian Access Gates at Coonabarabran Aerodrome near Terminal Building

**12/1314 RECOMMENDED** that existing pedestrian gates at the Coonabarabran Aerodrome be repaired to ensure they close.

**Tink/Barrington**

Condition of Windsock at Coolah Aerodrome

**13/1314 RECOMMENDED** that the bitumen sealed area under the Coolah windsock is maintained to reduce build up of grass and weeds **FURTHER** the cost of replacing marker cones around the windsock is investigated and where budget allocations permit they are replaced.

**Gill/Connolly**

The following matters were raised without Resolution:

- It was noted that an Obstacle Limitations Survey will soon be undertaken at the Coonabarabran and Coolah Aerodromes.
- The meeting was advised that the red light on top of the Optus Tower in Baradine is not working and that a NOTAM has been issued.
- It was noted that the existing prefabricated primitive toilet at the Coolah Aerodrome needs maintenance and in particular the floor needs replacement.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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- In relation to upgrade works required at Coolah Aerodrome, it was suggested that funding grants may be available through the Federal Government.

Following inspection of the Coolah runway the meeting closed around 11.30 pm.

The next meeting is to be held at the Coonabarabran Aero Club at 9.00 am on Thursday, 6 February 2014.

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CHAIRMAN

### RECOMMENDATION

1. That Council accepts the Minutes of the Warrumbungle Aerodromes Advisory Committee Meeting held on 7 November 2013
2. That investigations are made into condition of windsock lights at Baradine Aerodrome.
3. That an agronomist is engaged to advise on the best way to eliminate mixture of weeds growing along the length and at either end of the runway in Coolah **FURTHER** that steps are taken to place a final bitumen seal on existing primer seal and then paint white landing markers on the bitumen, all subject to budget allocations.
4. That verbal request to install a pedestrian gate for private access on an external boundary at the Coonabarabran Aerodrome be refused on the basis that it will create another vehicle access off the existing road leading to increased maintenance and reduction in general appearance, and that it will increase the risk of unauthorised access to tarmac and the strip **FURTHER** that the applicant be invited to make a formal submission on creating a formalised sealed access to his hangar.
5. That existing pedestrian gates at the Coonabarabran Aerodrome be repaired to ensure they close.
6. That the bitumen sealed area under the Coolah windsock is maintained to reduce build up of grass and weeds **FURTHER** the cost of replacing marker cones around the windsock is investigated and where budget allocations permit they are replaced.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 4 Minutes of Baradine Floodplain Management Advisory Committee Meeting – 5 November 2013

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Rural and Urban Development
<b>Priority:</b>	RU1 – Land use planning across the Shire needs to ensure the retention of the rural character of the area whilst encouraging ecologically sustainable development.

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**PRESENT:** Cr Denis Todd, Mr Rick Crawley, Mr Phil Southwell (Emergency Services Coordinator), Mr Kevin Tighe (Director Technical Services), Mr Siva Varathan (Office of Environment & Heritage), Mr Brian Lyall (Lyall & Associates) and Mr Tom Rooney (Lyall & Associates).

**APOLOGIES:** Mr Mitchell Evans and Mr Barry Johnston.

**CONFIRMATION OF MINUTES:**

There were no minutes available from previous meeting.

**AGENDA ITEMS**

The following items were discussed in general:

Levee Route and Impact on Property

- Impacts on private property (0.3 m increase in 100 year flood level at Namoi Street – Scheme 1).  
It was noted that area of land in the vicinity of the intersection of Namoi Street and Queen Street represents a form of ‘choke’ point for flood waters. It was also noted and discussed that the flood study did not quantify flood flows that might occur east of the Baradine Coonabarabran Road. That is, there is insufficient data to model potential flood flows from Teridgerie Creek flowing east towards Baradine Creek.
- Properties not protected by levee (Scheme 1).  
Options for protecting properties inside the levee were discussed, which included individual levees, house raising and property buy back.
- Conditions at railway culvert and catering for internal drainage from town. It was recognised that further detailed design is necessary as the capacity of the drainage channel on the eastern side of the railway line between Queen Street and Worrigal Street may need upgrading.
- Minimise impacts on Ashby property (for diversion Scheme 2).
- Impacts on stability of Bugaldie Creek tributary (for Scheme 2).

Community Consultation Process

- It was noted that Council would initially update the community on the levee project through the newspaper and website.

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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- Further consultation with property owners will be undertaken when preferred routes for the levee are finalised.

### Format and Approach for Presentation of Post-Levee Flooding Patterns.

- It was noted that the following maps would be prepared for presentation to the public:
  - Flood map showing expected flooding patterns without a levee. Potential changes to road level, by lowering road approaches to causeways in Namoi Street, Lachlan Street and Worrigal Street, will be included in this map, for comparison with the flood map showing present day flooding conditions.
  - Flood map showing expected flooding patterns following construction of a levee.
  - Flood map showing expected flooding patterns following construction of a levee and a diversion channel.
- Preliminary cost estimates associated with each of the above three options will be prepared.

Following discussion on what flood size should be adopted for design of the levee, both on its own and in combination with a diversion channel, the following Recommendation to Council is made:

**01/1314 RECOMMENDED** that for the purpose of designing the proposed levee, with and without diversion of flood flows from the Ashby property, the one percent flood event is adopted as the design criteria.

**Todd/Crawley**

Discussion was had on survey data required and on potential geotechnical investigations. It was noted, that the brief for the project may not be adequate in relation to geotechnical investigation as the frequency of and location of ground test pits may need to be increased. The flood mapping and costing for the analysis of Schemes 1 and 2 outlined above will be carried out using existing sources of survey data. The purpose is to facilitate the selection of the agreed Flood Mitigation Scheme (either Scheme 1 or 2) and the approximate alignment of the levee. (Council will provide data on land ownership along the potential levee route to assist the Consultants with preliminary selection of the levee alignment.)

Once the Scheme has been selected, more detailed analysis will be undertaken leading to refinement of the selected design concept and its costing. That analysis may require more detailed survey and will also involve undertaking the geotechnical assessment and potential environmental effects.

The meeting adjourned at 12.05 pm for site inspections at the following locations:

- Site of potential diversion channel on Crown land just below the property 'Ashby'.
- Intersection of Namoi Street and Queen Street.
- Causeway on Lachlan Street.
- Causeway on Worrigal Street.

It was noted that the flood pattern maps may not be available until March-April 2014.

There being no further business the meeting closed at approximately 1.15 pm.

The next meeting is to be held as and when required.

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CHAIRMAN



# **WARRUMBUNGL SHIRE COUNCIL**

## **Ordinary Meeting – 21 November 2013**

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### **RECOMMENDATION**

1. That Council accepts the Minutes of the Baradine Floodplain Management Advisory Committee Meeting held on 5 November 2013.
2. That for the purpose of designing the proposed levee, with and without diversion of flood flows from the Ashby property, the one percent flood event is adopted as the design criteria.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 5 Minutes of Plant Advisory Committee Meeting – 6 November 2013

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 – Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

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**PRESENT:** Cr Ron Sullivan (Chair), Cr Murray Coe, Cr Gary Andrews, Mark McWhirter (Fleet Manager) and Kevin Tighe (Director Technical Services).

**IN ATTENDANCE:** Cr Anne-Louise Capel.

**APOLOGIES:** Cr Fred Clancy, Steve Loane (General Manager) and Rebecca Ryan (Director Corporate Services).

#### **CONFIRMATION OF MINUTES**

**05/1314 RECOMMENDED** that minutes of the Plant Committee meeting held on 4 September 2013 be accepted.

**Andrews/Sullivan**

#### **BUSINESS ARISING FROM THE MINUTES**

Nil

#### **AGENDA ITEMS**

a) Purchase of Additional Wheel Loader - Quarry

**06/1314 RECOMMENDED** that Council purchase one (1) Caterpillar 928 HZ Wheel Loader fitted with optional Fleet Management Software from WesTrac Pty Ltd that complies with the tender specifications at a price of \$209,500.00 (ex GST) **FURTHER** that the Manager Fleet Services negotiate with WesTrac regarding options.

**Sullivan/Andrews**

b) Replacement of Plant Item No 135 – Crew Cab Taxi Truck

**07/1314 RECOMMENDED** that Council purchase one (1) Isuzu NPR 300 Crew Cab Taxi Truck fitted with the optional truck mounted crane from Tracserv Dubbo Pty Ltd that complies with the tender specifications at a price of \$68,591.55 (ex GST) and that Council trade in Plant 135 to Tracserv Dubbo Pty Ltd for \$27,273.73 resulting in a changeover price of \$41,317.82 being \$1,317.82 over budget.

**Sullivan/Andrews**

c) Replacement of Plant Item No 151 – Gravel Truck and Purchase of Tri-Axle Super Dog Trailer

**08/1314 RECOMMENDED** that Council purchase one (1) Volvo FM 13-500 with Obieco Industries tipping body from JT Fossey Tamworth fitted with optional reversing cameras, that complies with the tender specifications at a price of \$217,946.84 (ex GST) **FURTHER** that Council purchase one (1) Tri Axle Super Dog Trailer (Obieco Industries) from JT Fossey

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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Tamworth at a price of \$80,500.00 (ex GST) totalling \$298,446.84 and that Council trade in Plant 151 to JT Fossey Tamworth for \$74,545.45 resulting in a changeover price of \$223,901.39 being \$3,901.39 over budget.

Sullivan/Andrews

d) Replacement of Plant Item Nos 191 & 192 – Tractors

**09/1314 RECOMMENDED** that Council purchase two (2) John Deere 6105 M Tractors fitted with W/H 340 Front End Loader from Peel Valley Machinery that complies with the tender specifications at a price of \$224,236.36 (ex GST) and that Council trade in both Plant 191 and 192 to Peel Valley Machinery for \$102,727.27 (ex GST) resulting in a changeover price of \$121,509.09 being \$1,509.09 over budget.

Sullivan/Andrews

e) Accident Damage to Plant Item No 149 – Tipping Truck

**10/1314 RECOMMENDED** that Council accept Option 2 being that the insurance payout for Plant 149 is \$77,272.72 (ex GST) less \$500.00 insurance excess, and retain the salvage for \$20,000.00 (ex GST) resulting in a total payout of \$56,772.72 **FURTHER** that Council purchase a cab chassis for \$61,021.81 and swap over ancillary parts for \$10,000.00 leaving a total price of \$71,021.81 (ex GST) resulting in a shortfall of \$8,749.09.

Sullivan/Andrews

f) Budget Reports for Fleet Operations

The Budget Reports for Fleet Operations was noted for information.

### **GENERAL BUSINESS**

#### Election of Chairperson

Cr Ron Sullivan nominated Cr Murray Coe to the Chairperson position.

Cr Murray Coe accepted the position.

**11/1314 RECOMMENDED** that Cr Murray Coe be elected to the Chairperson position of the Warrumbungle Shire Council Plant Advisory Committee.

Sullivan/Andrews

There being no further business the meeting closed at 2.05 pm.

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CHAIR

### **RECOMMENDATION**

1. That Council accepts the Minutes of the Plant Advisory Committee meeting held on 6 November 2013.
2. That Council purchase one (1) Caterpillar 928 HZ Wheel Loader fitted with optional Fleet Management Software from WesTrac Pty Ltd that complies with the tender specifications at a price of \$209,500.00 (ex GST) **FURTHER** that the Manager Fleet Services negotiate with WesTrac regarding options.
3. That Council purchase one (1) Isuzu NPR 300 Crew Cab Taxi Truck fitted with the optional truck mounted crane from Tracserv Dubbo Pty Ltd that complies with the

## WARRUMBUNGLE SHIRE COUNCIL

### Ordinary Meeting – 21 November 2013

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- tender specifications at a price of \$68,591.55 (ex GST) and that Council trade in Plant 135 to Tracserv Dubbo Pty Ltd for \$27,273.73 resulting in a changeover price of \$41,317.82 being \$1,317.82 over budget.
4. That Council purchase one (1) Volvo FM 13-500 with Obieco Industries tipping body from JT Fossey Tamworth fitted with optional reversing cameras, that complies with the tender specifications at a price of \$217,946.84 (ex GST) **FURTHER** that Council purchase one (1) Tri Axle Super Dog Trailer (Obieco Industries) from JT Fossey Tamworth at a price of \$80,500.00 (ex GST) totalling \$298,446.84 and that Council trade in Plant 151 to JT Fossey Tamworth for \$74,545.45 resulting in a changeover price of \$223,901.39 being \$3,901.39 over budget.
  5. That Council purchase two (2) John Deere 6105 M Tractors fitted with W/H 340 Front End Loader from Peel Valley Machinery that complies with the tender specifications at a price of \$224,236.36 (ex GST) and that Council trade in both Plant 191 and 192 to Peel Valley Machinery for \$102,727.27 (ex GST) resulting in a changeover price of \$121,509.09 being \$1,509.09 over budget.
  6. That Council accept Option 2 being that the insurance payout for Plant 149 is \$77,272.72 (ex GST) less \$500.00 insurance excess, and retain the salvage for \$20,000.00 (ex GST) resulting in a total payout of \$56,772.72 **FURTHER** that Council purchase a cab chassis for \$61,021.81 and swap over ancillary parts for \$10,000.00 leaving a total price of \$71,021.81 (ex GST) resulting in a shortfall of \$8,749.09.
  7. That Cr Murray Coe be elected to the Chairperson position of the Warrumbungle Shire Council Plant Advisory Committee.

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 6 Minutes of Consultative Advisory Committee Meeting – 5 November 2013

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Human Resources
<b>Authors:</b>	Manager Human Resources – Val Kearnes
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF7 Council is presented with a range of organisational challenges including its aging workforce, skills shortages, increasing regulatory demands and the management of risk

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**PRESENT:** Steve Loane, Ben Smith, Tracy Cain, Rachael Carlyle, David Smith, Jim O'Malley

**NON MEMBERS:** Martin Wynne, Val Kearnes

**APOLOGIES:** Brad Condon

**NOMINATION OF CHAIRPERSON** – Rachael Carlyle volunteered to take on the role of Chairperson for today's meeting only.

Welcome to all those attending

#### **CONFIRMATION OF MINUTES:**

- Temporary Structure discussed at last meeting. T. Cain noted that this item was in dispute and should not have been discussed under Clause 28C(ii) of the Local Government State Award (2010).
- Missing in minutes that Martin Wynne had asked Steve Loane and Val Kearnes whether there were any grievances."

Ron Howard joined meeting at 10.10am

- Question on the correct wording of resolution concerning the New Structure. Committee believed that it should be changed to read "The Committee resolved that the new Organisational Structure be endorsed but that the positions of Manager of Projects, Manager of Property, Manager Children's Services and Coolah Administration Officer be reviewed at the next meeting.
- Level of union representation – T. Cain raised that this matter should not have been discussed at the last meeting, as per clause 28c(i) of the Local Government State Award (2010).

**RECOMMENDED** that the Minutes of the Consultative Committee meeting held on October 23, 2013 be confirmed with the changes made as mentioned above.

**B. Smith/ J. O'Malley**

**BUSINESS ARISING**  
As above

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### AGENDA ITEMS

- **Election of Chairperson to be decided next meeting**
- **Change of Corporate Services Administration Officer position to job share.**

The Committee discussed whether this should be shown on the Organisational Structure as Job Share. It was stated that when the working arrangements were changed on the appointment of the Administration Officer this should have first come to the Committee and should be reflected on the structure. Members upset that the changes were made after being advertised.

One Committee member disagreed, they stated they had a problem with the actual process, and stated that the position would then be a defined job share and may restrict one or more of the incumbents. S. Loane noted the request from the Committee and stated that he believed that all positions would be open for discussion for Family Friendly arrangements and all may be considered as job share should the need arise.

### RECOMMENDATION

That the Organisational Structure be changed to reflect job share arrangements currently in place for Corporate Services Administration Officer, with the understanding that all positions are reviewed upon them becoming vacant.

#### *Consensus*

- **Recruitment and Selection Policy**

T. Cain requested an addition to the Recruitment and Selection Policy concerning internal applicant's right to request in writing the reasons why they were not successful.

V. Kearnes stated that this was covered in Clause 29 of the Award and therefore covered. This would be noted in the Policy.

- **Amendment of Consultative Committee Constitution**

T. Cain raised the issue in relation to non union members being on the committee. It was determined that no further action is required in regards to this matter as it has been fully resolved.

T. Cain discussed why Management was included in the Committee – Not all Councils have management in their Committees. She stated that some Committee members may feel intimidated by their presence. Question was asked as to who appointed the management representative.

Steve Loane stated that he had the delegation to sit on all Council Committees.

Val Kearnes stated that it was impossible for her to take minutes accurately as well as participate in the meeting and that this needed to be changed in new Constitution to be undertaken by an Administration Officer if no one on the Committee would undertake the job.

The June 2011 Constitution which is to be amended be brought back to next meeting. A copy of the Narromine Constitution to be considered at next meeting also.

### Review of Grades

**RECOMMENDATION** that grades for the following positions were agreed on by the committee, subject to the Truck Operator (Low Loader) position being reviewed in 6 months to clarify the percentage of usage of the Low Loader.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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- **HR Officer**

Committee discussed and agreed to the grade change.

- **Road Contracts Officer**

Committee discussed and agree to the grade change

- **Truck Operator (Low Loader)**

Committee discussed all aspects to this position and agreed to the grade change. The hours which the Low Loader was being used should be reviewed in six months.

- **Temporary Structure**

Matter not discussed, as per clause 28c(ii) of the Local government State Award (2010)..

### **Meeting Closed 11.00am**

Next Meeting to be held on November 20, 2013

.....  
CHAIRPERSON

### **RECOMMENDATION**

That Council notes the minutes from the Consultative Advisory Committee meeting held on 5 November 2013 at Coolah.

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 7 Minutes of the Finance and Projects Committee Meeting – 6 November 2013

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	PA to Director Corporate Services – Liz Webster
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF7.1 Council undertakes periodic performance reviews to ensure the effective and efficient management of its assets, finances and workforce

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**PRESENT:** Deputy Mayor Murray Coe (Acting Chairperson), Cr Gary Andrews, Cr Anne-Louise Capel, Cr Ron Sullivan, Cr Denis Todd, Cr Fred Clancy, Kevin Tighe (Acting General Manager), Stefan Murru (Chief Financial Officer), Mayor Peter Shinton (9:30am)

**APOLOGIES:** Steve Loane (General Manager), Rebecca Ryan (Director Corporate Services)

**ATTENDING:** Liz Webster (Acting PA Director Corporate Services)

#### **1. MINUTES RECOMMENDED**

That the minutes of the Finance and Projects Committee meeting held on 2 August May 2013 be accepted.

**D Todd/ G Andrews**

#### **2. BUSINESS ARISING Nil**

#### **3. QBRS - 30 SEPTEMBER 2013**

Chief Financial Officer presented first quarter (1 July- 30 Sept 2013) QBRS. Including; Income Statement, KPI's, Statement of Cash Flows, Balance Sheet, Revenue, Operational Expenditure and Capital Budget Reviews. Noting some of the following issues;

- Sewer access charges being invoiced on a quarterly basis
- RMS payments
- Depreciation schedule assumptions for bitumen reseals

#### **RECOMMENDED**

That the Director Technical Services to prepare a report on the funding received and ongoing costs of maintenance from NSW Government for the construction of Rest Area toilet facilities at Nandi Park and Hickey's falls.

**G Andrews/F Clancy**

#### **RECOMMENDED**

The Chief Financial Officer to develop a procedure for the processing of acquittals relating to Natural Disasters and Disaster Recovery events.

**R Sullivan/G Andrews**



# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### **RECOMMENDED**

That Council approve the supplementary vote requests totalling \$205,748; being \$196,748 from General Fund and \$9,000 from the Water Fund.

**D Todd/G Andrews**

### **4. COUNCIL QUARRIES AND TIPS**

Chief Financial Officer presented a report regarding the accounting treatment of quarries and pits used by Council. The report also included information on the rehabilitation of waste sites and the Royalty payments made to landowners for road base.

### **RECOMMENDED**

1. That Council recognise a provision for the rehabilitation of waste sites under Council's control in the 2013/14 financial year, and that the rehabilitation cost be based on costs derived from the filling plan;
2. That Council randomly choose twelve pits as test cases to review its assumptions for accuracy, including assumptions around useful lives, need to rehabilitate, details of pit agreement, and estimated costs to rehabilitate pits;
3. That Council Review the current practice of Council paying itself \$0.10 per m3 with the aim of possibly increasing this amount to capture an appropriate amount in restricted assets to cover future rehabilitation expenses;
4. That Council Continue the process of standardising gravel royalty agreements for all pits in the Shire.

**D Todd/ G Andrew**

Cr Fred Clancy left meeting 11:00am

### **GENERAL BUSINESS**

#### **5. BEST PRACTICE COMPLIANCE GRANT**

The matter of anticipated proceeds of the remaining \$300k being for the Best Practice Compliance from NSW Office of Water, approved with Mendooran Water Treatment Plant project. Question of capacity to credit Mendooran Water Loan.

### **RECOMMENDED**

That the Chief Financial Officer investigate the current loan terms for the Mendooran Water Loan and report back to Council.

**G Andrews/D Todd**

**NEXT MEETING:** Thursday 6 February 2014

**MEETING CLOSED:** 12:30pm

Murray Coe .....  
CHAIRPERSON

### **RECOMMENDATION**

1. That the Director Technical Services to prepare a report on the funding received and ongoing costs of maintenance from NSW Government for the construction of Rest Area toilet facilities at Nandi Park and Hickey's falls.

## **WARRUMBUNGL SHIRE COUNCIL**

### **Ordinary Meeting – 21 November 2013**

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2. The Chief Financial Officer to develop a procedure for the processing of acquittals relating to Natural Disasters and Disaster Recovery event
3. That Council approve the supplementary vote requests totalling \$205,748; being \$196,748 from General Fund and \$9,000 from the Water Fund
4. That Council recognise a provision for the rehabilitation of waste sites under Council's control in the 2013/14 financial year, and that the rehabilitation cost be based on costs derived from the filling plan;
5. That Council randomly choose twelve pits as test cases to review its assumptions for accuracy, including assumptions around useful lives, need to rehabilitate, details of pit agreement, and estimated costs to rehabilitate pits
6. That Council Review the current practice of Council paying itself \$0.10 per m3 with the aim of possibly increasing this amount to capture an appropriate amount in restricted assets to cover future rehabilitation expenses
7. That Council continue the process of standardising gravel royalty agreements for all pits in the Shire.
8. That the Chief Financial Officer investigate the current loan terms for the Mendooran Water Loan and report back to Council.

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 8 Minutes of the Yuluwirri Kids Advisory Committee – 5 September 2013

<b>Division:</b>	Environmental & Community Services
<b>Management Area:</b>	Environmental and Community Services
<b>Author:</b>	Manager – Linda Miller
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	P12 – The long-term wellbeing of our communities is dependant on the ongoing provision of high quality services in health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management

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Meeting Opened at 6:00 pm

**PRESENT:** Linda Miller, Lesa Towers, Samantha Hoffman, Morag Baker, Lisa Arkell (Barnardos), Jodie Nottle, and new member Chris White.

**ATTENDING:** Janelle Redfern, Michelle Capewell, Jodie Smith, Mel Evans and Leanne Colantonio.

**APOLOGIES:** Joel Amiet, Amanda Sulter, Steve Turner, Melanie Jenner and Victor Schmidt, Jennifer Tucker (for the duration of the year)

**14 RECOMMENDED** the apologies be accepted, and J Tucker to continue to receive minutes during her leave of absence.

**L Miller / L Arkell**

**RESIGNATION OF NEW MEMBERS:**

Tony Meppem has resigned from the position of Directors Environment & Community Services, which holds a position on the Advisory Committee.

**15 RECOMMENDED** resignation be accepted.

**M Baker/ L Miller**

**ADOPTION OF NEW MEMBERS:**

Following resignation of Tony Meppem, Directors Environment & Community Services, Chris White has been appointed as relieving Temporary Manager Communications and Community Services.

**16 RECOMMENDED** that new member be welcomed.

**J Nottle / S Hoffman**

**MINUTES of LAST MEETING**

Minutes were emailed to member prior to meeting, and also tabled.

**17 RECOMMENDED** that the Minutes of Meeting held 06<sup>th</sup> June 2013 accepted as a true and accurate record.

**L Towers / M Baker**

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### BUSINESS ARISING FROM PREVIOUS MINUTES

- **Bond** –Barnardos have spoken with clients who are likely to use the service in the future. The families feel they would be forced to not use the service if they were required to pay up front amounts as most budget week to week. Feedback is duly noted. No decision is being made with regards to payment of a bond or payments in advance at this time. We will wait and see how arrears are travelling at the end of this year.

### AGENDA ITEMS

- **Manager's Report including operational budget – (CSP Link CC1 and CC7)**
  - See attached report.
  - Discussion:-
  - Unknown LDC sustainability and preschool funding models for next year, and possible change of government is a concern. Additional funding was provided for Terms 2, 3 and 4 to reduce parent fees appears to be a one off measure. Expenses are increasing without increase in funding which makes it difficult to plan for coming changes in ratio and regulations.
  - Usage levels are excellent. Number of indigenous enrolments was queried as appear low. Count relates to Indigenous preschool enrolments, LDC are additional.
  - SRA – Indigenous funding for Warrumbungle Shire Cluster, is in the 13<sup>th</sup> year, being 1 year more than the usual quadrennial period. Confirmation for next year has not been received.

**18 RECOMMENDED** The Managers Report be accepted.

**S Hoffman /L Towers**

### GENERAL BUSINESS

- **FOYs Update** - Sam will chair FOYs, firewood raffle banked \$429 Fathers Night planned for October "make a boat & make it float"
  - Major raffle of the holiday – 10000 tickets being printed and should be distributed shortly. \$5 per tickets.
  - Facebook page has been set up, and members being invited.
  - Next meeting 17<sup>th</sup> September 2013.
- A member asked what the service's policy was in relation to drug testing of staff.  
Response: Regulations state, whilst at work educators staff and volunteers must not consume or be affected by alcohol or drugs that may impair their capacity.  
WSC policy looks at risk  
WSC employment candidates are tested as part of the pre employment medical check.  
Random testing of staff is being negotiated with the USU (United services union) and the consultative committee. It may be six month before a policy and procedures are put into place.

**19 RECOMMENDED** Yuluwirri to review new WSC when provided to ensure it meets Children services regulation.

**L Miller / C White**

### NEXT MEETING

To be held on Thursday week 6 term 4 2013, being 14<sup>th</sup> November 2013.

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### ADDITIONAL ITEM

Prior to meeting closing, Giraffe room teacher (attendee) asked to address the committee. It was noted that it is not usual for an attendee to raise matters. With no further objection the teacher preceded to handout information to committee members and attendees – on a commercial literacy program “Jolly Phonics”, believed to be used within our local schools.

Matter raised regarded programming and broadening of philosophy. Teacher presented her case for purchase and implementation of the Jolly Phonics program and review of philosophy to add intentional teaching to the Philosophy.

It was noted, the Advisory Committee was not the right forum to discuss programming, and teachers and management should discuss at a more suitable time as per procedures and protocol

### 20 RECOMMENDED

- All parties should review and respect due processes for decision making within the organisation

**C White/ L Miller**

- Review of services philosophy be promptly undertaken, including community engagement.

**M Baker/ L Miller**

- Following the review of the philosophy consider the current curriculum & if the purchase and implementation of the Jolly Phonics program is needed.

**J Nottle / C White**

There being no further business the meeting closed at 7:30 pm

.....  
CHAIRMAN

### RECOMMENDATION

That Council accepts the Minutes of the Yuluwirri Kids Advisory Committee meeting held on 5 September 2013 at Coonabarabran

# WARRUMBUNGLA SHIRE COUNCIL

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### Item 9 Responses to Questions from last meeting

#### **Cr R Sullivan**

Request – Financials in on time – congratulations to staff and also Council's Auditors on work undertaken

Response From: Director Corporate Services

Response: Congratulations conveyed to staff and much appreciated.

#### **Cr Schmidt**

Request for review of paving outside OEC building

Response From: Director Technical Services

Response: Referred to Maintenance Program.

Request – Columbarium wall at cemetery – concerns for safety at cemetery due to isolated area with overgrowth

Response From: Director Corporate Services

Response: Works request issued to Urban Services.

Request – Graffiti Policy – could it incorporate removal of graffiti within specific timeframe

Response From: Director Technical Services

Response: Noted.

#### **Councillor Andrews**

Request – Tree in preschool yard overhanging into lane is damaging car aerials

Response From: Director Technical Services

Response: Referred to Maintenance Program.

#### **Councillor Clancy**

Request – Police house – request that Council investigate with the Department what the method of sale will be; inspect and assess building and land; could be used for cultural centre – report back

Response From: Director Corporate Services

Response: The following response has been emailed to Councillors by General Manager. Council has made enquires about the property known as the Police House, 96 John Street Coonabarabran, Lot 7034 Section 1 DP1002144. The enquiry referred to the possibility of purchasing of the property and boundary realignment to ensure that the park beside the river would remain viable for future community use. Council has received correspondence from the police property group, Brookfield Johnson Controls, informing that the property is on the Divestment list that requires Ministerial approval for process to commence. Also subject to the Minister's decision discussions may include property boundaries and potential purchase by Council. They do not envisage any movement on this matter until early 2014.

# WARRUMBUNGLA SHIRE COUNCIL

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### **Councillor Capel**

Request – Generosity shown for bushfire appeal – enquiry whether a document could be prepared of what was offered/provided/donated.

Response From: Director Corporate Services

Response: General Manager will be presenting final 'Wambelong Redbank Section 44 Bushfire January 2013 Compilation of Reports' Paper in due course.

Request – Review of lighting policy – impact on observatory

Response From: Manager Regulatory Services

Response: 18km exclusion zone to be raised at next lighting committee meeting and update sought on revised lighting SEPP.

### **General Manager**

Letter from Director General – Department Planning – response regarding Cobbora Coal Project – Department proposing consultation on Integrated land management plan.

Response From: General Manager

Response: Meeting Held

### **Councillor Coe**

Request – Lost lifestyle blocks out of Dunedoo – pursue amendment to LEP and include a replacement of 25 lifestyle farms that were lost. General Manager to raise at meeting with Department of Planning.

Response From: General Manager

Response: DP&I advised that we will need to wait until the LEP is final and apply under a planning proposal

### **RECOMMENDATION**

For Council's information.

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### Item 10 Orana Arts Report

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Councillor Capel
<b>CSP Key Focus Area:</b>	Community and Culture
<b>Priority:</b>	CC3 Our Shire is home to vibrant arts and cultural life of the Shire is promoted and supported as an essential aspect of community well-being

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### Meeting Attended

Orana Arts Board Meeting 11 October 2013 held at Coolah Library.

### Summary of Meeting Outcomes

Presentation to Orana Arts by Eleanor Cook, Chairperson of CoolART, a sub-committee of Coolah District Development Group Inc. and David Sherlock, local sculpture and lead artist. CoolART focus is public art in Coolah and 'The Roots of the Black Stump' was the project presented.

Board informed of Short & Sweet Dubbo complaint initiated by the writer of play "Oh India" in response to RADO (Regional Arts Development Officer) pulling play from the Dubbo festival. Board supported RADO decision.

Board received an update by Orana Arts organisational review sub-committee. Issues noted included: difficulty in having a quorum; skill set of the current board; identifying skill gap and targeting co-opted members with these skills. It was acknowledged the constitution of organisation will be reviewed in this review.

CASP assessment panel will be Virginia Handmer & Nathan Shooter to represent Orana Arts Board, Virginia Hollister as the community representative. Panel is to convene on October 18, at Rylstone.

RADO noted low numbers attended school holiday program.

Left Field Project will host opening exhibition on Friday 24 January at the Fire Station Arts Centre.

Note RAPPO resigned, no permanent replacement will be sourced until after internal review completed.

Discussion about having a professional development and board retreat in 2014.



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AADO (Aboriginal Arts Development Officer) & RADO are to pursue the rental opportunity with the Boori Group in Gilgandra in their building.

### **RECOMMENDATION**

That Council notes the Orana Arts Board meeting report from Councillor Capel.

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### Item 11 Council Resolutions Report September 2012 – October 2013

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Corporate Services Administration Officer, Erin Morley
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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#### **Reason for Report**

The Council Resolution Report includes Council resolutions from September 2012 to October 2013. This report is attached under separate cover. Items completed are noted then deleted from the report in the following month.

#### **Background**

The General Manager is responsible for providing the management oversight in relation to all information progressing from appropriate staff to Council via the Business Paper and monthly Council meetings.

Similarly the role of the General Manager is to ensure appropriate information in relation to Council resolutions and deliberations is provided to Directors and relevant staff. After each Council meeting, each Council resolution is allocated to a directorate for responsibility in actioning the particular Council instruction. Directors and Managers then provide feedback to the General Manager as to the progress of these resolutions on a monthly basis.

Resolutions that remain 'In Progress' for a 12 month period will be reported to Council as a separate agenda item with a new Recommendation. This will provide Council staff the opportunity to detail history and issues in the review of outstanding items before Council reconsider the matter.

#### **Issues**

This feedback is provided to Council for information purposes.

#### **Options**

Nil.

#### **Financial Considerations**

Nil.

#### **RECOMMENDATION**

For Council's Information.

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### Item 12 Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Administration & Customer Service – Sally Morris
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

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#### **Background**

This Draft Policy was considered at the October 2013 meeting with Council amending the draft Policy to incorporate the new Tax Determination tables in TD2013/16 and placed the draft Policy on public exhibition (**Resolution 144/1314**).

#### **Issues**

Council must give public notice of the intention to adopt a policy before they annually adopt a policy, even if the policy is not amended or the amendments are not substantial.

#### **Options**

Council placed the amended Policy on public exhibition for a period of 28 days seeking public submissions by 18 November 2013.

#### **Financial Considerations**

Provision is made within the budget relating to provision of expenses and facilities to Mayors and Councillors.

#### **Summary**

No submissions were received from the public as a consequence of the exhibition and the Policy is submitted for consideration and endorsement.

#### **RECOMMENDATION**

That Council endorses the following amended Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors.

#### **DRAFT 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)

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### 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 \*\*\*\* November 2013 and replaces the previous policy titled Policy for the Payment of Expenses and Provision of Facilities to Councillors adopted by Council on 21 February 2013.

#### 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.*
- (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**

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- (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.

#### **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:

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- 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 2013/16 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 2013/16 (see Appendix A attached) or such determination or policies of the Australian Tax Office that supersede it. (As at October 2013 – Meal Allowance (per day) Breakfast \$32.00; Lunch \$45.25; Dinner \$63.40)
- 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 2013/16 or such determinations or policies of the Australian Tax Office that supersede it. (As at October 2013 – Incidental Expenses (per day) \$26.05)
- 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 attached) of paragraph 11 of TD 2013/16 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.

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### **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.

### **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 2013/16 (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.

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### **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.

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)



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- 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
- Mining Related Councils (Mayor and General Manager)
- Australian Local Government Association (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.

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) unless approval is granted by the General Manager in exceptional circumstances.

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

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- 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.

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.)

# **WARRUMBUNGL SHIRE COUNCIL**

## **Ordinary Meeting – 21 November 2013**

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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.

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 \$1,500 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.

# WARRUMBUNGL SHIRE COUNCIL

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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 an ipad with internet connectivity.

### **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.

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

# WARRUMBUNGL SHIRE COUNCIL

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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 Councillor does obtain a private benefit for the use of a facility provided by Council the Councillor 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.

### **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 with the exception that he may use the vehicle for limited private use travel within the Shire only when attending different functions on the same day.

# **WARRUMBUNGLE SHIRE COUNCIL**

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- 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.

### **4.2 Status of the Policy**

This Policy replaces the previous version of the Policy adopted by Council on 21 February 2013 Minute No. 235/1213.

The Policy shall only be amended at a subsequent meeting of Council, subject to compliance with the Act.

# WARRUMBUNGL SHIRE COUNCIL

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### Appendix A

Table 3: Employee's annual salary – \$193,521 and above				
Place	Accomm. \$	Food and drink \$ B'fast 32.00 Lunch 45.25 Dinner 63.40	Incidentals \$	Total \$
Adelaide	209	140.65	26.05	375.70
Brisbane	252	140.65	26.05	418.70
Canberra	246	140.65	26.05	412.70
Darwin	284	140.65	26.05	450.70
Hobart	195	140.65	26.05	361.70
Melbourne	265	140.65	26.05	431.70
Perth	326	140.65	26.05	492.70
Sydney	265	140.65	26.05	431.70
Country centres	\$190, or the relevant amount in Table 4 if higher	140.65	26.05	Variable – see Table 4 if applicable

# WARRUMBUNGL SHIRE COUNCIL

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Table 4: High cost country centres – accommodation expenses			
Country centre	\$	Country centre	\$
Alice Springs (NT)	150	Horn Island (QLD)	180
Albany (WA)	179	Jabiru (NT)	192
Bourke (NSW)	165	Kalgoorlie (WA)	159
Bright (VIC)	136	Karratha (WA)	347
Broome (WA)	233	Katherine (NT)	134
Bunbury (WA)	155	Kingaroy (QLD)	134
Burnie (TAS)	135	Kununurra (WA)	202
Cairns (QLD)	140	Mackay (QLD)	152
Carnarvon (WA)	151	Mount Isa (QLD)	160
Castlemaine (VIC)	133	Mudgee (NSW)	135
Chinchilla (QLD)	143	Newcastle (NSW)	143
Christmas Island (WA)	150	Newman (WA)	195
Cocos (Keeling) Islands (WA)	285	Norfolk Island	329
Dalby (QLD)	144	Northam (WA)	163
Dampier (WA)	175	Port Hedland (WA)	259
Derby (WA)	182	Port Pirie (SA)	140
Devonport (TAS)	135	Thursday Island (QLD)	200
Emerald (QLD)	156	Wagga Wagga (NSW)	141
Exmouth (WA)	255	Weipa (QLD)	138
Geraldton (WA)	175	Whyalla (SA)	145
Gladstone (QLD)	187	Wilpena-Pound (SA)	167
Gold Coast (QLD)	149	Wollongong (NSW)	136
Halls Creek (WA)	199	Wonthaggi (VIC)	138
Hervey Bay (QLD)	157	Yulara (NT)	244

### **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	181/1112	24 November 2011
Payment of Expenses Policy	Revised Version – 4	235/1213	21 February 2013
Payment of Expenses Policy	Revised Version – 5		** November 2013



# WARRUMBUNGLA SHIRE COUNCIL

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### Item 13 Brick Bats and Bouquets

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Assistant – Melissa Bennett
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	Ensure the long-term provision and retention of high quality services for our community

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### **Reason for Report**

To notify Council of any letters received from community members expressing their appreciation of dissatisfaction.

### **Background**

Nil

### **Issues**

Nil

### **Options**

Nil

### **Financial Considerations**

Nil

### **RECOMMENDATION**

For Councils information.

# WARRUMBUNGLE SHIRE COUNCIL

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## Coolah in Action Committee

5 NOV 2013

Sub Committee of the Coolah Hospital Auxilliary

On behalf of the Committee and the Coolah MPS we would like to thank you for your generous donation towards our fundraising for the purchase of a Digital X-Ray Reader and Staff training.

With your assistance we are well on our way to reaching the targeted goal and adding another valuable asset to our community. These dreams are only made possible by the generosity of the community and your continued support.

Coolah is only a small community however what it lacks in numbers it replaces with community spirit and this is obvious through the support shared in this endeavour. The Coolah in Action community calendar sold out within 48hrs of release and another 100 copies will be printed in the next couple of weeks.

Thank you once again for your generosity and support in such a worthwhile cause.

Yours Faithfully

per: *Coolah in Action*

Coolah in Action Team

## WARRUMBUNGLE SHIRE COUNCIL

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My name is Dawn Fuller (Duce) I was in boonabarabron for four days (10-10-13 to 14-10-13) I was born there 86 years ago married Bert Fuller. we left there in 1955.

We travel for holiday in a caravan calling in at boona a few times also took the grandchildren there. Have not been back for about 9 years, I felt we should go back to see the graves My Mothers Ada Paul and baby sister also Berts father (old cemetery)

We were expecting to see them as they were years ago. not real clean. But how nice to see them so nice and clean. Thank you

Now I have never seen the garden around the clock before it look very nice. Hope you dont mind me writing to say how pleased we were.

**WARRUMBUNGLE SHIRE COUNCIL**

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28 October 2013

30 OCT 2013

BY:.....

Steve Loane  
General Manager  
Warrumbungle Shire Council  
John Street  
COONABARABRAN  
NSW 2357

Dear Steve

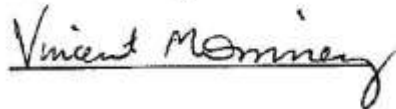
I want to thank the staff of the Warrumbungle Shire Council for assistance after the January bushfire, particularly Aaron Parker, Glennis Mangan and John Lyon.

As you are aware, the bushfire caused extensive damage to buildings and fences along Morrissey's Road. I am especially grateful to the Shire Council and the NSW Government for cleaning up the asbestos sheeting in several destroyed buildings.

Funding from WSC through The Mayor's Appeal assisted in clearing and fencing along Morrissey's Road. This meant stock could be retained and managed on the property.

The cattle numbers on "Unique" have not yet returned to pre-bushfire levels, however, the vegetation has regrown and the cattle are doing well, despite the dry conditions.

Yours sincerely,



# WARRUMBUNGL SHIRE COUNCIL

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### Item 14 Report from Human Resources - November 2013

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Human Resources
<b>Authors:</b>	Manager Human Resources – Val Kearnes Learning & Development Co-ordinator – Glennis Mangan
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF8 Council undertakes its organisational, workforce and risk management responsibilities with efficiency and effectiveness.

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### **Reason for Report**

This report is to inform Council of activities undertaken by the Human Resources Department

### **Background**

Over the past month Human Resources has undertaken activities with regards to Recruitment, Learning and Development and Workplace Health and Safety. Attached are reports covering those areas.

### **Issues**

Nil

### **Options**

Nil

### **Financial Considerations**

No financial considerations above budget constraints

## **RECRUITMENT**

### **Positions Advertised**

Since the October 2013 Council Meeting nine positions have been advertised both internally and externally:

- Personal Assistant to the Director Corporate Services
- Pre School Teacher
- Sewer Operator – Coolah
- Graduate Accountant
- Water and Wastewater Supervisor – South
- Plumber – Dunedoo
- 2 x Trainee Plant Operators
- Mechanic - Coolah

# WARRUMBUNGL SHIRE COUNCIL

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### Positions Recruited

To date the following positions have been filled.

- Personal Assistant to the Director Corporate Services – Maternity Leave
- 2 x Trainee Plant Operators
- Mechanic - Coolah

### **Resignations**

One resignation received this month

### **Other Matters**

#### **Industrial Relations**

One industrial dispute received – matter ongoing

#### **Grievances**

One grievance received – matter settled

The Temporary Structure endorsed by Council in August Council Meeting in order to fill the vacancy of Director of Environmental and Community Services was set aside on October 29, 2013 due to an industrial dispute. This was a regrettable but as a result Fiona Luckhurst was appointed as Temporary Director for Environmental and Community Services until the recruitment process for this vacancy has been completed.

All Staff Competencies are currently being reviewed with about 25% completed. These reviewed competencies will go to the appropriate manager and then be taken out to staff for their comments.

The Job Seeker Work Experience Scheme continues with the Job Seekers undertaking 17 hours per week. The workers are currently undertaking a clean up of the river. The scheme is being supervised by Jacob McKernan, commenced with five workers but has now dropped down to three participants.

### **Recommendations Over Twelve Months**

With reference to outstanding Resolution no 2 of September 20, 2012 – Review of Constitution.

This matter is still ongoing, Draft Consultative Committee Constitution is to be considered again at the November 20, 2013 Consultative Committee Meeting.

### **LEARNING AND DEVELOPMENT**

Traineeships in Civil Construction continue to be entered into for staff in existing positions as well as new entrants. November will see another 4 enrolled in the Road Construction and Plant Operation areas, with one staff member progressing to Certificate IV, having completed Certificate III in Asset Management (Waste).

# WARRUMBUNGLA SHIRE COUNCIL

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Legislative training has been arranged also for November with workshops being held for Work, Health and Safety training for Committee members. Likewise all Managers and Supervisors will undertake Incident Investigation training over 3 workshops in Coonabarabran and Coolah.

Manual Handling workshops have also been arranged and will be attended by staff from the outdoor and childcare areas. These workshops will see a total of 130 staff trained.

Further Strategic Skills Programme funding is being negotiated currently with the State Government with a view to having supervisors undertake Diplomas in their field of work. It is hoped this will be finalised ready for commencement in the new year.

### **WORKPLACE HEALTH AND SAFETY**

Orana Risk Group Meeting was attended by Workplace Health and Safety Officer.

Topics discussed were:

- Swimming Pool Supervision – Tamworth Regional Council gave a presentation on the new approach to lifeguard supervision and management of facilities utilising the ‘Pool Super Vision’ approach. The presentation was the 2013 winner of the Statewide Mutual Risk Management Excellence Award.
- Jasime YeeYet gave an update on the following:
  - Individual Council assistance
  - StateCover programs 2013
  - Noise Guide
  - WHS Planning
- Bourke Shire gave a presentation regarding ‘Workers on Foot Management Plan’. Bourke’s plan highlighted the roles, responsibilities and diagrammatic layout of the plan.
- Presentation from Statewide. Topics included:
  - Training
  - CIP – Risk Management Action Plans
  - Climate Change
  - Trees and Tree Roots Best Practice Manual
  - Cyber Attacks
  - Pool Management
  - Asbestos Decision Tree
  - Claims Statistics
  - 2013 Risk Management Conference
  - Water Quality
- Todd Parkes From WorkCover spoke on the role that WorkCover plays in local government

The following documents will be presented to the WHS Committee and will then be presented to MANEX for approval.

- Testing and Tagging Policy

# WARRUMBUNGLE SHIRE COUNCIL

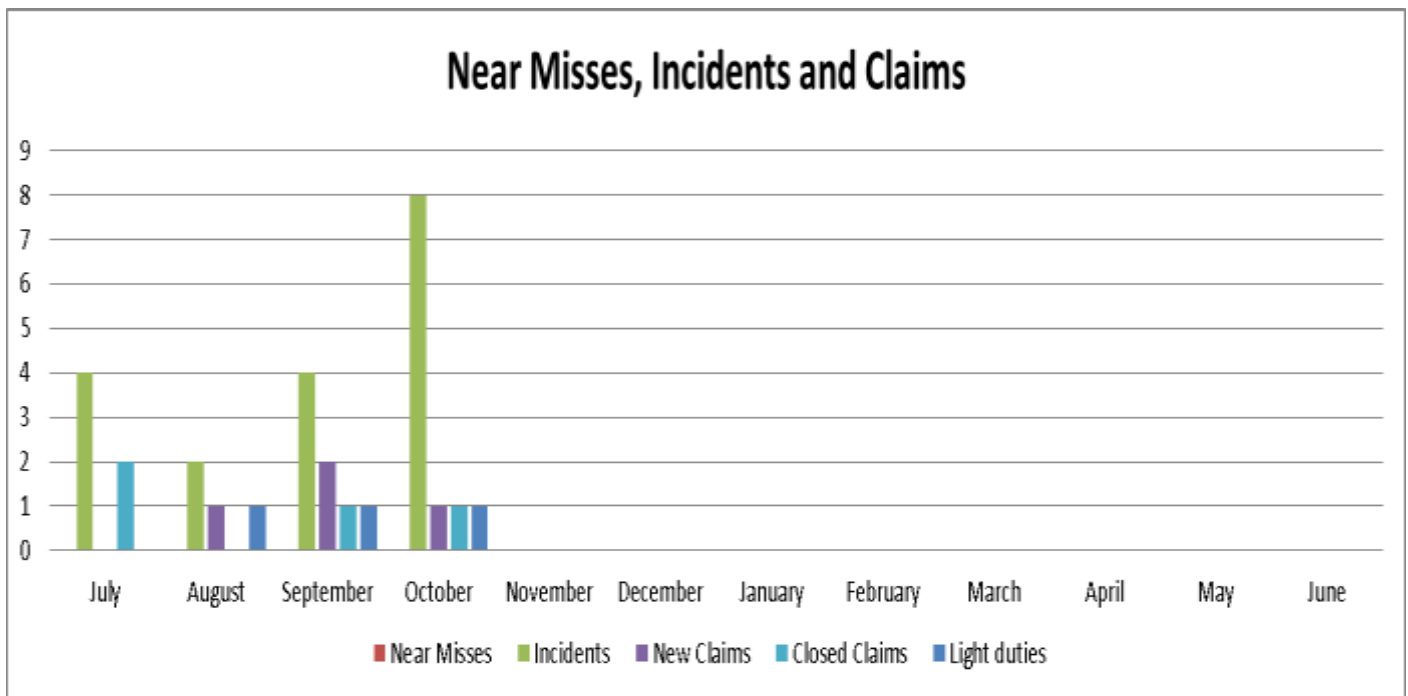
## Ordinary Meeting – 21 November 2013

- WHS Consultation and Communication
- Working in Extreme Temperatures

Safe Work Method Statements have been finalised and distributed to Staff. Staff travelled to Gulgong to meet with Mudgee Regional Council to see the Workers on Foot plan that they have implemented. This will be a great help for Council in implementing Workers on Foot plans in our Shire.

### Workers Compensation and Incidents:

Directorate	Near Misses	Incidents	Claims
Corporate Services		1	
Executive Services			
Environmental & Community Services		3	
Technical Services		4	1



### RECOMMENDATION

For Council's information.



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### Item 15 Draft Organisational Structure

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Human Resources
<b>Authors:</b>	Manager Human Resources – Val Kearnes
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF8 Council undertakes its organisational, workforce and risk management responsibilities with efficiency and effectiveness.

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### Reason for Report

S333 of the Local Government Act (1993) states *“that the organisation structure may be re-determined by the council from time to time. It must be re-determined within 12 months after any ordinary election of the Council.”*

Council approval is now sought for the final Draft Organisational Structure.

### Background

Council endorsed a proposed Draft Organisational Structure in July 2013 and resolved that the General Manager be authorised to enter into consultation with the Consultative Committee and relevant Unions to progress the implementation of the new Warrumbungle Shire Council Organisational Structure as presented (**Resolution No 49/1314**).

As per the NSW Local Government Award (2010) the consultation process with individual staff, Consultative Committee and Unions commenced since the July Council Meeting. The proposed changes were also discussed at Manager’s Meetings and at five (5) separate Consultative Committee meetings.

The General Manager has also undertaken separately discussions with the United Services Union Delegates.

Individual staff whose jobs are being significantly effected have been notified on alternative options which they may consider. This includes offers of lateral transfers or the opportunity for redundancy.

All effected positions have been re-evaluated and graded accordingly. The new Position Descriptions and Competency Documents were presented to the Consultative Committee.

### Issues

The revised Draft Structure has several changes to the document previously presented to Council in July 2013.

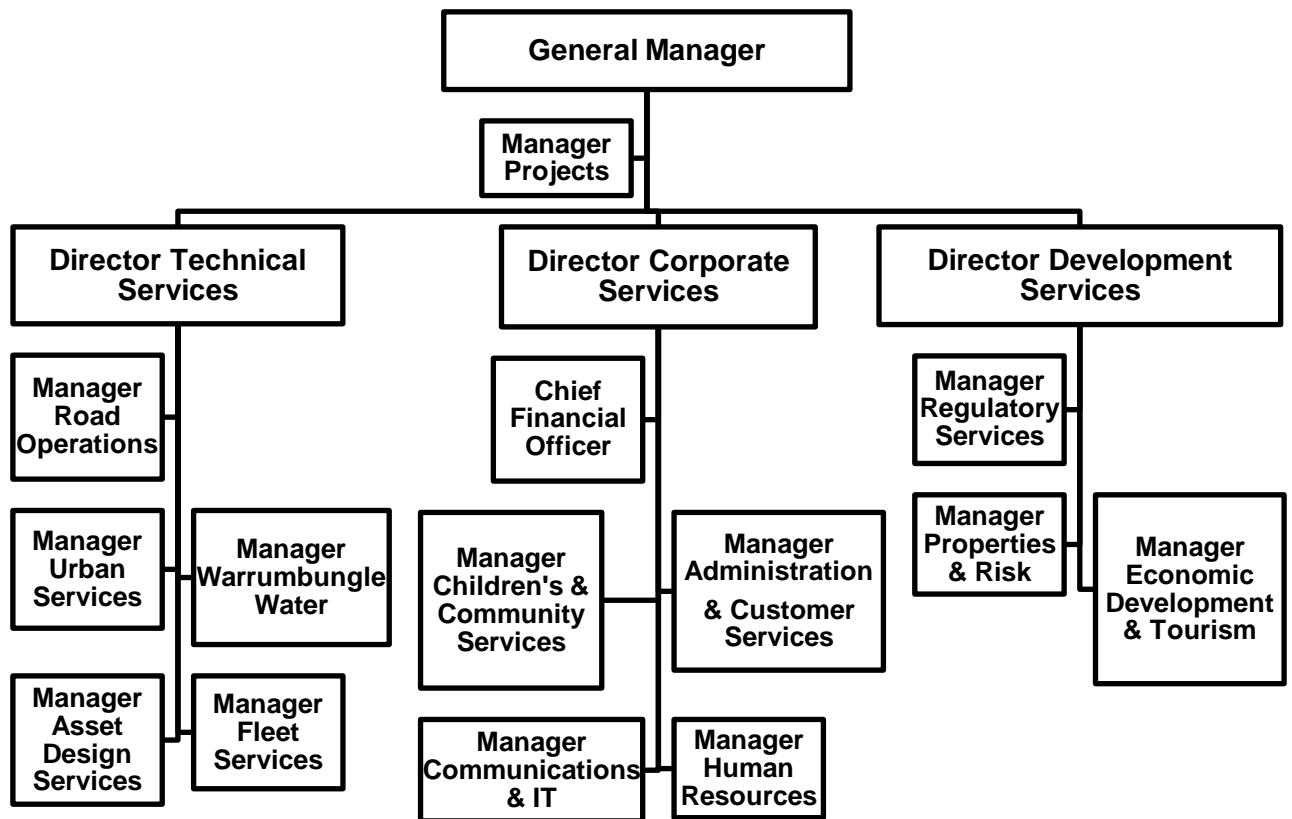
- Human Resources Department moved to Corporate Services
- An additional Supervisor Community Care at Coolah

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- Senior Community Care Coordinator Coonabarabran changed to Supervisor Community Care
- Two (2) Compliance Officer position's remain with the option of a Senior Compliance Officer.
- Street Sweeper moved to Urban Services
- Additional Recycling Operator in Coonabarabran to replace Street Sweeper at Coonabarabran Recycling Centre
- Manager Properties title remains as Manager Properties and Risk

The Draft Organisational Structure to Manager level within each Directorate is presented as follows;



### Options

Council has the option to concur with the new structure presented or choose to remain with the current organisation structure.

Council has a duty to notify and discuss change with the employees affected and the Union as soon as practicable after a definite decision is made by the Council to make the changes recommended.

# WARRUMBUNGLE SHIRE COUNCIL

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### **Financial Considerations**

Costing presented to Council at the July meeting stated an estimated cost saving to the organisation was \$151,388. This has now changed to estimated cost saving of \$79,045. Several staff whose positions are being significantly affected will be offered the opportunity to apply for other positions available in the new structure as lateral transfers or be offered redundancy under the terms of the Local Government State Award (2010).

For those staff whose positions have changed decisively and have been offered another position, Council must follow the Local Government Award which states:

*'If the employee agrees to be redeployed by council into a lower paid position, the employee's existing salary and conditions shall be maintained for a period equivalent to the amount of notice and severance pay that the employee would be entitled to under this award.'*

In effect this means that the anticipated cost savings of the new structure will be not be fully delivered until these award entitlements are fully expended. The General Manager will provide a report to the February 2014 Council meeting as part of the QBRs second quarterly statements.

Currently Council has been advised of one (1) staff member's preference for a redundancy. Other potentially affected employees have yet to make a final decision. The minimum immediate cost to Council for expected redundancy payments is approximately \$14,000 with a higher level, depending on decisions made by other employees estimated at \$97,050.

Consultation with staff is similarly important during the implementation phase of a new Organisational Structure, regardless of the magnitude of the change. This new structure will realistically take at least three (3) to five (5) months to be embedded as each new position is in place. There are critical positions such as the Director Development Services, Manager Road Operations and Quarry Supervisor that will be advertised immediately. Then as these positions are filled; the next level will be implemented and shifting across of Managers to each Directorate.

### **RECOMMENDATION**

That Council approve the draft Warrumbungle Shire Council Organisational Structure.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 16 Warrumbungle Shire Council Quarterly Award for Excellence

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Human Resources
<b>Authors:</b>	Manager Human Resources – Val Kearnes
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF8 Council undertakes its organisational, workforce and risk management responsibilities with efficiency and effectiveness.

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### Background

Each quarter staff are asked to nominate a staff member who they believe go above and beyond the normal requirements for their position and show excellence in their profession.

Applications for the Fourth Quarterly Warrumbungle Shire Employee Excellence in Achievement Award (2013) closed on September 30, 2013. The previous recipient of this Award (Third Quarter) was George Kertesz.(Recycling Operator).

MANEX considered the following staff, nominated by their fellow employees for their excellence and dedication in their individual positions:

- Gale Stanley – Receptionist/RMS Officer
- Greg Donovan – Bus Driver
- Glennis Mangan – Learning & Development Coordinator
- George Kertesz – Previous recipient
- Mike Myers – Youth Development Officer

Winner of the Fourth Quarterly Excellence in Achievement Award is Mike Myers.

Mike joined Council in January 2012 as a Youth Development Officer.

During his time with Council, Mike has run a range of community youth programs throughout the shire in all towns. He has used some innovative ideas to attract youth ensuring involvement of all cultural groups. His involvement in all age groups is reflected in the success of the holiday programs and youth groups.

Mike's commitment, enthusiasm and ability to involve himself in his work has impressed not only his fellow workmates but also those within the community.

### Issues

Nil

### Options

# WARRUMBUNGLE SHIRE COUNCIL

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Nil

### **Financial Considerations**

One of the four quarterly award winners will be selected in December to receive the yearly award. This staff member will be awarded an extra one week's annual leave as their prize.

### **RECOMMENDATION**

Council accepts the recommendation from MANEX and presents Mike Myers, Youth Development Officer with the Fourth Quarter 2013 Warrumbungle Shire Council Employee Excellence in Achievement Award.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 17 Details of 2013-14 Financial Assistance Grant Calculations

<b>Division:</b>	Executive Services
<b>Management Area:</b>	General Manager
<b>Author:</b>	Director Corporate Services – Rebecca Ryan
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF6 -That Council is financially sustainable over the long term.

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#### **Reason for Report**

The NSW Local Government Grants Commission has a policy of providing information to councils about the way it calculates financial assistance grants. A detailed summary of the 2013-14 grant calculations for Warrumbungle Shire Council has been received with a request that this information is tabled at the Council meeting.

A copy of the letter is provided to Council under separate cover.

#### **Background**

Special submissions are invited from Council in relation to the distribution of financial assistance grants for 2014-15. The purpose of a submission is to give Council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the commission to adequately consider all legitimate factors that affect Council's capacity to deliver services.

Appendix D: Guidelines for Special Submissions, contains guidelines for preparing submissions. Submissions should be e-mailed to the Commission at [grants@dlg.nsw.gov.au](mailto:grants@dlg.nsw.gov.au) by 30 November 2013.

#### **Issues**

Appendix A: Disability Calculations Summary - 2013-14, shows the measures used in the calculation of grants for Warrumbungle Shire Council. This information should be examined if Council is considering making a special submission.

Appendix B: Explanation of Calculation Summaries, explains how the revenue and expenditure allowances are calculated and used in the grant determination process.

Appendix C: Details of Disability Factors, provides background information relating to what each expenditure disability factor recognises, the measures used, their source, the standards (State average) and weightings.

The NSW Grants Commission met with Council on 29 May 2013 to explain the commissions operations and the basis of its calculation of financial assistance grants. This meeting also gave Council the opportunity to present its particular problems and for the Commission to see first hand Council's circumstances

# WARRUMBUNGL SHIRE COUNCIL

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### **Options**

Council is not required to make a submission.

### **Financial Considerations**

The methodology and disability indexes are factors in the calculation of the Financial Assistance Grants provided by the NSW Local Government Grants Commission.

### **RECOMMENDATION**

That Council accept the NSW Local Government Grants Commission details of the 2013-2014 Financial Assistance Grants Calculations.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 18 Annual Report 2013

<b>Division:</b>	Executive Services
<b>Management Area:</b>	General Manager
<b>Author:</b>	Manager Administration & Customer Service – Sally Morris
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

---

### **Background**

Within five months after the end of each year, Council must prepare an annual report for that year reporting a comparison of actual performance against projected performance of its principal activities measured in accordance with the management plan.

This review of Council's performance covers the period 1 July 2012 to 30 June 2013.

### **Issues**

With the introduction of Integrated Planning and Reporting legislation and the endorsement by Council of the Community Strategic Plan, Council's 2013 Annual Report is reporting on its achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed as per s428 of the Local Government Act (1993).

A copy of Council's Annual Report must be posted on the Council's website and provided to the Minister for Local Government via the Division of Local Government (DLG) and include the annual State of the Environment Report.

### **Options**

Council must provide the endorsed Annual Report to the Minister by 30 November 2013.

### **Financial Considerations**

Nil

### **Summary**

The 2012/2013 Annual Report has been prepared and is submitted for Council's information, provided under separate cover.

### **RECOMMENDATION**

That Council note the contents of the 2012/2013 Annual Report and that it is submitted to the Minister for Local Government.



# WARRUMBUNGL SHIRE COUNCIL

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### Item 19 Constitutional Recognition of Local Government Refund of Contributions

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Assistant – Melissa Bennett
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF1 Council is experience increasing demands arising from cost shifting and withdrawal of services from State and Federal Government and rising community expectations for services and facilities

---

#### **Reason for Report**

The purpose of this report is to update council on return of funds paid to support the Local Government referendum campaign.

#### **Background**

A referendum on the financial recognition of Local Government in the Australian Constitution was to be held in conjunction with the 14 September 2013 Federal Election. However, due to an earlier election on 7 September, the referendum could not proceed.

In April 2011, Council resolved to declare its support for financial recognition of Local Government in the Australian Constitution (Resolution 344).

When the referendum campaign initially commenced, all funds paid to Local Government New South Wales (LGNSW) by councils were duly forwarded to the Australian Local Government Association (ALGA), as they were organising the national campaign and requested the funds to commence campaign research and design.

With the referendum not proceeding the ALGA is now returning the unspent money to LGNSW and in turn this enables LGNSW to provide a full refund of contributions.

#### **Issues**

In the first instance only a partial refund was refunded to councils. However the LGNSW and ALGA lobbied to the Federal Government for all monies to be refunded to councils and the new Government have seen fit to reimburse all the money councils invested in the cancelled referendum campaign.

#### **Options**

Nil

#### **Financial Considerations**

In February 2013, council approved the supplementary vote of \$4,594 being council's contribution to the campaign being led by the ALGA (Resolution 237/1213). Council has received the partial refund of \$1,798.29 with the remainder being refunded by 30 November 2013.

#### **RECOMMENDATION**

For Council's information.

# WARRUMBUNGL SHIRE COUNCIL

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### Item 20 NSW Rural Fire Service Castlereagh Zoning Agreement

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Assistant – Melissa Bennett
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	PI2 The long term wellbeing of our communities is dependent on the ongoing provision of high quality services in health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management.

---

#### **Reason for Report**

A new zoning agreement with the NSW Rural Fire Service is presented to Council. Approval is sought for the Mayor and General Manager to sign and affix the Council Seal to the agreement for execution.

#### **Background**

Advice has been received from Inspector Corey Philip, District Manager of the Castlereagh Zone Rural Fire Service, advising that the Zoning Agreement and Heads of Agreement between councils have expired.

It has been determined that the Heads of Agreement is no longer required, with information from this document now contained in the Service Level Agreement that was signed earlier this year (Resolution 206/1213).

The Zoning Agreement has a commencement date of 1 January 2014 and will continue until it is terminated pursuant to the provisions of clause 19 of the Agreement, whereby councils may agree to conduct a review.

The document (Attachment 1) is now presented to Council for endorsement.

#### **Issues**

Nil

#### **Options**

Nil

#### **Financial Considerations**

Nil

#### **RECOMMENDATION**

That Council approve the Mayor and General Manager to sign and affix the Council Seal to execute the NSW Rural Fire Service Castlereagh Zoning Agreement that will commence from 1 January 2014.

# WARRUMBUNGLE SHIRE COUNCIL

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Attachment 1

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The Council of *Gilgandra*  
&  
The Council of *Warrumbungle*



***Castlereagh***  
**RFS Zoning Agreement**

**WARRUMBUNGL SHIRE COUNCIL**

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### Agreement made between Gilgandra Council and Warrumbungle Council effective on 1 January 2014

**Parties**        The Council of *Gilgandra of Warren Road, Gilgandra* in the state of New South Wales ("**the Gilgandra Shire Council**")

and

The Council of *Warrumbungles of John St, Coonabarabran* in the state of New South Wales ("**the Warrumbungle Shire Council**")

### Recitals

- (A) The Councils have agreed to operate and manage the Rural Fire Districts as a Zone.
- (B) The Councils and the Commissioner have agreed to operate and manage the Zone under the terms of a Service Agreement (SA).
- (C) The Councils have agreed to delegate certain functions, powers and duties to the Zone Manager (fire control officer) in accordance with the SA.
- (D) The Gilgandra Shire Council has delegated its rural fire financial and accounting functions and responsibilities to Warrumbungle Shire Council.

The parties agree:

---

### 1. Definitions

In this agreement:

- (a) "**Act**" means the *Rural Fires Act 1997 (NSW)* as amended.
- (b) "**Councils' functions**" means the functions that the Commissioner has agreed to exercise on behalf of the Councils
- (c) "**Delegations**" means the delegations made by the Councils to the Zone Manager
- (d) "**Districts**" means [*insert relevant rural fire districts*]
- (e) "**Fire Control Officers**" and "**FCO**" means the Zone Manager

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- (f) “**Fire Fighting Apparatus**” means all vehicles, equipment and other things used for, or in conjunction with, the prevention or suppression of fire protections of life or property in case of fire.
- (g) “**Fire Fighting Equipment**” means the fire fighting apparatus used by the rural fire services operating in the Districts.
- (h) “**Advisory Committee**” means the Committee of senior field officers established to consult with and advise the Zone Manager.
- (i) “**Minister**” means the Minister responsible for the administration of the Act.
- (j) “**Premier**” means the Premier of New South Wales.
- (k) “**Premises**” means the land and buildings or parts of land and buildings currently occupied or used by rural fire services operating in the Districts specified in the Service Agreement.
- (l) “**Rural Fire Services operating in the Districts**” means the fire control officer for the Districts, the deputy fire control officers for the Districts, the groups officers and the volunteer rural fire fighters forming the rural fire brigades in the Districts.
- (m) “**Service Standards**” means the Service Standards issued by the Commissioner pursuant to the provisions of section 13 of the Act.
- (n) “**Zone**” means the combined area comprising the Districts.

---

## 2. Interpretation

In this Agreement:

- (a) headings are for convenience only and do not affect interpretation and unless the context indicates a contrary intention;
- (b) words importing the singular include the plural and vice versa; and words denoting a given gender include all other genders;
- (c) the expression “person” includes an individual, the estate of an individual, a body politic, a corporation and a statutory or other authority or association (incorporated or unincorporated);
- (d) references to parties, clauses, sub-clauses, schedules, exhibits and annexures are references to parties, clauses, sub-clauses, schedules, exhibits and annexures to or of this Agreement and a reference to this Agreement includes any schedule, exhibit and annexure;
- (e) references to this Agreement, or any other deed, agreement, instrument or document shall be deemed to include references to this Agreement or

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- any other deed, agreement, instrument or documents as amended, novated, supplemented, or replaced from time to time;
- (f) a reference to an agreement includes a representation, undertaking, deed, agreement, or legally enforceable order or arrangement or understanding, whether or not in writing;
  - (g) a reference to a document includes any written agreement and any certificate or note or other document of any kind;
  - (h) references to any person or to any party to this Agreement include that person's party's executors, administrators, successors and permitted assigns;
  - (i) where any word or phrase is given a defined meaning or other part of speech or grammatical form in respect of that word or phrase has corresponding meaning;
  - (j) where the day on or by which any sum is payable under this Agreement, or any act, matter or thing is to be done is a day other than a Business Day, that sum will be paid and such act, matter or thing will be done in the immediately preceding Business Day;
  - (k) where two or more parties to this Agreement make a joint covenant, undertaking, representation or warranty, it will be construed to refer to and bind each of such parties jointly and each of them severally;
  - (l) references to payments to any party of this Agreement will be construed to include payments to another person upon the direction of such party;
  - (m) all payments to be made pursuant to this Agreement will be made by unendorsed bank cheque or other immediately available funds; and
  - (n) references to any legislation or to any section or provision of any legislation includes any statutory modification or re-enactment or any statutory provision substituted therefore and all ordinances, by-laws, regulations and other statutory documents issued thereunder.
- 

### **3. Commencement and term**

- 3.1 Notwithstanding the date upon which this Agreement is signed the parties agree that the operation of the Agreement will commence on *1 January 2014* and continue until it is terminated pursuant to the provisions of clause 19 of this agreement.
  - 3.2 This Agreement replaces the Zoning Agreement between the councils commencing 1 January 2007.
-

# WARRUMBUNGLE SHIRE COUNCIL

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### **4. Background**

As a result of the establishment of a Zoning Working Party and its subsequent analysis, the Councils adopted the Working Party's recommendations and resolved to form a Rural Fire Service Zone based on two (2) Councils in the Castlereagh Zone.

Gilgandra Shire Councils' current management arrangements remain unchanged other than financial and accounting functions, which have been delegated to Warrumbungle Shire Council.

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### **5. Name**

The zone will be called Castlereagh Zone and will incorporate Gilgandra and Warrumbungles Rural Fire Districts.

---

### **6. Staff Structure**

- 6.1 The staff structure for the Castlereagh Zone is set out in Annexure 1 attached to the Agreement. The structure establishes functional areas of responsibility as specified.
  - 6.2 Appointment to positions will be in accordance with Rural Fire Service Policy
  - 6.3 Positions unable to be filled from existing district staff will be advertised and appointed in accordance with Rural Fire Service Policy
- 

### **7. Group Officer Structure / Advisory Committee**

- 7.1 The district Group Officer structures will be retained. Any structural reform will only occur in accordance with the Service Standards.
  - 7.2 The Group Officers will comprise the Zone Advisory Committee
- 

### **8. Brigade Structure**



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- 8.1 The current district brigade structure will be retained. Any structural reform will only occur in accordance with the Service Standards and Service Agreement provisions.
  - 8.2 Appointment of brigade officers will be in accordance with the Service Standards and delegations specified in the Service Agreement.
- 

### **9. Brigade Management**

- 9.1 The current communication / information flow systems will continue. Minimum standards are to be adopted by brigades for internal communication and intra-zone communication. All correspondence is to be referred to the Zone Manager.
  - 9.2 All brigades will be administered in accordance with the brigade constitution prepared and adopted in compliance with the Service Standards. Zone staff as delegated by the Zone Manager may attend brigade annual general and general meetings.
  - 9.3 The Zone Administration Centres in accordance with the Service Standards will maintain a brigade membership register. The SAP management system will be the basis for the membership register.
  - 9.4 Discipline and grievances will be managed in accordance with the Service Standards. Issues will be referred through the District Liaison Officers to the Zone Manager.
  - 9.5 Captains meetings will be held in accordance to the Service Standards with the dates set annually. The location of Captains meetings may be varied throughout the Zone. All Captains are eligible to attend these meetings.
- 

### **10. Zone Headquarters**

- 10.1 The Zone Administration Centre will be a category one fire control office that will operate from Coonabarabran. Offices will also be maintained in Coolah and Gilgandra.
  - 10.2 Although plans are under review for construction of central fire control centre that will operate from Coonabarabran for the zone, the office in Gilgandra will be maintained.
- 

### **11. Equipment**

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- 11.1 Current estimates planning and equipment allocation systems will continue initially with a transition to improvement and replacement programs based on Service Delivery Model recommendations.
- 11.2 Rural fire tankers will remain the responsibility of the individual districts in terms of maintenance, replacement and new allocation. Service Delivery Model improvements and replacement programs will be developed for the Zone.
- 11.3 All fleet maintenance, repairs and servicing will be co-ordinated through the Zone Operations Officer. A fleet maintenance agreement will be prepared by 31 August 2014 and will be attached as Annexure '2'. A number of fleet maintenance service providers may be selected as a result of this policy by Advisory Committee
- 11.4 Rural Fire Stations will remain the responsibility of the individual districts in terms of maintenance, replacement and new allocations.
- 11.5 Personal Protective Equipment (PPE) will continue to be issued to volunteer firefighters in accordance with Service Standards.
- 11.6 District equipment store facilities will be maintained and reviewed in conjunction with continuous service improvement programs. Stores tracking systems will be implemented for equipment allocation and issue.

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## **12. Brigade / Volunteer Training**

- 12.1 Training will continue to be provided throughout the Zone in compliance with RFS training standards. Current district based training will be made available to eligible volunteers from brigades throughout the Zone
  - 12.2 All current training venues will be retained. Training venues for specific courses or training activities will be determined to suit the majority needs of the trainee participants.
  - 12.3 A Zone Training Committee will be established with the Zone Learning and Development Officer holding the Executive Officer position on the Committee. The Committee will have three (3) qualified RFI volunteers with a minimum of one (1) per district.
  - 12.4 Functional training co-ordinators may be appointed for defined functional training disciplines within the Zone(e.g. Chainsaw, RFD, VF etc).
-

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### **13. Community Education**

- 13.1 Community education programs will be developed and facilitated through the Zone Community Education Committee. The Community Safety Officer will be the Executive Officer to the Committee.
- 13.2 The Community Education Committee will comprise three (3) active volunteers accredited as Community Safety Assistants, with a minimum of one (1) per district.
- 

### **14. Finance and Accounting**

- 14.1 Warrumbungle will provide host Council financial and accounting support services for the Zone. Financial and accounting support services will be provided in accordance with the Zone Service Agreement. Gilgandra Shire Council agrees to pay an annual contribution of 33.3% to Warrumbungles Shire Council for the provision of financial and accounting services to the Zone. The annual contribution will be reviewed in six (6) months time and will be appropriately adjusted. The contribution will be indexed annually in accordance with CPIU variations.
- 14.2 Estimates will be prepared for the Districts annually in consultation with the respective Council. Councils will approve the budgetary limits for estimates each year. Councils will contribute 11.7% of the total estimates approved.
- 14.3 Funding for the Zone will be apportioned to the Districts on the following basis:
- Zone Office and fire control centre operating costs - 33.3% to 66.6% split;
  - Staff salaries and overheads – 33.3% to 66.6% split;
  - Brigade operating costs including M&R, fuels etc – individual districts;
  - Capital Items and new equipment – individual districts;
  - RFS Program costs – apportioned pro-rata based on district estimates.
- 14.4 Each district will retain current district arrangements for the insurance of RFS building assets.
- 

### **15. Service Agreement**

- 15.1 The Zone Service Agreement (SA) defines the conference of functions and responsibilities between the Councils and the Commissioner of the NSW Rural Fire Service. The SA specifies the services and level of support provided by each of the organisations to each of the organisations.
-

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15.2 The Zone SA contains schedules listing the premises and equipment assets of each of the districts

15.3 The performance of the SA is monitored and reviewed by the Zone SA Liaison Committee. The membership of the committee is established by the Service Standard and is set out in the SA.

---

### **16. Further Assistance**

The parties covenant and agree that each will do all acts and things and execute all deeds and documents and other writings as are from time to time reasonably required for the purposes of or give effect to this Agreement.

---

### **17. Governing Law**

This Agreement will be governed by and construed in accordance with the laws of New South Wales.

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### **18. Waiver**

No waiver of any breach of the Agreements will be held or construed to be a waiver of any other subsequent or antecedent breach of this Agreement.

---

### **19. Review**

19.1 The Councils may agree to conduct a review of this Agreement not less than 12 months after its commencement.

19.2 The review shall be conducted in such a manner and by such persons as may be agreed in writing between the Councils.

---

### **20. Notices**

20.1 All notices, requests, consents and other documents authorised or required to be given by or under this Agreement will be given in writing and either personally served, sent by facsimile transmission (“**fax**”) or email addressed as follows:

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# WARRUMBUNGLE SHIRE COUNCIL

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### **The Councils**

To: The General Manager  
Gilgandra Shire Council  
PO Box 23 GILGANDRA 2827  
Fax no: 6847 2521  
Email Address: [council@gilgandra.nsw.gov.au](mailto:council@gilgandra.nsw.gov.au)

To: The General Manager  
Warrumbungle Shire Council  
PO BOX 191 COONABARABRAN 2357  
Fax no: 6842 1337  
Email Address: [info@warrumbungle.nsw.gov.au](mailto:info@warrumbungle.nsw.gov.au)

**20.2** Notices, requests, consents and other documents (“**Notices**”) will be deemed served or given:

- (a) If personally served by being left at the address of the party to whom the Notice is given between the hours of 9.00am and 5.00pm on any Business Day, then in such case at the time the Notice is so delivered;
- (b) If sent by fax, then in such case when successfully transmitted during business hours, or if not during business hours, then when business hours next commence.

**20.3** Any party may change its address for receipts of Notices at any time by giving notice of such change to the other party. Any Notice given under this Agreement may be signed on behalf of any party by the duly authorised representative of that party and will be sent to all other parties to this Agreement.

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## **21. Counterparts**

This Agreement may be signed in any number of counterparts and all such counterparts taken together will be deemed to constitute one and the same document.

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## **22. Modification**

This Agreement may not be modified, amended, added to or otherwise varied except by a document signed by each of the parties.

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## **23. Legal Costs**

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**WARRUMBUNGLE SHIRE COUNCIL**

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Each party will bear their own legal costs in relation to this Agreement.

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**24. Entire Agreement**

This Agreement comprises the entire agreements between the parties and no earlier agreement, understanding or representation, whether oral or in writing, in relation to any matter dealt with in this Agreement will have any effect from the date of this Agreement.

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**25. Severability**

In the event that part or all of any clause of this Agreement is held to be illegal or unenforceable it will be severed from this Agreement and it will not effect the continued operation of the remaining provisions of this Agreement.

---

**Signed** as an agreement.

**The Common Seal of the**

Gilgandra Shire Council was affixed in pursuance of a resolution passed by the Council on the 20<sup>th</sup> day of November 2013 in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

**The Common Seal of the**

Warrumbungle Shire Council was affixed in pursuance of a resolution passed by the Council on the 21<sup>st</sup> day of November 2013 in the presence of:

\_\_\_\_\_  
Mayor

**WARRUMBUNGL SHIRE COUNCIL**

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\_\_\_\_\_  
General Manager

**Signed by**  
**Shane Fitzsimmons AFSM**  
**Commissioner**  
**NSW Rural Fire Service**  
In the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of witness in full

\_\_\_\_\_  
Signature of witness

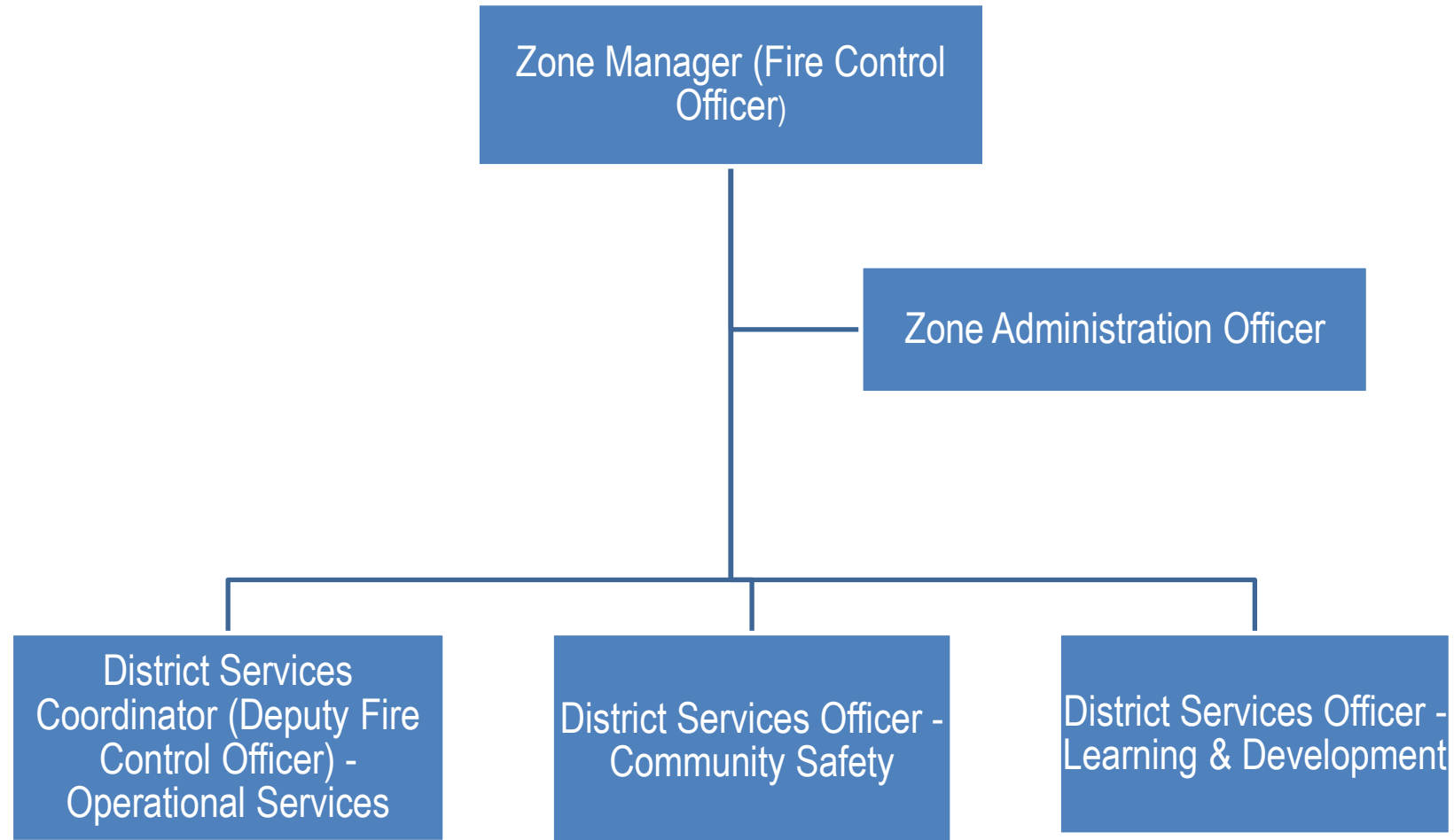
**WARRUMBUNGL E SHIRE COUNCIL**

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***CASTLEREAGH ZONE***

**STRUCTURE CHART AND FUNCTIONS OF STAFF WORKING WITHIN THE ZONE**





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### Item 21 Request of expenses for attendance of Council endorsed conferences or events

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Assistant – Melissa Bennett
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity

---

#### **Reason for Report**

For Council to approve, in accordance with clause 2.6 of the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors, the 'reasonable' expenses for attendees to the LGNSW and National Roads Congress be paid.

#### **Background**

From time to time it is often necessary for council to resolve to nominate and send Councillors or the General Manager to attend events and functions on behalf of Council. These occasions often require travel, accommodation and meals to be provided by Council.

It is also expected that the spouse, partner or companion of those Councillors and General Manager would accompany them to assist in the collegiate building of network relationships with other Councils. It is usual for Council to consider and resolve to pay those "reasonable" associated costs.

#### **Council Strategic Policy 1.1 clause 2.6**

*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.*

On the occasions subject to this report there will be no requirement for any extra accommodation.

### **Issues**

Council has resolved on two occasions over recent months to send Councillors and the General Manager to events such as the LGNSW Conference and the National Roads Congress. On each of these resolutions the provision of expense payment was inadvertently overlooked.

### **Options**

Council has discretion on whether or not the expenses of a partner are paid for by council when a councillor attends a conference or any particular event.

### **Financial Considerations**

A budget allocation exists for payment of expenses associated with attendance at council endorsed events.

### **RECOMMENDATION**

That in accordance with clause 2.6 of the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors the "reasonable" expenses for attendees partners to the LGNSW and National Roads Congress be paid.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 22 Cobbora Holdings Corporation – Voluntary Planning Agreement

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Assistant – Melissa Bennett
<b>CSP Key Focus Area:</b>	Natural Environment
<b>Priority / Strategy:</b>	NE2 Activities involving the extraction of natural resources from our Council area, including coal and coal seam gas, should have minimal negative impacts on our natural environment

---

#### **Reason for Report**

To determine council position in relation to the Cobbora Holdings Corporation Voluntary Planning Agreement (VPA).

#### **Background**

- Cobbora Holding Corporation have rejected council's proposed VPA
- General Manager attended a meeting with Department of Planning and Infrastructure on 22 October 2013
- A further meeting was held with Department of Planning and Infrastructure on 15 November 2013

#### **Issues**

Major impact on community amenity.

#### **Options**

Accept the VPA as presented.

Continue to negotiate with the Department of Planning and Infrastructure.

#### **Financial Considerations**

Shortfall of approximately \$2.4million over the life of the mine.

#### **RECOMMENDATION**

That the General Manager continue to negotiate with the Cobbora Holding Company in conjunction with the Department of Planning and Infrastructure.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 23 Warrumbungle Cobbora Transition Fund Committee

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Communications and IT – Chris White
<b>CSP Key Focus Area:</b>	Local Economy
<b>Priority:</b>	LE4 There are diverse products and services locally available and minimal economic leakage to larger regional centres.

---

### Reason for Report

To request endorsement by Council of the Warrumbungle Cobbora Transition Fund Committee.

### Background

The Restart NSW Cobbora Transition Fund Expression of Interest (EOI) Guidelines were released by Infrastructure NSW on 1 November 2014. The NSW Government is inviting applications for projects from communities affected by the Cobbora Coal Project. A total of \$20 million has been committed to the Cobbora Transition Fund, of which \$1 million is allocated to each of the four local government areas. The remaining \$16 million will be allocated to the successful applications from within the region. LGAs covered by the Fund are Dubbo, Mid-Western, Warrumbungle and Wellington.

Project nominations are invited from local councils, community groups, industry and business organisations and non-government organisations. Project nominations involving partnerships of these entities and/or partnerships with NSW Government entities will be welcomed.

Funding will be allocated through an application process following consultation with relevant stakeholders, including local councils, Members of Parliament and Regional Development Australia.

Infrastructure NSW will manage the assessment process. Projects must demonstrate that they

- Fulfil the NSW Government's objective for the Cobbora Transition Fund and align with other regional strategies and policies; and
- Have a positive net economic impact on the region (as a whole) and the NSW economy.

Projects may stimulate both economic and social infrastructure, however social infrastructure projects will need to demonstrate how they support the economic development of an area.

The Government expects to announce the successful projects in the 2014-15 budget.

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At the October 2013 Council meeting, Resolution 142/1314 states that Council will form and lead a community committee to formulate and investigate submissions to the NSW Restart Cobbora Transition Fund. Furthermore, the Local Government Act 1993 Section 355 describes that a function of council may be exercised by a committee of the Council. As such, it is proposed to form the Warrumbungle Cobbora Transition Fund Committee to have the following role and objective:

- *Identify and prioritise projects recommended for EOI submission to the Cobbora Transition Fund by 31 January 2014*
- *Ensure project proposals are coordinated*
- *Oversee the follow through of any projects that are shortlisted by Infrastructure NSW from the EOI to be submitted with a detailed project application after the EOI by 31 March 2014*

The Terms of Reference for the Committee follow this business paper item.

In addition, Resolution 143/1314 stated that an application be submitted to the committee for part of the \$1,000,000 already allocated to Warrumbungle Shire Council from NSW Restart Cobbora Transition Fund be used for investigation and a feasibility study of proposal for connection of Dunedoo to the natural gas supply and possible submission as a major project.

### **Issues**

Council will need to determine allocation of the \$1 million to forward Infrastructure NSW to obtain the allocated monies.

Council endorse the Warrumbungle Cobbora Transition Fund Committee to advise Council on projects recommended for the EOI submission closing on 31 January 2014, and oversee shortlisted projects that require a detailed application by 31 March 2014.

### **Options**

To not apply for projects.

### **Financial Considerations**

Revenue of \$1 million available in the current budget year to Council for determination on project expenditure as per the guidelines released by NSW Infrastructure and the Advisory Committee on 1 November 2013.

Revenue in the 2014/15 financial year budget of up to \$16 million for Council to determine EOI applications for projects as per guidelines.

### **RECOMMENDATION**

1. That Council approves the appointment of the following Councillors, staff and Community representatives;
  - Deputy Mayor Murray Coe and
  - Cr Chris Sullivan
  - General Manager, Steve Loane

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- Gawain Bowman
  - Peter Campbell
  - Sally Dent
  - Todd Ferguson
  - Alison Kensit
  - Angus Stuart
  - Dunedoo District Development Coordinator, Marie Hensley
2. That Council approves the Terms of Reference of the Warrumbungle Cobbora Transition Fund Committee.
  3. That Council defer the allocation of the \$1 million until recommendations are received.

### **Terms of Reference**

#### **Warrumbungle Cobbora Transition Fund Committee – January 2013**

The Warrumbungle Cobbora Transition Fund Committee is an Internal Committee that has been established under the Local Government Act, 1993  
The Status of the Committee is purely advisory

#### **Terms of Reference**

##### 1. Title

The Committee shall be known as the Warrumbungle Cobbora Transition Fund Committee (hereinafter called the Committee).

##### 2. Role and Objectives

This is an Advisory Committee, to provide a forum for discussion and make recommendations to Warrumbungle Shire Council to:

- Identify and prioritise projects recommended for EOI submission to the Cobbora Transition Fund by 31 January 2014
- Ensure project proposals are coordinated
- Oversee the follow through of any projects that are shortlisted by Infrastructure NSW from the EOI to be submitted with a detailed project application after the EOI by 31 March 2014

The role of this Committee is purely advisory and may not commit Council resources. The Committee is to work within the framework of the Community Strategic Plan and does not deal with day to day operational matters. It should be noted that employees of the Council are not subject to the direction of the Advisory Committee or any of its members.

##### 3. Management

###### **A. Membership of Committee**

The Committee shall consist of:

- Two Councillor representatives (and the Mayor ex officio)
- One Staff Representative

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- Seven Community representatives from the Warrumbungle Shire Council local government area. The Community members shall serve on the Committee in a voluntary capacity.

Membership of the Committee shall be reviewed after each quadrennial election.

The quorum for the Committee is 6 members.

This Committee meets as required for the purposes of the Cobbora Transition Fund time frame at Dunedoo.

### B. Absence from Meetings

A Committee member absent from three (3) consecutive Committee meetings without approval of the Committee shall forfeit his/her place on the Committee.

### C. Resignation from the Committee

Any member of the Committee may, by notice in writing addressed to the Committee, resign his/her office as a member.

### D. Notification of Vacancies

The Committee shall notify the General Manager promptly of any vacancy occurring in its membership, whether it is through death, absence or resignation from the Committee.

The Committee shall submit to the General Manager within 28 days the name of a person considered by the Committee to be suitable for appointment. The General Manager will decide whether to accept that appointment, or to call for public Expressions of Interest. All newly appointed members must participate in a committee induction process as soon as possible following their appointment to the Committee so that they can comply with the proper conduct of meetings.

## 4. Duties of Officers

### A. Chairperson

The duties of the Chairperson are to:

- Direct meetings according to the Committee Terms of Reference, and Council's Code of Conduct.
- Facilitate the discussion of items on the agenda in a timely manner, and the consideration and approval of recommendations to Council.
- Ensure all committee members have the opportunity to participate in the meetings.
- Not attempt to direct Council staff, including not directing staff as to the content of any advice or recommendation.

### B. Secretariat and Staff Officer

The duties of the Secretariat and Staff Officer are to:

- Call all meetings of the Committee, and where possible hold meetings to enable minutes to be presented at the Council meeting on the third Thursday of the month.
- Develop and send out the agenda and reports for the meetings.
- Advise the Committee without fear or favour.
- Comply with Council's Guide to Ethical Behaviour: Staff.
- Record the minutes in the meeting, prepare all minutes and distribute them as described below.
- Keep a record of attendance for every member of the committee.

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- Attend to such housekeeping matters as booking meeting rooms and arranging refreshments in accordance with standard protocols.
- The Council Staff will not be members of the Committee, nor have voting rights, nor preside at meetings, apart from when it is necessary to organise the election of a chairperson to preside at the meeting.

### C. Members

The duties of the members are to:

- Attend and participate in meetings (as well as induction, planning sessions and relevant training).
- Work co-operatively with other members in achieving the objectives of the Committee.
- Contribute advice, ideas and suggestions relating to items on the agenda.
- Show respect for their peers, councillors, staff and others during Committee meetings.
- Understand that employees of the Council are not subject to the direction of Councillors, Committees or their members.

### 5. Meetings

- A QUORUM shall comprise a majority of members on the Committee. A scheduled meeting must be adjourned if a quorum is not present within half an hour after the time designated for the holding of the meeting, or at any time during the meeting. In either case, the meeting must be adjourned to a time, date and place fixed by the Chairperson, or, in his or her absence, by the majority of the members present.
- This is an Advisory Committee, and it is unlikely that there will be a need for voting, however, should that eventuality arise, each member of the Committee shall have one vote and decisions of the Committee shall be by simple majority. In the event of the votes and the members being equal the Chairperson of the meeting shall have a casting vote in addition to his/her deliberative vote.
- Council Secretariat and staff will attend meetings but have no voting rights, and provide administrative support and professional advice, as determined by the General Manager.
- Items may only be raised under General Business if the permission of the Chairperson is obtained before the meeting starts, and each such item is to have a recommendation;
- The first item on the agenda for all committee meetings (after apologies and requests for leave of absence) shall be the declaring by members present of pecuniary and non-pecuniary interests and these shall be recorded in the minutes.
- Any committee member who has a pecuniary interest in any matter on the agenda for a committee meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.
- Conflicts of interest may also arise due to a strong relationship or affiliation the member may have with a matter being discussed by the committee. These are referred to as non-pecuniary interests. A non-pecuniary interest would be



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considered significant where the relationship or affiliation is such as it would prevent the member from impartially and objectively considering all the relevant information as a result of this conflict of interest.

- A Councillor committee member who has a non-pecuniary interest in any matter on the agenda for a meeting, or that arises during a meeting at which they are present, must disclose the nature of the interest to the meeting as soon as practicable, and, in the case of a “significant” non-pecuniary interest must disclose the nature of the interest to the meeting as soon as practicable, and must not be present at, or in sight of, the meeting at any time during which the matter is being considered or discussed, or at any time during which the committee is voting on any question in relation to the matter.

A community member of a committee who is also a member or representative of a community group that could be affected by any matter on the agenda, or that arises during a meeting at which they are present, (irrespective of whether or not the person has a pecuniary or a non-pecuniary interest), must state the name of the community group of which the person is a member or representative, and the matter shall be recorded in the minutes.

### 6. Minutes, Communications and Reporting

- The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager.
- Once the draft minutes have been approved they will be referred to the Chair of the Committee for confirmation. The draft minutes will then be circulated to Committee members. Any questions by members regarding the minutes are to be referred immediately to the Staff Officer and if any error in the minutes is confirmed, the Staff Officer shall arrange to make the appropriate changes.
- Minutes will be completed within 2 weeks of the Committee meeting and then reported to the next available Council Meeting.
- Members of the Committee are not permitted to speak to the media as representatives of the Committee unless approved by Council.

### 7. Insurance

- Council shall effect personal accident insurance on Committee members together with legal liability cover.

Note: Legal liability cover will only be provided to members of the Committee whilst they are acting within the scope of their duties for and on behalf of Council.

### 8. Statutory Requirements

- The Committee shall ensure that the Local Government Act 1993 and related Regulations, all other statutory provisions and all Council's Codes and Policies relating to its activities are at all time strictly observed.

### 9. Dissolution

All committees are automatically dissolved from the date of the quadrennial election.

Adopted:

Modified:

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### **Addendum: Nominated members of the Warrumbungle Cobbora Transition Fund Committee:**

Date:

Chairperson:

- 

Councillor Representatives:

- Deputy Mayor Murray Coe
- Cr Chris Sullivan

Staff Representative

- General Manager, Steve Loane

Community Members:

- Gawain Bowman
- Peter Campbell
- Sally Dent
- Todd Ferguson
- Alison Kensit
- Angus Stuart
- Dunedoo Development Group Coordinator, Marie Hensley

External Organisation Representatives:

- nil

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### Item 24 Flying of Flags at the Council Administration Office in Coonabarabran

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Services – Melissa Bennett
<b>CSP Key Focus Area:</b>	Community and Culture
<b>Priority:</b>	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity

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#### **Reason for Report**

To determine the best position for flags flown in front of the Council administration building in Coonabarabran.

#### **Background**

There are national protocols for flying the Australian National Flag and other flags of Australia. Council has resolved to fly the Australian National Flag and the Australian Aboriginal Flag in front of the Council Administration building in Coonabarabran.

Two new flagpoles were installed on the corner of John Street and Cassilis Street following completion of the new building. The national protocols require the Australian National flag to be on the left hand side when facing the flagpoles and this is the correct situation.

Two letters have been received raising concern that the position of the Australian National Flag is not prominent, and appears to be subservient to other flags when viewed from north and south along John Street. Copies of the letters have been forwarded to Councillors under separate cover.

The flagpoles that are attached to the old section of the Administration building have chronic operational problems. These old poles are difficult and time consuming for staff to operate. The flags on these old poles often tangle with the building and electrical wires.

#### **Issues**

The position of the viewer to the flags strongly influences their perception on whether or not the Australian National Flag and the Australian Aboriginal Flag conform with protocols.

#### **Options**

Council has discretion in this matter and may wish to consider at which position a viewer most frequently views the flags on the corner of John Street and Cassilis Street.

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Advice has been sought from the Commonwealth Flag Officer and the following suggestion has been received.

*To determine the front of the building use the buildings entrance. Looking at the photo provided the observer would walk to the entrance and turn to their left to see the two flag poles. In this case it appears appropriate that you fly the Australian National Flag on the left and place the Australian Aboriginal Flag on the right to respect the order of precedence.*

### **Financial Considerations**

Nil

### **RECOMMENDATION**

That the Australian National Flag be flown on the Northernmost flagpole in the set of two flagpoles that are currently located on the footpath at the corner of John Street and Cassilis Street, Coonabarabran.

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### Item 25 Quarterly Budget Review Statement for the Quarter Ending 30 September 2013

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Finance
<b>Author:</b>	Chief Financial Officer, Stefan Murru
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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#### **Reason for Report**

To present a summary of Council's financial position as at the end of the September quarter.

#### **Background**

The Quarterly Budget Review Statement (QBRS) presents a summary of Council's financial position at the end of each quarter. It is the mechanism whereby Councillors and the community are informed of progress against the management plan.

In December 2010 the NSW Division of Local Government developed a set of minimum requirements for reporting the financial position of Council, to facilitate explanations and major variations and recommend changes to the budget for Council approval. The reports also enable the Responsible Accounting Officer (RAO) to indicate if Council will be in a satisfactory financial position at the end of the financial year.

The minimum requirements for the QBRS are included in the Code of Accounting Practice and Financial Reporting and form part of the legislative framework in accordance with clause 203 (3) of the Regulations.

The new reporting format came into effect on 1 July 2011. The QBRS is composed of, but not limited to, the following budget review (BR) components:

- A statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBRS (**QBRS: Part 2**);
- Budget Review Income and Expenses Statement in one of the following formats (**QBRS: Parts 3, 5 & 6**):
  - consolidated
  - by fund (e.g. General Fund; Water Fund; Sewer Fund)
  - by function, activity, program etc to align with the management plan / operational plan;
- Budget Review Capital Budget (**QBRS: Parts 7 & 8**);
- Budget Review Cash and Investments position (**QBRS: Part 10**);
- Budget Review Key Performance Indicators (**QBRS: Part 12**);

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- Budget Review Contracts and Other Expenses (**QBRs: Part 13**);

The following important financial information has also been provided in addition to the information required as part of the QBRs reporting framework:

- Balance Sheet as at 30 September 2013 (**QBRs: Part 9**);
- A Summary of Results that links the function view of Council's activities back to Council's income statement and cashflow statement (**QBRs: Part 4**);
- A Loan Movement Schedule (**QBRs: Part 11**).

A copy of Council's first quarter QBRs for the quarter ending 30 September is provided under separate cover as an Appendix to the November 2013 business paper.

### Issues

Significant points to note from Council's September quarter QBRs include:

- Council's YTD surplus/(deficit) from Council's income statement is a surplus of \$4.939m. This is predominantly due to the recognition of rates and annual charges revenue at 1 July;
- Council is currently forecasting an accrual deficit (per Council's income statement) of (\$2.829m) which represents a \$77k decrease relative to the original budget;
- Council has currently spent \$2.292m of its proposed \$13.734m (17%) capital program;
- Council's cash and investments balance is currently forecast to decrease from \$14.752m as at 30 September 2013 to \$13.768m at 30 June 2014;
- Council's unrestricted cash and investments balance is \$2.130m as at 30 September 2013;
- Council's cash surplus/(deficit) which includes capital expenditure and loan movements, but excludes other balance sheet movements and depreciation is forecast to be (\$3.247m) at year end. This figure includes supplementary votes submitted for approval below as well as revotes of \$3.247m that are to be funded from restricted assets.
- As revotes are funded from restricted assets, Council's real forecast cash surplus/(deficit) is a surplus of less than \$1k.

The QBRs is Council's opportunity to explain major variations and recommend changes to Council's original budget for Council approval. Explanations for major variations are reported within the QBRs, and Council has also included in the QBRs supplementary votes for approval (total \$206k increase in cash outflows):

- Suggested recurrent expenditure increases of \$237k;
- Suggested capital expenditure increases of \$283k;
- An increase in revenue of \$314k.

### Options

The suggested supplementary votes for the September quarter results in a \$206k reduction in Council's cash position. Council has two options in regard to the supplementary votes suggested in the September QBRs:

1. Approve the supplementary votes per the recommendations of the Finance and Projects Committee;

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2. Approve the suggested supplementary votes but either postpone selected current year capital projects to 2014/15 or reduce recurrent expenditure budgets to reduce Council's forecast deficit.

### **Financial Considerations**

Council's original cash deficit for the 2013/14 financial year per Council's Operational Plan was \$207k. Council subsequently revoted \$3.247m worth of capital expenditure budgeted for in the 2012/13 financial year (funded from restricted assets) into the 2013/14 financial year leaving the current year forecast surplus/(deficit) unchanged.

The September Quarter QBRS includes a total supplementary vote of \$206k which if approved will reduce Council's forecast cash surplus to less than \$1k.

Council's Finance and Projects Committee have reviewed the QBRS in detail and recommended the supplementary votes for this period be approved.

### **Statement by Responsible Accounting Officer**

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for Warrumbungle Shire Council for the quarter ended 30 September 2013 indicates that Council's projected financial position as at 30 June 2014 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

### **RECOMMENDATION**

That Council accept the Quarterly Budget Review Statement for the quarter ending 30 September 2013, and approve the requested supplementary votes for a total value of \$205,748.

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### Item 26 Investments and Term Deposits

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Senior Finance Officer – Lisa Grammer
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### Reason for Report

As required by Clause 212 of the Local Government (General) Regulation 2005, the details of all monies invested by Council under Section 625 of the Local Government Act 1993 must be reported to Council at each monthly ordinary meeting.

### Background

Council currently benchmarks its investment performance against the three (3) month Bank Bill Swap Reference Rate (BBSW) as per Council's Investment Policy. The October BBSW 3 month rate was 2.57%. Council's term deposits returned an average rate of 3.78% for the month of October, outperforming Council's benchmark.

During the month of October no Council Term Deposits fell due, however Council's At Call Investment Accounts continue to earn interest revenue each month. A total of \$25,659 in interest revenue was earned by the At Call Accounts for the month of October.

A net value of \$491k was transferred into Council's operating account to cover daily operating expenses.

All of Council's investment securities are currently not paying coupons although all of the remaining two (2) investments are expected to be redeemed at higher than original purchase price. Council's investment securities underperformed against Council's benchmark

### Issues

Reconciliations are being completed monthly and balanced, payments and receipts reconcile to monthly investment statements and investment interest is recorded. This is completed by Senior Finance Officer and signed off by Chief Financial Officer for referral to Director Corporate Services for final review as part of Council's monthly checklist procedures.

### Options

Nil.



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### **Financial Considerations**

As Council no longer receives monthly reports on the performance and analysis of each of the long term investment funds from investment advisors, Amicus Advisory Pty Ltd (formerly Structured Credit Research and Advisory Pty Ltd), the latest analysis of Council's two outstanding investments dates back to 30 June 2013. This information is provided below.

FIIG All Seasons CPPI	Council is essentially holding a Swedish Export Bond rated AA+. Will pay \$4 above par at maturity. Bid price well short of fair value.
Octagon Ltd Linked	Backed by International Bank for Reconstruction & Development rated AA. Few concerns if any. Bid well below fair value. Low risk.

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#### Summary

Investment Securities: Council currently holds the following investment securities:

Bank	Purchase Price	Indicative Bid	Valuation based on indicative bid as at 31 October 2013	ISIN Number	Lodgement date	Maturity Date	Rating	Coupon Payments
FIIG All Seasons CPPI Note	1,500,000	95.00%	1,425,000	AU300SEKA021	29.08.2008	29.08.2014	AA+	0%
Octagon Ltd Linked	1,500,000	89.00%	1,335,000	XS023170158	25.10.2005	25.10.2015	AA	0%
<b>Total:</b>	<b>3,000,000</b>		<b>2,760,000</b>					<b>0%</b>

Term Deposits: Council currently holds the following Term Deposits:

Bank	Current Investment	Opening Balance	Buy/(Sell)	October Interest Earned/ Accrued	Closing Balance	Lodgement date	Maturity Date	Rating	Current Yield
NAB Cash Maximiser #	600,813	1,538,099	(941,000)	3,714	600,813	At Call	At Call	AA-	2.35%
ANZ At Call	6,574,289	6,102,344	450,000	21,945	6,574,289	At Call	At Call	AA-	3.90%
Bank Of Queensland	1,500,000	1,500,000	-	4,828	1,504,828	30/09/2013	1/04/2014		3.80%
NAB Term Deposit	1,500,000	1,500,000	-	4,802	1,504,802	30/09/2013	6/01/2014		3.78%
<b>Total:</b>	<b>10,175,102</b>	<b>10,640,443</b>	<b>(491,000)</b>	<b>35,289</b>	<b>10,184,732</b>				<b>3.78%</b>

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**Certification of Responsible Accounting Officer**

I hereby certify that the investments listed in the report above have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investments Policy.

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Responsible Accounting Officer

**RECOMMENDATION**

That Council accept the Investments Report for the month ending 31 October 2013.

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### Item 27 Bank Reconciliation for month ending 31 October 2013

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Senior Finance Officer – Lisa Grammer
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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#### **Reason for Report**

The following report provided to Council is a summary of Council's monthly bank reconciliation.

#### **Background**

Reconciliations are being completed monthly and balanced, payments and receipts reconcile to monthly bank statement. They are completed by the Senior Finance Officer and signed off by the Chief Financial Officer then referred to Director Corporate Services for final review as part of Council's Monthly checklist procedures.

#### **Issues**

Outstanding deposits refers to cash amounts recorded in the Council's General Ledger that have not yet been deposited at the bank. eg. Direct debit authority receipted in cashbook but not deposited in the physical bank account until the next day.

Unpresented cheques refers to cheques that have still not been cashed by the cheque recipient but are recorded as being paid in Council's General Ledger.

#### **Options**

Nil.

#### **Financial Considerations**

Nil.

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### Summary

Balance per General Ledger – 31 October 2013

<b>Bank</b>	<b>Account Number</b>	<b>Balance</b>
General Fund	5410-3000-0001	943,187
Trust Fund	9000-3000-0000	180,908
WSC Mayor's Bushfire Appeal	9200-3000-0000	365,708
Investments - General	5220-3001-3001	6,223,975
Investments - General	5220-3001-5001	2,520,000
Investments Movement - General	5220-3003-0000	(480,869)
Investments - Water Fund	7085-3001-0001	4,270,894
Investments Sewerage Fund	8085-3001-0001	641,102
<b>Total per General Ledger</b>		<b>14,664,905</b>

Balance as per Bank Account – 31 October 2013

<b>Bank</b>	<b>Balance</b>
<b><u>General</u></b>	
Commonwealth	783,873
Westpac	46,190
NAB	83,848
<b>Total - General</b>	<b>913,911</b>
<b><u>Trust</u></b>	
Commonwealth	180,908
<b>Total - Trust</b>	<b>180,908</b>
<b><u>WSC Mayors Bush Fire Appeal Trust</u></b>	
Commonwealth	83,030
Commonwealth	282,678
<b>Total - WSC Mayors Bush Fire Appeal Trust</b>	<b>365,708</b>
<b><u>Investments</u></b>	
Securities	3,000,000
IBD	10,175,102
<b>Total Investments</b>	<b>13,175,102</b>

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<b>Total All Bank Accounts</b>	<b>14,635,629</b>
<i>Add:</i>	
Outstanding Deposits - General	32,626
Outstanding Deposits - Trust	-
Outstanding Deposits – WSC Mayors Bushfire Appeal	-
<i>Less:</i>	
Unpresented cheques - General	3,350
Unpresented cheques - Trust	-
Unpresented cheques- WSC Mayors Bushfire Appeal	-
<b>Balance adjusted for outstanding deposits &amp; Unpresented cheques (Final Bank Balance)</b>	<b>14,664,905</b>
<b>Variance between Final Bank Balance and General Ledger</b>	<b>-</b>

## WARRUMBUNGL SHIRE COUNCIL

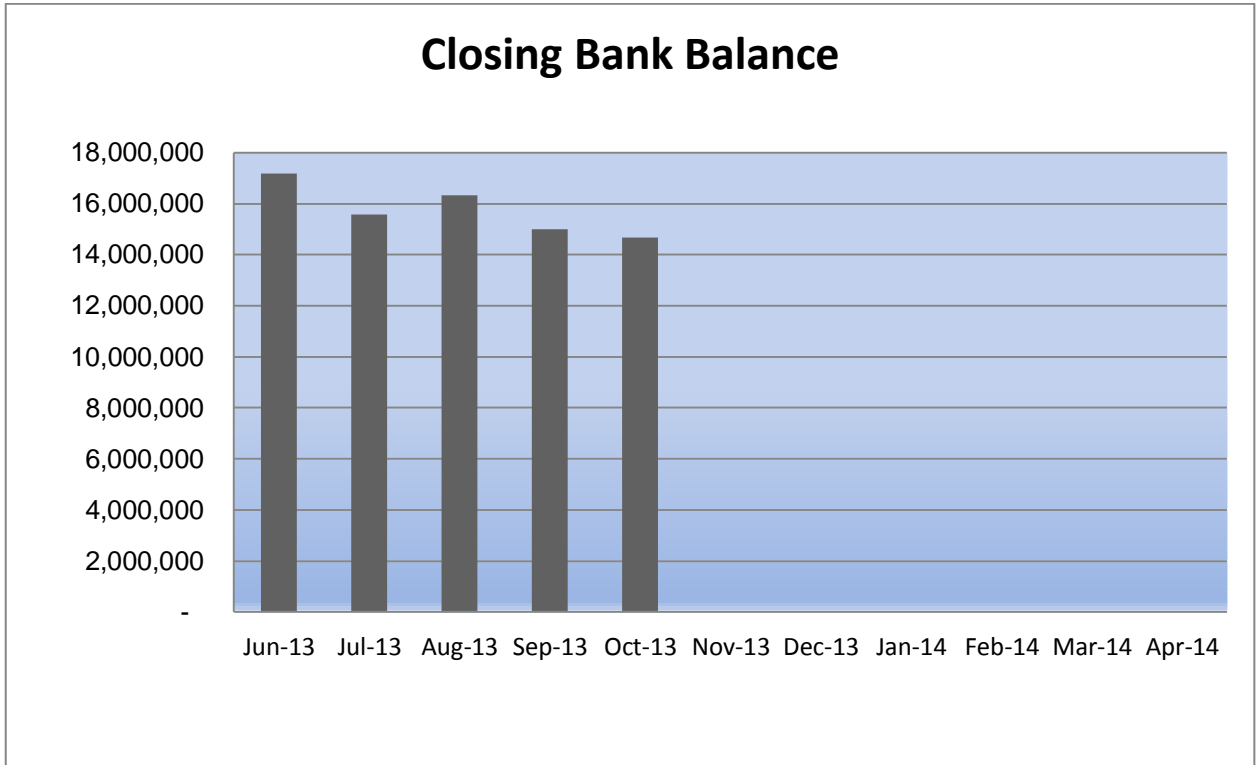
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Balance as per Bank Account History as at 31 October 2013

Month	Funds Held in General Account	Funds Held in Trust Account	Mayors Bushfire Appeal Trust Account	Investment	TOTAL	Net of Outstanding Deposits and Unpresented Cheques	End of Month Closing Bank Balance
Jun-13	613,393	267,283	377,447	15,904,221	17,162,344	6,273	17,168,617
Jul-13	1,354,197	269,335	368,794	13,552,995	15,545,321	37,033	15,582,354
Aug-13	1,237,351	272,549	372,478	14,270,308	16,152,686	175,034	16,327,720
Sep-13	723,046	264,460	402,268	13,640,443	15,030,217	(39,768)	14,990,449
Oct-13	913,911	180,908	365,708	13,175,102	14,635,629	29,276	14,664,905

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**RECOMMENDATION**

That Council accept the Bank Reconciliation Report for the month ending 31 October 2013



# WARRUMBUNGLE SHIRE COUNCIL

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### Item 28 Rates Report for Month Ending 31 October 2013

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Water Debtor Officer – Rachael Carlyle
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority / Strategy:</b>	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### **Reason for Report**

To report on Council's monthly rates and annual charges collection performance.

### **Background**

Council levies rates and annual charges on an annual basis commencing in the month of July. Council closely monitors the repayment of these rates and annual charges and measures its debt recovery performance for rates and annual charges through the use of the Rates and Annual Charges Outstanding Ratio.

The Division of Local Government (DLG) recommends (via their accepted benchmark) a ratio of less than 5% for Urban and Coastal Councils and less than 10% for Rural Councils. Council's outstanding ratio as at 30 June 2013 was 13.3% which is above the DLG recommended benchmark.

Some factors that affect this indicator should be considered when assessing Warrumbungle Shire Council's performance against this indicator such as the socioeconomic characteristics of the area, and previous changes to Council's Rating Policy.

### **Issues**

The outstanding rates and annual charges ratio as at 31 October 2013, is 13.53%. This figure is higher than the 10% benchmark proposed by the DLG.

### **Options**

Nil.

### **Financial Considerations**

A high arrears balance affects Council's cash flow, and represents monies outstanding that Council could be gaining a return on if invested in a term deposit.

## WARRUMBUNGLA SHIRE COUNCIL

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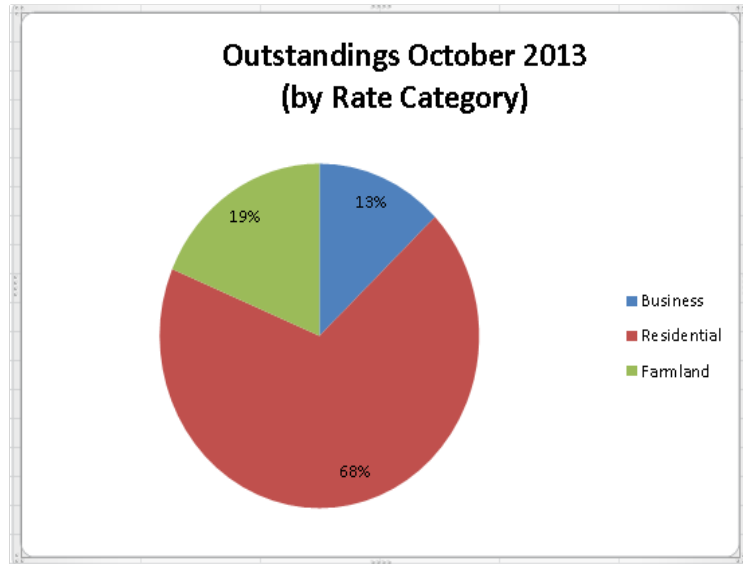
RATE/CHARGE TYPE	RATE ARREARS 2012/13	2013/2014 LEVY	PENSIONER WRITE OFF	ABANDONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDING 2013/2014	COLLECTION % 2013/2014	Total Arrears as at EOM	Outstanding Rates and Annual Charges %
General	675,157	7,159,839	180,211	5,054	7,649,731	2,753,183	4,896,548	36%	594,689	8%
Water	191,749	1,315,882	72,577	55	1,434,998	543,998	891,001	38%	193,596	15%
Sewerage	444,871	1,222,928	56,210	2,142	1,609,447	487,545	1,121,902	30%	246,903	20%
Garbage	176,185	1,804,023	89,671	36	1,890,502	743,385	1,147,116	39%	180,494	10%
<b>TOTAL RATES AND ANNUAL CHARGES</b>	<b>1,487,961</b>	<b>11,502,673</b>	<b>398,669</b>	<b>7,286</b>	<b>12,584,678</b>	<b>4,528,112</b>	<b>8,056,566</b>	<b>36%</b>	<b>1,215,682</b>	<b>11%</b>
Water Consumption	608,369	1,224,000	-	8	1,832,361	515,930	1,316,431	28%	353,188	29%
Sewer Consumption	78,637	120,000	-	-	198,637	66,302	132,335	33%	32,018	27%
<b>TOTAL WATER SUPPLY SERVICES</b>	<b>687,006</b>	<b>1,344,000</b>	<b>-</b>	<b>8</b>	<b>2,030,998</b>	<b>582,232</b>	<b>1,448,766</b>	<b>29%</b>	<b>385,206</b>	<b>29%</b>
LEGAL FEES	124,995	35,990	-	83	160,902	47,244	113,658	29%	149,054	-
INTEREST	269,421	46,471	-	-	315,891	-	315,891	-	-	-
<b>GRAND TOTAL</b>	<b>2,569,383</b>	<b>12,929,133</b>	<b>398,669</b>	<b>7,377</b>	<b>15,092,469</b>	<b>5,157,587</b>	<b>9,934,882</b>	<b>34%</b>	<b>1,749,942</b>	<b>13.53%</b>

- Interest charges in the 'Total Arrears' column are classified under the relevant charge type above, as opposed to being recorded separately per the 'Total Outstanding' column.
- The outstanding figures for sewer consumption, water consumption and sewerage rates and charges need to be viewed in total as Council's finance systems is currently grouping a majority of the arrears amounts for these items under sewer consumption. Total arrears at End of Month, include interest in arrears under the relevant Rate/Charge Type and is not separately disclosed as interest.

# WARRUMBUNGL SHIRE COUNCIL

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Analysis by Council staff has indicated that a majority of the rates and annual charges outstanding amount 68% relates to residential properties, while 19 % relates to farmland and 13% to business. See graph to the right, and table of outstanding balances by rate group and rate/charge type below for further details.



Of the amount outstanding, Council currently has a total of 269 assessments with a total of \$403,499 outstanding under an arrangement to pay the outstanding rates and annual charges on a weekly, fortnightly or monthly basis.

Rates Type	Rates levy			Water levy			Legal	Grand Total
	General	Domestic Waste	Water Access	Sewer Access	Water Usage	Sewer Usage		
<b>Business</b>	52,034	21,780	16,045	41,022	59,279	32,018	3,049	<b>225,227</b>
<b>Residential</b>	257,905	148,469	177,551	205,881	293,909	-	114,520	<b>1,198,235</b>
<b>Farmland</b>	284,750	10,245	-	-	-	-	31,485	<b>326,480</b>
<b>Total</b>	<b>594,689</b>	<b>180,494</b>	<b>193,596</b>	<b>246,903</b>	<b>353,188</b>	<b>32,018</b>	<b>149,054</b>	<b>1,749,942</b>

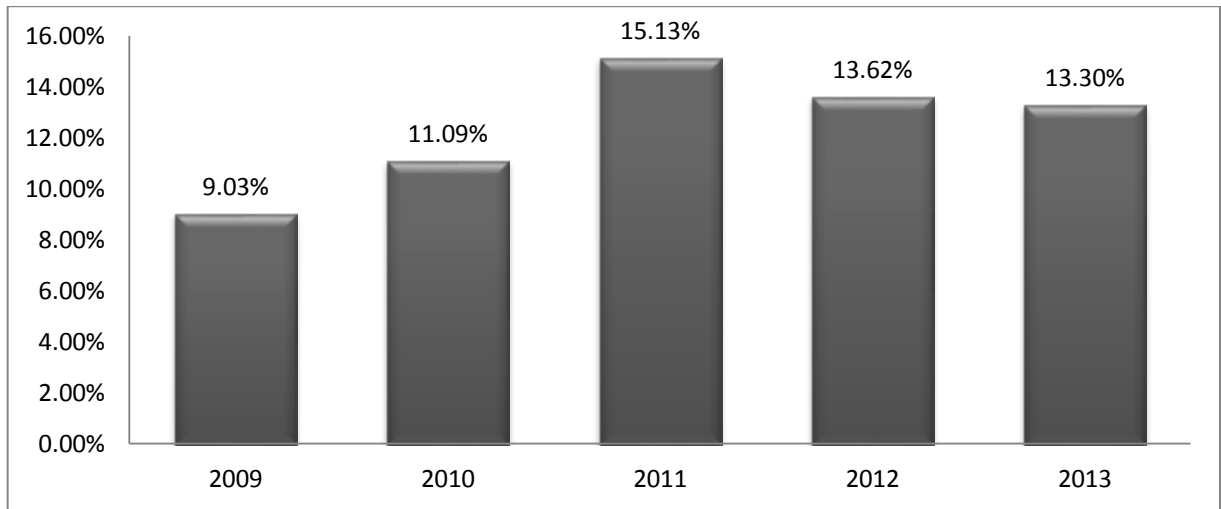
Collection of outstanding rates commences with an overdue letter which is received from Council giving 14 days to pay or contact Council requesting an arrangement, if no payment or contact is made a letter of demand is sent out by Council's Debt Recovery Agency giving 7 days to make a payment or contact Council requesting an arrangement.

Council's historical debt recovery performance as measured by the rates and charges outstanding ratio is detailed in the graph below.

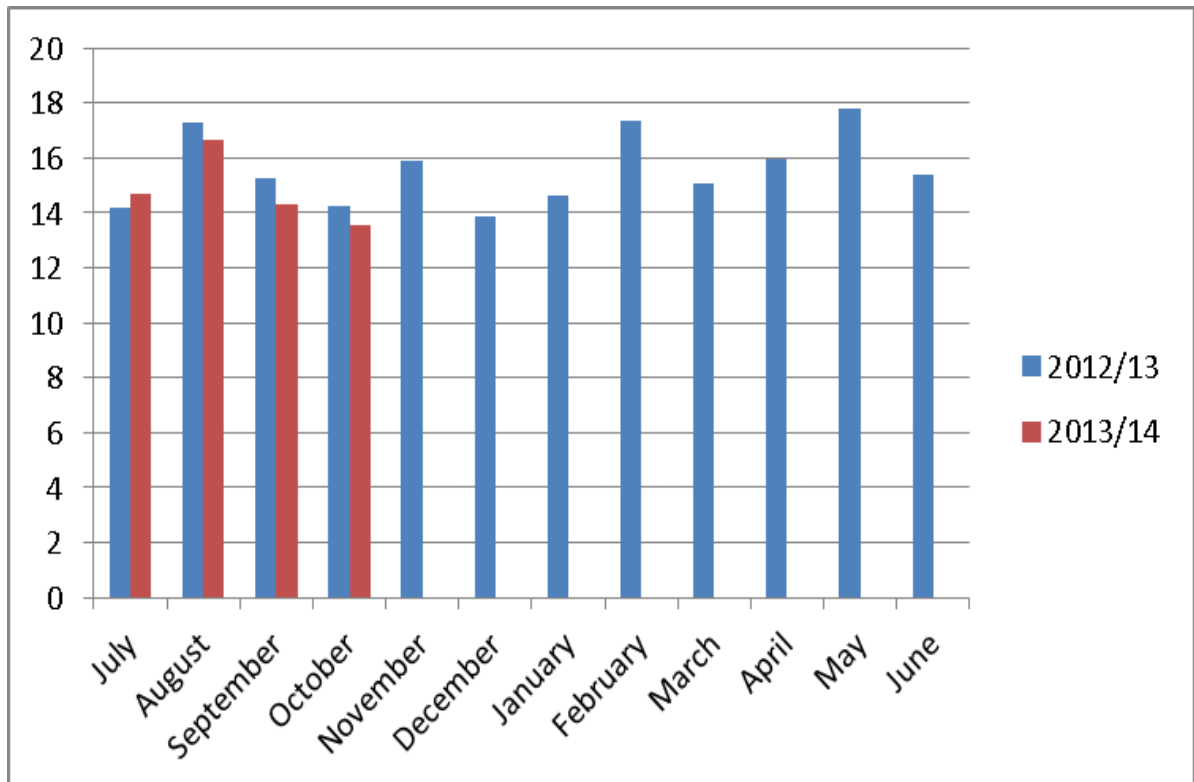
# WARRUMBUNGLE SHIRE COUNCIL

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**Graph 1: Ratio by Year**



**Graph 2: Ratio Month by Month**



**RECOMMENDATION**

For Council's information.

# WARRUMBUNGL SHIRE COUNCIL

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### Item 29 Local Infrastructure Renewal Scheme – Round 3

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Finance
<b>Author:</b>	Director Corporate Services – Rebecca Ryan
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	GF 6 That Council is financially sustainable over the long term.

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#### **Reason for Report**

Council deferred consideration of the Local Infrastructure Renewal Scheme (LIRS) program Round 3 report that was presented to the October meeting (**Resolution No 147/1314**).

#### **Background**

The NSW State Governments LIRS program provides an interest subsidy to assist Councils with legitimate infrastructure backlogs to cover the cost of borrowing.

Council was successful in both LIRS Rounds 1 and 2, and will be funding Timber Bridge replacement on local roads with \$5.3m worth of loan funding under this scheme. These projects are now underway and will be completed by mid 2015.

Applications for LIRS Round 3 close 31 December 2013.

Local and Regional Roads capital works programs and bridges projects are eligible under the guidelines. Borrowings to be subsidised under the LIRS should be incurred for the purpose of funding specific new works, upgrades, or renewal of infrastructure of the Council that meets a core purpose of local government and is intended for community use.

These works should be already included in Council's Long Term Financial Plan and identified in Council's Asset Management Plan. The objective of the LIRS program is to fund the acceleration of Council's infrastructure asset 'backlog'.

#### **Issues**

At the October meeting, the Chief Financial Officer raised a number of issues relating to;

- Council's financial sustainability
- the accepted benefit to the community of bringing forward existing new projects
- the limited funds to expand Councils current capital program
- the risk of increasing borrowings at this stage to current service levels

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### **Options**

Council can either choose to apply for the loan subsidy under the LIRS program to fund projects either in the current capital program, or new projects not currently in the program, or can choose not to take part in the LIRS program.

The NSW Government has committed to at least another one (1) or two (2) future rounds of LIRS. The preferred option is that Council undertake a review of current capital projects, and investigate some 'wish list' community infrastructure projects that were raised during the Community Strategic Plan Forums in 2011.

### **Financial Considerations**

As reported in October; a loan term of ten years, of say \$2.5m loan will result in loan repayments of \$250k per year, and average yearly interest (post discount) of roughly \$39k, resulting in total additional loan servicing costs of close to \$300k per year.

Council may be in a better position to make a judgement on its future financial sustainability as the current Operational Plan progresses.

### **RECOMMENDATION**

That Council does not apply for funding under LIRS Round 3; however that in planning for the next update and review of the current Delivery Program (2013-2017) that community input be sought as to priority and funding sources for new infrastructure as identified in the Community Strategic Planning Forums.

# WARRUMBUNGL SHIRE COUNCIL

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### Item 30 National Broadband Network Lease Authorisation

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Property & Risk
<b>Author:</b>	Manager Property and Risk – Jennifer Parker
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	PI4 - Local communities, businesses and public organisations need access to comprehensive telecommunications infrastructure including mobile telephone and high-speed internet services

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### Reason for Report

Council is in possession of a Lease from the NBN Co. Limited regarding the use of land in Coonabarabran part Lot 4 DP1022595 for a NBN Tower. For the lease to be enacted the Council seal needs to be affixed to the document.

Council approval is sought to affix the seal as per NSW Local Government Regulations (1995).

### Background

In May 2012 Council resolved (**Resolution 388/1112**) to provide in principal support for a tower on part of Lot 4 DP1022595 for the National Broadband Network (NBN) rollout.

*388/1112 RESOLVED that Council agrees in principle to the installation of a National Broadband Network fixed radio tower in the proposed site being Part Lot 4 DP 1022595 and accepts the Heads of Agreement however with a proposed rental of \$7,500 per annum.*

Council has been in negotiations with NBN Co. in regards to the finer points of a lease on the property and Council received a final version in August 2013 for signature and affixing the Council Seal.

### Issues

The Local Government Regulations 2005 section 400, Council seal, part 4 states that

*'The seal of a Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed.'*

### Options

Should Council wish to enter into agreement with NBN Co. that the lease be signed and affix the Council seal.

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### **Financial Considerations**

The lease is worth \$7,500 per annum to Council for the next five (5) years increasing yearly with CPI.

### **RECOMMENDATION**

That Council approves the General Manager and Mayor to affix Councils seal, sign and execute the lease agreement with NBN Co. Limited for part of the property Lot 4 DP1022595 in Coonabarabran.



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### Item 31 Crown Land vs. Goomallee LALC effects on Crown Land

<b>Division:</b>	Corporate Services
<b>Management Area:</b>	Property and Risk
<b>Author:</b>	Manager Property and Risk – Jennifer Parker
<b>CSP Key Focus Area:</b>	Natural Environment
<b>Priority:</b>	NE 5.1 - Work with appropriate agencies and land holders to ensure that the proliferation of weeds and pest animals is monitored and minimised.

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#### **Reason for Report**

The Mayor and General Manager have received correspondence from the local member for The Nationals with regards to the Crown Lands Amendment (Multiple Land Use) Bill 2013 and the effects that the bill will have on the management of existing Trust Reserves in the state. Council has been encouraged to write to all Members of the Upper House to register concern and urge them to support this Amendment.

#### **Background**

Following is the headnote from the Appeal on the Goomallee Case;

*The New South Wales Aboriginal Land Council made a claim under the Aboriginal Land Rights Act 1983 (NSW) in respect of an area of Crown land reserved from sale for the purpose of public recreation. The land was subject to a grazing licence granted by the Minister Administering the Crown Lands Act. The Minister refused the claim on the basis that the land, being lawfully used or occupied, was not claimable Crown land under the Aboriginal Land Rights Act.*

*The Land Council appealed to the Land and Environment Court. Biscoe J found that as the land had been reserved for the purpose of public recreation, the licence granted for the purposes of grazing did not give rise to lawful use or occupation. It followed that the land was claimable Crown land and an order was made for transfer of the land.*

*The Minister appealed from that decision. The issue for determination on appeal was whether the grazing licence was validly granted over land reserved from sale for the purposes of public recreation.*

*The Court held (per Basten JA, Beazley, McColl and Macfarlan JJA and Sackville AJA agreeing), dismissing the appeal:*

- 1. (Sackville AJA not deciding) It is implausible to suggest that the Crown Lands Act 1989 (NSW) authorises two different powers with inconsistent effects which may be exercised with respect to the same land: [19]*
- 2. (Sackville AJA not deciding) The Crown Lands Act confers a broad range of powers on the Minister, the exercise of any one of which, with respect to*

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*particular land, may foreclose the exercise of others. The mere fact that reserved land remains Crown land does not mean that the Minister can exercise a power which is inconsistent with the terms of the reservation, but which would be available in respect of Crown land which was not so reserved: [20]*

3. *The scope of the power to grant the grazing licence did not depend on the use of the land, actual or potential, under the licence. Rather, it depended on the terms of the restraint imposed by the reservation: [26]*
4. *Even if the scope of the power to grant the licence depended on the incompatibility or inconsistency of the use under the licence with the purpose of the reservation, the test of incompatibility or inconsistency would be answered by reference to the legal rights or privileges of the public and the rights conferred on the licensee in respect of grazing. The grazing licence did not satisfy that test: [27]-[29], [4]*

The NSW Court of Appeal decision on the 9 November 2012 on the “Goomallee Case” has put into question the management of Crown Reserve where the use of the Reserve may not be the designated use the reserve i.e. a Reserve put aside for Recreational use being used as a Grazing Lease and that such invalid tenure would make the reserve not only claimable Crown Land under the Aboriginal Land Rights Act, s36 (1) (b) but any license or lease on that land invalid.

### **Issues**

Warrumbungle Shire Council is Reserve Trustee of more than 50 Reserve Trusts. Council can seek grants for upkeep on these properties but on large, funds for managing these properties comes from Councils General Fund. Council has in the past had Grazing Licences on some Crown Reserve Trusts such as Queensborough Park and Dunedoo Riverside Reserve. All funds from the licences on these properties provides the resources to manage these sites as per requirements of Crown Land Legislation.

Council has sought clarification from Crown Lands Department about how the “Goomallee Case” will effect the management of properties that Council lease for a designated use that is not the primary purpose for the reservation. The Crown Lands Department is unable to give Council a policy position but has advised that the Goomallee decision will affect leases and licences issued by reserve trusts and that The Government’s intention is for the Crown Lands Amendment (Multiple Land Use) Bill 3013 to be debated and passed in the remaining 2013 Parliamentary session which concludes on 28 November 2013.

If the bill passes successfully through Parliament it will enable the Minister responsible for Crown Lands to allocate multiple uses on any reserve trust. This will ensure that Grazing Licences or Licences for a secondary use i.e. not for the original purpose of the Reserve may be granted, ensuring that the property remains viable for future use.

With the current Act in place without the amendments, any Reserve Trust will have difficulty in putting forward a Licence option to the Minister that is different to the original purpose of the reserve; be that recreational or another purpose.

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### **Options**

Council has the option to write to all Members of the Upper House to register Councils concerns and implore their support of the Crown Lands Amendment (Multiple Land Use) Bill 2013.

Council have the option of waiting out the decision and dealing with the legislation if it changes of stays the same.

### **Financial Considerations**

With all Crown Reserves a base fee is charged to all tenants as set out by the Crown Lands Section of NSW Trade and Investment Department of NSW Government. This year the fee is \$451 per annum and the fee increases by the Consumer Price Index (CPI) every September. When Council advertises for expressions of interest in sites this fee is used as a base amount. In accordance with the Crown Lands Act any funds from the tenure of Crown Lands must be spent only on Crown Lands.

Fees collected for Crown Lands assist in the maintenance and upkeep of these lands and assuming Council does not received money for these Crowns Reserves Councils General Fund will need to meet the cost of managing these reserves.

### **RECOMMENDATION**

That Council write to all members of the Upper House to register Councils concerns and implore their support of the Crown Lands Amendment (Multiple Land Use) Bill 2013.

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### **Item 32 Water and Sewerage Best Practice Management Plans; Water Strategic Business Plan, Sewerage Strategic Business Plan, Drought Management Plan, Demand Management Plan.**

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Water & Sewerage
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services

**Priority: P17** Appropriate planning is needed to ensure the ongoing security of energy and clean water supplies to communities within the shire.

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#### **Reason for Report**

The purpose of this report is to endorse four separate draft management plans, they are;

- Warrumbungle Water Strategic Business Plan
- Warrumbungle Sewerage Strategic Business Plan
- Warrumbungle Water Drought Management Plan
- Warrumbungle Water Demand Management Plan.

Also to determine sustainable level of reserves and contributions from users towards major projects.

#### **Background**

As a Local Water Utility (LWU) Council is required to comply with a suite of best practice management guidelines established by the NSW Office of Water (NOW). Council's level of compliance is reported each year by NOW and may potentially be used by NSW State Government to assess Council's capacity to provide water and sewerage services.

Compliance with several, but not all, best practice criteria is necessary for Council to recover the remaining subsidy from the State Government for the Mendooran water treatment plant project.

When Council is fully compliant with best practice criteria, the Council general fund is in a position to receive a dividend payment from either the water fund or sewerage fund or both.

The status of Council's compliance with the best practice management guidelines is contained in attachment 1.0.

The services of Owen Johns & Associates were engaged to prepare the various management plans listed above. A workshop on the draft documents was held with Councillors and relevant staff on the 31 October 2013. A number of issues were identified at that workshop that requires formal resolution. The draft documents are to be submitted to NOW and once approval is received, Council and the community will again have an opportunity to consider the documents when the final version is placed on public exhibition.

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A copy of each of the draft documents have been forwarded to Councillors under separate cover.

### **Issues**

There were no particular issues in relation to the draft drought management plan raised at the workshop on the 31 October 2013. The issues in relation to the water demand management plan centre around using price to establish a sustainable balance between funds required to maintain operations and reducing consumption to benchmark levels.

In relation to the strategic business plans for water and sewerage there are two significant issues.

#### **1. Contributions for major new projects and for major renewal projects.**

Council has traditionally held the view that if a major new water or sewerage project was constructed in any of the towns in the Shire, which provided a new service to that town, then property owners in that town should contribute towards the whole cost of the project. That is, the cost of the new service would be paid for through an increase in access charge for the affected property owners and that property owners in other towns would not be required to contribute.

This issue of who should contribute to major new projects was indirectly considered by Council in November 2012 when the issue of funding a sewerage project in Binnaway was debated. At this meeting Council rejected a motion for all users in the sewerage fund to contribute equally to a potential sewerage scheme in Binnaway.

In relation to funding major projects associated with renewal of an asset, the workshop participants appeared to agree that access charges should be raised in equal measure for all users. So, if for example an existing sewage treatment plant needed to be replaced, the cost of the replacement will be reflected in sewer fund user access charges across the Shire. Similarly if a water treatment plant requires replacement, all users in the water fund would contribute equally to the cost of the project.

#### **2. Sustainable level of cash and investments**

There are many factors that Council needs to consider when establishing a price for provision of water and sewerage services. One of those factors is the level of reserves needed to meet unforeseen circumstances. Such circumstances may include a requirement to undertake major capital works or they may include an unexpected drop in income.

Concern was expressed at the workshop that high levels of reserves may not be appropriate at a time when rationalisation of LWU is a possibility. It may be more appropriate to maintain a low level of reserves and fund any major work with a loan.

### **Options**

Each of the four documents is in draft form and Council has discretion to make changes before they are submitted to NSW Office of Water for review and endorsement. When the documents are returned by NOW, Council will again have discretion in relation to the final document following a period of public exhibition.

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### **Financial Considerations**

There is no direct budget impact associated with endorsement of the respective business plans and management plans.

However, the setting of prices associated with provision of water and sewerage services is undertaken by Council on an annual basis. The budget allocations for operations and capital expenditure in each fund are also set on an annual basis. The prices and expenditure levels should reflect the strategic outcomes sought in the respective business plans and they should reflect outcomes expected in the respective management plans associated with drought and water demand.

### **RECOMMENDATION**

1. That major water and sewerage projects that provide a new service are funded by users of that service.
2. That major water projects that involve renewal of existing assets and or services are funded by all users in the water fund.
3. That major sewerage projects that involve renewal of existing assets and or services are funded by all users in the sewerage fund.
4. That cash and investments in both the water fund and sewerage fund are managed so that the level in each does not exceed \$3m by the year 2021/22.
5. That the following draft documents are submitted to the NSW Office of Water for review and endorsement;
  - Warrumbungle Water Strategic Business Plan
  - Warrumbungle Sewerage Strategic Business Plan
  - Warrumbungle Water Drought Management Plan
  - Warrumbungle Water Demand Management Plan.

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Attachment 1.0 – Status of Compliance with Best Practice Guidelines.



Office  
of Water

### Best Practice compliance

<i>LWU</i>	<i>Warrumbungle Shire Council*</i>	<i>Council officer:</i>	<i>Kevin Tighe</i>
<i>Date</i>	<i>15 August 2011</i>		
	Criterion	Status	Plans to improve
1	Strategic Business Plans and financial plans (SBPs)	No current Water Supply and Sewerage Strategic Business Plans and Financial Plans in place.	<b>Council is required to complete Water Supply and Sewerage Strategic Business Plans and Financial Plans prior to seeking final subsidy payment.</b>
2	Pricing	<p><b>Water Supply</b></p> <p>Residential Two part tariff in place in 2011/12. Approx. 44% of revenue from usage charges.</p> <p>Non-Residential: Same as residential tariff in place in 2011/12. Access charge not based on meter size.</p> <p><b>Sewerage</b></p> <p>Residential: Uniform access charge in place in 2011/12.</p> <p>Non- Residential: Two part tariff in place in 2011/12. Access charge based on meter size.</p> <p><b>Developer charges</b></p> <p>May exempt from DSP requirements due to low growth.</p> <p><b>Liquid trade waste</b></p> <p>No Trade Waste Policy in accordance with the Liquid Trade Waste Management Guidelines. Complying Trade Waste Fees and Charges in place.</p>	<p><b>Council is required to implement suitable residential water supply best practice tariff towards achieving at least 50% residential revenue generated through usage charges prior to seeking final subsidy payment.</b></p> <p><b>Council is required to implement complying non residential water supply access charges. (NB:Not required for compliance with Schedule 3 Mendooran WS project)</b></p> <p>Satisfactory</p> <p>Satisfactory</p> <p><b>Council is required to prepare a Development Servicing Plan (DSP) or seek exemption for preparing a DSP from NOW. (NB:Not required for compliance with Schedule 3 Mendooran WS project).</b></p> <p><b>Council is required to complete complying Trade Waste Policy and implement complying Trade Waste Fees and charges prior to seeking final subsidy payment.</b></p>
3	Demand management	Demand management plan not in place.	<b>Council is required to complete demand management plan prior to seeking final subsidy payment.</b>
4	Drought management	Drought management plan not in place.	<b>Council is required to complete drought management plan prior to seeking final subsidy payment.</b>
5	Performance reporting	2009/10 reporting forms received.	Satisfactory
6	IWCM	IWCM Evaluation Study is complete.	<b>Council is required to complete an IWCM Strategy. (NB:Not required for compliance with Schedule 3 Mendooran WS project).</b>

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### Item 33 13/14 Technical Services Works Program – Road Operations, Urban Services & Water Services

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Road Operations & Urban Services
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Public Infrastructure & Services
<b>Priority:</b>	P13 Road networks throughout the Shire need to be safe, well maintained and adequately funded.

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#### **Reason for Report**

The works program for the technical services division of Council is presented for information

#### **Background**

The 2013/14 works program for all projects in Technical Services is presented in attachment 1.0. The report includes projects included in the 2013/14 budget and projects carried over from 2012/13.

The program also lists unsealed roads that have received maintenance grading since 1 July 2013 and roads scheduled for maintenance over the next two months.

#### **Issues**

The works program presented in attachment 1.0 contains draft start and finish dates for each project.

#### **Options**

Council has discretion in relation to the capital works program and the works program in general. However, any changes must include consideration of funding sources, time requirements for pre construction activities, and impact on staff resources.

#### **Financial Considerations**

The works program in attachment 1.0 contains budget allocations and year to date expenditure for all projects.

#### **RECOMMENDATION**

That 2013/14 works program presented in attachment 1.0 is noted for information only



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### Attachment 1.0

Task Name	Start	Finish	Budget	YTD Exp	% Work Complete
<b>Technical Services</b>	<b>Wed 10/07/13</b>	<b>Wed 7/01/15</b>	<b>10,191,199</b>	<b>3,972,635</b>	<b>30%</b>
<b>Asset Design Services</b>	<b>Wed 10/07/13</b>	<b>Wed 10/07/13</b>	<b>40,900</b>	<b>3,071</b>	<b>10%</b>
<b>Fleet Services</b>	<b>Wed 10/07/13</b>	<b>Wed 24/07/13</b>	<b>2,265,000</b>	<b>2,002,275</b>	<b>6%</b>
Minor Plant Purchases	Tue 1/04/14	Wed 2/04/14	15,000	4,453	30%
Plant Purchases	Tue 1/04/14	Wed 2/04/14	2,250,000	1,997,822	20%
<b>Road Contracts</b>	<b>Sat 28/09/13</b>	<b>Fri 23/05/14</b>	<b>1,029,500</b>	<b>58,004</b>	<b>0%</b>
<b>RMS Work Orders</b>	<b>Sat 28/09/13</b>	<b>Fri 23/05/14</b>	<b>0</b>	<b>58,004</b>	<b>0%</b>
<b>Reseals</b>	<b>Fri 1/11/13</b>	<b>Mon 18/11/13</b>	<b>1,029,500</b>	<b>0</b>	<b>0%</b>
<b>Road Operations</b>	<b>Thu 11/07/13</b>	<b>Mon 30/06/14</b>	<b>5,469,514</b>	<b>1,604,185</b>	<b>30%</b>
<b>Local Roads</b>	<b>Thu 11/07/13</b>	<b>Mon 30/06/14</b>	<b>3,141,469</b>	<b>857,209</b>	<b>54%</b>
<b>Bridge - Grandchester</b>	<b>Thu 11/07/13</b>	<b>Thu 31/10/13</b>	<b>200,000</b>	<b>0</b>	<b>20%</b>
Bridge - Tongy	Thu 25/07/13	Wed 18/09/13	116,689	299,394	100%
Bridge - Bugaldie Ck	Thu 11/07/13	Mon 26/08/13	116,689	162,700	100%
Bridge-Baby Creek	Mon 23/09/13	Tue 12/11/13	20,000	0	98%
Garrawilla Ck (fld damage)	Mon 22/07/13	Fri 20/09/13	164,791	218,875	90%
Premer Estate Cwy	Fri 6/09/13	Thu 23/01/14	38,300	32,845	90%
<b>Bridge - Barad/Aero Rd</b>	<b>Mon 29/07/13</b>	<b>Mon 30/06/14</b>	<b>250,000</b>	<b>0</b>	<b>0%</b>
<b>Bridge- Baradine Creek</b>	<b>Mon 29/07/13</b>	<b>Mon 30/06/14</b>	<b>1,500,000</b>	<b>0</b>	<b>0%</b>
<b>Borambitty Rd Crest</b>	<b>Mon 5/08/13</b>	<b>Fri 6/09/13</b>	<b>25,000</b>	<b>16,306</b>	<b>100%</b>
Coolah Ck Rd Rehab	Tue 1/10/13	Mon 13/01/14	110,000	127,089	100%
<b>Bridge - Kenebri</b>	<b>Mon 29/07/13</b>	<b>Mon 30/06/14</b>	<b>600,000</b>	<b>0</b>	<b>0%</b>
<b>Gravel Road Resheeting</b>	<b>Tue 13/08/13</b>	<b>Fri 18/04/14</b>	<b>765,000</b>	<b>604,586</b>	<b>87%</b>
Tothills Rd	Tue 1/10/13	Tue 15/10/13	45,000	33,048	100%
Salacks Rd	Tue 17/09/13	Mon 30/09/13	45,000	25,115	100%
Narrawa Rd	Tue 3/09/13	Mon 16/09/13	45,000	31,561	100%
Borambitty Rd	Tue 13/08/13	Mon 2/09/13	100,000	70,196	100%
Guinema Rd	Wed 16/10/13	Tue 3/12/13	180,000	183,027	100%
Keerrawah Rd	Mon 9/12/13	Fri 3/01/14	50,000	39,984	100%
Goolma Rd	Tue 5/11/13	Wed 16/04/14	45,000	39,300	75%
Gollan Rd	Tue 19/11/13	Fri 11/04/14	45,000	19,530	75%
Flags Rockedgial Rd	Mon 9/09/13	Fri 18/10/13	75,000	73,220	100%
Collier Rd	Tue 11/03/14	Mon 31/03/14	25,000	2,677	10%
Box Ridge Rd	Tue 4/03/14	Fri 18/04/14	110,000	86,928	80%
<b>Regional Roads</b>	<b>Thu 11/07/13</b>	<b>Fri 28/02/14</b>	<b>1,563,045</b>	<b>142,390</b>	<b>16%</b>
Bridge - Saltwater Crk No 2	Thu 11/07/13	Tue 21/01/14	594,045	139,268	50%
<b>MR55 Pavement Rehab</b>	<b>Mon 11/11/13</b>	<b>Fri 7/02/14</b>	<b>800,000</b>	<b>0</b>	<b>0%</b>
MR129 Pavement Rehab	Fri 28/02/14	Fri 28/02/14	169,000	3,122	0%
<b>Urban Services</b>	<b>Thu 11/07/13</b>	<b>Fri 30/05/14</b>	<b>1,386,285</b>	<b>160,369</b>	<b>30%</b>
<b>Horticulture</b>	<b>Wed 4/09/13</b>	<b>Fri 25/04/14</b>	<b>160,000</b>	<b>0</b>	<b>5%</b>
Binnaway Progress Ass'n	Wed 4/09/13	Wed 4/09/13	5,000	0	100%
Milling Park Playground	Thu 19/12/13	Mon 7/04/14	70,000	0	5%
Mendooran Park Toilets	Tue 4/02/14	Fri 25/04/14	35,000	0	5%
Milling Park Toilet	Mon 18/11/13	Fri 27/12/13	50,000	0	0%

# WARRUMBUNGLE SHIRE COUNCIL

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<b>Ovals</b>	<b>Tue 23/07/13</b>	<b>Mon 3/02/14</b>	<b>133,947</b>	<b>0</b>	<b>37%</b>
Robertson Oval, irrigation	Thu 5/09/13	Wed 18/12/13	38,947	0	15%
Bowen - Turf Wicket	Mon 13/01/14	Fri 24/01/14	8,000	0	30%
Baradine Grandstand	Thu 12/09/13	Mon 28/10/13	40,000	0	75%
Binnaway Grandstand	Fri 10/01/14	Mon 3/02/14	47,000	0	75%
Bowen oval design	Tue 23/07/13	Wed 24/07/13	0	0	0%
Bowen Oval - construct			0	0	10%
Robertson oval design	Mon 5/08/13	Tue 13/08/13	0	0	0%
<b>Swimming Pools</b>	<b>Mon 2/09/13</b>	<b>Mon 12/05/14</b>	<b>72,000</b>	<b>0</b>	<b>99%</b>
Coona Concrete repairs	Mon 2/09/13	Thu 9/01/14	20,000	0	100%
Coolah pool cover	Tue 3/09/13	Wed 30/10/13	12,000	0	70%
Baradine leak prevent	Mon 28/04/14	Mon 12/05/14	40,000	0	100%
<b>Town Streets Baradine</b>	<b>Thu 11/07/13</b>	<b>Fri 18/04/14</b>	<b>168,857</b>	<b>8,559</b>	<b>9%</b>
Street light - Lachlan Street	Thu 11/07/13	Fri 26/07/13	8,557	8,559	100%
Flood Levee Invest	Mon 2/12/13	Fri 18/04/14	120,000	0	0%
Baradine Foot Rehab	Mon 9/09/13	Fri 27/09/13	10,300	0	0%
<b>Walker street k&amp;g</b>	<b>Mon 10/03/14</b>	<b>Fri 28/03/14</b>	<b>30,000</b>	<b>0</b>	<b>0%</b>
Walker desing	Thu 13/02/14	Tue 18/02/14	0	0	0%
Walker construct	Mon 24/02/14	Mon 3/03/14	0	0	0%
<b>Town Streets Binnaway</b>	<b>Thu 20/02/14</b>	<b>Fri 25/04/14</b>	<b>60,000</b>	<b>0</b>	<b>0%</b>
<b>David street k&amp;g</b>	<b>Mon 7/04/14</b>	<b>Fri 25/04/14</b>	<b>60,000</b>	<b>0</b>	<b>0%</b>
David design	Thu 20/02/14	Tue 25/02/14	0	0	0%
David construction	Mon 3/03/14	Mon 10/03/14	0	0	0%
<b>Town Streets Coolah</b>	<b>Thu 11/07/13</b>	<b>Fri 30/05/14</b>	<b>231,100</b>	<b>10,729</b>	<b>40%</b>
Binnia St kerb blisters			44,286	0	0%
Coolah cycleway	Thu 11/07/13	Fri 30/08/13	10,814	10,729	100%
<b>Binnia St. kerb blisters</b>	<b>Mon 7/04/14</b>	<b>Fri 9/05/14</b>	<b>46,000</b>	<b>0</b>	<b>0%</b>
<b>Booyamurra St. rehab</b>	<b>Mon 5/05/14</b>	<b>Fri 30/05/14</b>	<b>110,000</b>	<b>0</b>	<b>0%</b>
Coolah Foot Rehab	Mon 4/11/13	Fri 15/11/13	20,000	0	0%
<b>Town Streets Coona</b>	<b>Thu 11/07/13</b>	<b>Mon 17/03/14</b>	<b>353,381</b>	<b>91,203</b>	<b>40%</b>
<b>Footpath Const. Baths</b>	<b>Thu 11/07/13</b>	<b>Fri 27/09/13</b>	<b>18,271</b>	<b>0</b>	<b>0%</b>
Baths design	Tue 17/09/13	Fri 20/09/13	0	0	0%
Baths construction	Mon 30/09/13	Fri 11/10/13	0	0	0%
Culvert Ext Dalgarno St	Fri 12/07/13	Fri 13/09/13	78,110	49,602	100%
Admin Building - car park	Mon 12/08/13	Fri 20/09/13	22,000	14,683	100%
Admin Building - footpath	Mon 26/08/13	Fri 6/09/13	0	5,345	100%
<b>Dalgarno Foot Rehab</b>	<b>Tue 1/10/13</b>	<b>Mon 28/10/13</b>	<b>45,000</b>	<b>0</b>	<b>0%</b>
<b>Dalgarno keb rehab</b>	<b>Mon 4/11/13</b>	<b>Fri 29/11/13</b>	<b>70,000</b>	<b>0</b>	<b>0%</b>
<b>Cycleway Newell Hwy</b>	<b>Mon 19/08/13</b>	<b>Fri 13/09/13</b>	<b>120,000</b>	<b>21,573</b>	<b>5%</b>
<b>Town Streets Dunedoo</b>	<b>Wed 21/08/13</b>	<b>Fri 21/02/14</b>	<b>192,000</b>	<b>27,908</b>	<b>43%</b>
<b>Wallaroo St construction</b>	<b>Mon 2/09/13</b>	<b>Fri 20/12/13</b>	<b>150,000</b>	<b>2,318</b>	<b>0%</b>
<b>Dish drain Bandulla/Yarrow</b>	<b>Mon 18/11/13</b>	<b>Fri 29/11/13</b>	<b>22,000</b>	<b>15,956</b>	<b>90%</b>
Dunedoo Foot Rehab	Mon 9/12/13	Fri 20/12/13	20,000	9,634	100%
<b>Town Sts Mendooran</b>	<b>Mon 19/08/13</b>	<b>Fri 30/08/13</b>	<b>15,000</b>	<b>21,970</b>	<b>100%</b>
Mendooran Foot Rehab	Mon 19/08/13	Fri 30/08/13	15,000	21,970	100%
<b>Water</b>	<b>Thu 1/08/13</b>	<b>Fri 22/01/16</b>	<b>771,000</b>	<b>140,127</b>	<b>2%</b>
<b>Baradine</b>	<b>Thu 1/08/13</b>	<b>Wed 11/03/15</b>	<b>150,000</b>	<b>1,417</b>	<b>0%</b>

# WARRUMBUNGLE SHIRE COUNCIL

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Meter replacements	Thu 1/08/13	Wed 21/05/14	5,000	0	0%
WTP building renovations	Fri 25/07/14	Wed 18/02/15	50,000	1,417	0%
WTP clarifier rehab	Thu 19/02/15	Wed 11/03/15	95,000	0	0%
<b>Binnaway</b>	<b>Thu 1/08/13</b>	<b>Thu 21/08/14</b>	<b>65,000</b>	<b>11,791</b>	<b>5%</b>
Meter replacements	Thu 1/08/13	Thu 8/05/14	5,000	0	0%
Main Replac. Napier St	Fri 25/07/14	Thu 21/08/14	60,000	11,791	50%
<b>Coolah</b>	<b>Thu 1/08/13</b>	<b>Fri 22/01/16</b>	<b>55,000</b>	<b>10,103</b>	<b>9%</b>
Meter replacements	Thu 1/08/13	Wed 2/07/14	5,000	0	0%
Main extension - rem dead end	Mon 28/12/15	Fri 22/01/16	50,000	10,103	100%
<b>Cooanbarabran</b>	<b>Thu 1/08/13</b>	<b>Thu 24/07/14</b>	<b>240,000</b>	<b>12,350</b>	<b>1%</b>
Meter replacements	Thu 1/08/13	Thu 24/07/14	10,000	1,988	0%
Main replacement	Mon 7/04/14	Fri 2/05/14	70,000	0	0%
Main extension, Robertson/John	Mon 2/09/13	Fri 27/09/13	60,000	10,362	10%
Main extension, Queenie Street	Mon 14/10/13	Fri 8/11/13	100,000	0	0%
<b>Dunedoo</b>	<b>Thu 1/08/13</b>	<b>Mon 30/03/15</b>	<b>226,000</b>	<b>94,733</b>	<b>0%</b>
Meter replacements	Thu 1/08/13	Mon 30/03/15	5,000	0	0%
Main. Bolaro	Mon 10/02/14	Fri 14/03/14	60,000	0	0%
Secondary Bore	Thu 1/08/13	Sat 28/12/13	50,000	94,733	90%
Main. Ext (Evans street)	Mon 7/04/14	Fri 2/05/14	50,000	0	0%
Reservoir rehab.	Mon 2/12/13	Fri 10/01/14	61,000	0	0%
<b>Mendooran</b>	<b>Fri 2/08/13</b>	<b>Fri 25/12/15</b>	<b>35,000</b>	<b>9,733</b>	<b>1%</b>
Meter replacements	Fri 2/08/13	Fri 25/12/15	5,000	0	0%
water pressure project	Mon 9/09/13	Fri 11/10/13	30,000	9,733	10%
<b>Sewerage</b>	<b>Mon 14/10/13</b>	<b>Thu 24/07/14</b>	<b>193,000</b>	<b>4,604</b>	<b>0%</b>
<b>Baradine</b>	<b>Mon 14/10/13</b>	<b>Thu 24/07/14</b>	<b>10,000</b>	<b>0</b>	<b>0%</b>
Replac. vacuum components	Mon 14/10/13	Thu 24/07/14	10,000	0	0%
<b>Coonabarabran</b>	<b>Mon 3/02/14</b>	<b>Sat 28/06/14</b>	<b>133,000</b>	<b>0</b>	<b>0%</b>
Mains relining	Mon 3/02/14	Fri 21/03/14	130,000	0	0%
Replace steel rods	Fri 27/06/14	Sat 28/06/14	3,000	0	0%
<b>Coolah</b>	<b>Mon 2/06/14</b>	<b>Fri 6/06/14</b>	<b>25,000</b>	<b>3,939</b>	<b>0%</b>
STP upgrade	Mon 2/06/14	Fri 6/06/14	25,000	3,939	0%
<b>Dunedoo</b>	<b>Mon 23/06/14</b>	<b>Fri 27/06/14</b>	<b>25,000</b>	<b>665</b>	<b>0%</b>
STP upgrade	Mon 23/06/14	Fri 27/06/14	25,000	665	0%

Maintenance Grading on Unsealed Roads has occurred on the following roads since 1 July 2013

Flags Rockedgial, Sleightholmes, Beni Crossing, Reddens, Wyuna, Mt Nombi, Kilchurn, Angus, Box Ridge, Yuggel, Willicombes, Sandy Creek, Dapper, Danabar, Bald Hill, Lambing Hill, Deihm, Narrangarie, Mt Nombi, Premer Estate, Nullawa, Coolah Neilrex, Piambra, Yuggel, Wangmans, Indians Lane, Baradine streets, Borah Creek, Jerrys Lane, Deihm, Lambing Hill, Brooklyn, Cobborah, Gamble Creek, Ropers, Goolhi, Amey's, Keech's, Bakers, Schumacks, Bellings, Heads, Eastburns, Merebene, Digilah West, Wongoni, a'Becketts, Round Mountain, Saltwater, Gamble Creek, Yaminbah,

Roads scheduled for maintenance grading in the next two months

Kilchurn, Brooks, Iona, Whitfield, Boomley, Goolma, Leaders, Sherbrooke, Brooks, Yarragrin, River, Eshmans, Merryula, Bunganbah, Gentle Annie, Guinema, Mow rock, Myall Plains, Wingabutta, Pibbon, Wyuna.

# WARRUMBUNGL SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 34 Crown Land at Dunedoo

<b>Division:</b>	Environmental and Community Services
<b>Management Area:</b>	Regulatory Services
<b>Author:</b>	Acting Director Environmental & Community Services - Fiona Luckhurst
<b>CSP Key Focus Area:</b>	Local Economy
<b>Priority / Strategy:</b>	E4 Business and industry development should be fostered to ensure the local availability of products and services and to minimise economic leakage to larger regional centres

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### Reason for Report

To update Council on progress of a Resolution that's over 12 months old.

### Background

At Council's meeting held on the 18<sup>th</sup> October 2012, Council adopted the following *133/1213 RESOLVED that Council continue with the plan to purchase the vacant Crown land within Dunedoo*. This land being:

- a) Lots 6-10 Section 29 DP 758364 Talbragar St Dunedoo
- b) Lots 3 and 4 Section 39 DP 758 364 Adelyne St Dunedoo
- c) Lots 7-9 Section 39 DP 758364 Mogimil St Dunedoo

### Options

Council has been in touch with Crown Lands Department, Native Title Claims division, to verify if any of the properties have a Native Title Claim on them. We are waiting for a response.

### Financial Considerations

At this stage there are no budgetary considerations

### Summary

Council will continue to work towards purchase of the vacant crown land in Dunedoo.

### RECOMMENDATION

That Council continue with the plan to purchase the vacant Crown land within Dunedoo. This land being:

- a) Lots 6-10 Section 29 DP 758364 Talbragar St Dunedoo
- b) Lots 3 and 4 Section 39 DP 758 364 Adelyne St Dunedoo
- c) Lots 7-9 Section 39 DP 758364 Mogimil St Dunedoo

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 21 November 2013

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### Item 35 Local Heritage Fund 2013/2014

<b>Division:</b>	Environmental & Community Services
<b>Management Area:</b>	Town Planning
<b>Author:</b>	Personal Assistant to Director Environmental & Community Services – Kelly Dewar
<b>CSP Key Focus Area:</b>	Rural and Urban Development
<b>Priority:</b>	RU4 Work with local communities to develop and implement improvement plans for our streetscapes, main street and town entrances

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### Reason for Report

To endorse recommendations from Council's Heritage Advisor regarding distribution of local heritage funds.

### Background

Letters were sent to private owners of buildings identified in the Community-Based Heritage Studies of the former Coolah and Coonabarabran Shires as having local heritage significance. Letters were not sent for items located on land owned by State Government, or a public authority (eg railway land). Owners were invited to obtain an information and application package regarding the local heritage fund.

The letter indicated that grants of up to \$2,000 were available from the Warrumbungle Shire Local Heritage Fund to assist owners undertake conservation and maintenance works on heritage buildings and places. Owners are required to at least match Council's contribution.

Thirteen applications for grants were received in relation to the following premises:

- Baradine CWA Rooms
- Baradine Methodist Church (former)
- Black Stump Inn, Coolah
- Church of St Peter & St Paul, Binnaway
- Cobborah Homestead
- Coolah Valley Hotel
- Dennison Inn (former), Leadville
- Mendooran CWA Building
- Oban Homestead, Coolah
- St Andrews Anglican Church, Baradine
- St Marys Catholic Church, Mendooran
- The Coonabarabran Club
- Tin Shed, 36 Wellington Street, Baradine

Warrumbungle Shire Council's Heritage Advisor, Ray Christison of High Ground Consulting, evaluated the applications and has recommended that the grants be dispersed as shown in the table below.

## WARRUMBUNGL SHIRE COUNCIL

### Ordinary Meeting – 21 November 2013

Property	SHI No.	Applicant	Works	Cost	Request	Recomm- ended
Baradine CWA Rooms	1118	Baradine Branch CWA	Replace kitchen	\$5,720	\$2,000	\$1,700
Baradine Methodist Church (fmr)	1122	Baradine Preschool	Restore church fence	\$1,106	\$553	\$500
Black Stump Inn	0018	Garry Muller	Replace guttering	\$4,000	\$2,000	\$1,500
Church of St Peter & St Paul	1156	Fr. Greg Kennedy	Repaint front doors, entry & sacristy	\$3,810	\$1,810	\$1,400
Cobborah Homestead	0180	Mark & Sally Dent	Reconstruct homestead fence	\$2,500	\$2,000	\$1,100
Coolah Valley Hotel	-	Prue Ward	Repaint facade	\$4,000	\$2,000	\$1,500
Coonabarabran Club, The	1159	Coonabarabran Club Co-op Ltd	Upgrade stormwater drainage	\$3,465	\$1,733	\$1,400
Denison Inn (fmr)	0204	Kevin & Ann Hookway	Repair & repaint interior walls	\$4,000	\$2,000	\$1,500
Mendooran CWA Building	-	Mendooran Branch CWA	Repair roof & replace barge boards	\$5,368	\$2,000	\$1,500
Oban Homestead	0099	Chris Hallett	Repair & paint roof	\$3,500	\$1,750	\$1,200
St Andrews Anglican Church	1205	Baradine Anglican Church	Repair & paint roof	\$10,000	\$3,000	\$1,800
St Marys Catholic Church	0128	St Michael's Parish, Dunedoo	Paint exterior	\$4,000	\$2,000	\$1,500
Tin Shed	-	Kate Boston	Stabilise & secure building	\$40,000	\$2,000	\$1,900
				<b>\$91,469</b>	<b>\$24,846</b>	<b>\$18,500</b>

#### Options

Given that Council has notified stakeholders and accepted applications it would be unreasonable not to offer any funding.

# WARRUMBUNGLE SHIRE COUNCIL

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### Financial Considerations

Warrumbungle Shire Council has established a budget of \$18,500 for its Local Heritage Fund. If Council manages the fund in accordance with the requirements of the Heritage Branch Department of Planning, that agency will reimburse up to \$8,500 via a grant at the end of the financial year. One of the key requirements is that the fund be dispersed with regard for the recommendations of Council's Heritage Advisor.

### RECOMMENDATION

That Warrumbungle Shire Council resolve to: grant \$18,500 from the Warrumbungle Shire Council Local Heritage Fund 2013-2014 distributed as follows;

Property	SHI No.	Applicant	Works	Cost	Request	Recomm- ended
Baradine CWA Rooms	1118	Baradine Branch CWA	Replace kitchen	\$5,720	\$2,000	\$1,700
Baradine Methodist Church (fmr)	1122	Baradine Preschool	Restore church fence	\$1,106	\$553	\$500
Black Stump Inn	0018	Garry Muller	Replace guttering	\$4,000	\$2,000	\$1,500
Church of St Peter & St Paul	1156	Fr. Greg Kennedy	Repaint front doors, entry & sacristy	\$3,810	\$1,810	\$1,400
Cobborah Homestead	0180	Mark & Sally Dent	Reconstruct homestead fence	\$2,500	\$2,000	\$1,100
Coolah Valley Hotel	-	Prue Ward	Repaint facade	\$4,000	\$2,000	\$1,500
Coonabarabran Club, The	1159	Coonabarabran Club Co-op Ltd	Upgrade stormwater drainage	\$3,465	\$1,733	\$1,400
Denison Inn (fmr)	0204	Kevin & Ann Hookway	Repair & repaint interior walls	\$4,000	\$2,000	\$1,500
Mendooran CWA Building	-	Mendooran Branch CWA	Repair roof & replace barge boards	\$5,368	\$2,000	\$1,500
Oban Homestead	0099	Chris Hallett	Repair & paint roof	\$3,500	\$1,750	\$1,200
St Andrews Anglican Church	1205	Baradine Anglican Church	Repair & paint roof	\$10,000	\$3,000	\$1,800
St Marys Catholic Church	0128	St Michael's Parish, Dunedoo	Paint exterior	\$4,000	\$2,000	\$1,500
Tin Shed	-	Kate Boston	Stabilise & secure building	\$40,000	\$2,000	\$1,900
				<b>\$91,469</b>	<b>\$24,846</b>	<b>\$18,500</b>

## WARRUMBUNGLA SHIRE COUNCIL

### Ordinary Meeting – 21 November 2013

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#### Item 36 Development Applications

**Division:** Environmental and Community Services

**Management Area:** Regulatory Services

**Author:** Environmental Administration Officer – Kobie Francis

**CSP Key Focus Area:** Rural and Urban Development

**Priority / Strategy:** RU4 The attractiveness appearance and amenity of our towns and villages need to be improved

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#### Development Applications

(i) **Approved – October 2013**

<b>Complying Development (Set Criteria) Development Application (Specialised Conditions)</b>	<b>Date Approved</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type Of Development</b>
DA 15/1314 *	1/10/2013	Lee Poulton	1244 Timor Road	Coonabarabran	Build shed
DA 16/1314	11/10/2013	Cath Elliott	14-16 Namoi Street	Coonabarabran	Replace existing roof
DA 19/1314	17/10/2013	Taylor Made Buildings	6 Railway Street	Baradine	Installation of a manufactured home
DA 21/1314 *	17/10/2013	Taylor Made Buildings	502 Guinema Road	Bugalidie	Installation of a manufactured home
DA 26/1314	23/10/2013	Brent Templeman	12 Merebene Street	Coonabarabran	Build shed
CDC 29/1314	28/10/2013	Allan Mathews	8 Knight Street	Coonabarabran	Build shed



## WARRUMBUNGLA SHIRE COUNCIL

### Ordinary Meeting – 21 November 2013

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<b>Complying Development (Set Criteria) Development Application (Specialised Conditions)</b>	<b>Date Approved</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type Of Development</b>
DA 30/1314 *	24/10/2013	Rawson Homes	2112 Timor Road	Coonabarabran	Installation of a manufactured home
DA 33/1314	31/10/2013	Castlereagh Funerals	177 Yearinan Station Road	Coonabarabran	Private burial

#### Development Applications

##### (ii) Received – October 2013

<b>Complying Development (Set Criteria) Development Application (Specialised Conditions)</b>	<b>Date Received</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type Of Development</b>	<b>Status</b>
DA 27/1314 *	3/10/2013	Dak Wal Constructions	1311 Timor Road	Coonabarabran	Demolish existing remains and replace dwelling and sheds	Assessing
DA 28/1314 *	9/10/2013	C D Walton	823 Timor Road	Coonabarabran	Erect a garage	Assessing
CDC 29/1314	10/10/2013	Allan Mathews	8 Knight Street	Coonabarabran	Building a shed	Approved
DA 30/1314 *	14/10/2013	Rawson Homes	2112 Timor Road	Coonabarabran	New Dwelling to replace old	Assessing
DA 31/1314	16/10/2013	Rosemary Vass	79 Newell Highway	Coonabarabran	extension to house	Assessing
DA 32/1314 *	16/10/2013	Elaine Gardiner	74 Tibuc Road	Coonabarabran	Replacement Gallery and Café	Assessing
DA 33/1314	24/10/2013	Castlereagh Funerals	177 Yearinan Station Road	Coonabarabran	Private burial	Assessing

## WARRUMBUNGLA SHIRE COUNCIL

### Ordinary Meeting – 21 November 2013

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<b>Complying Development (Set Criteria) Development Application (Specialised Conditions)</b>	<b>Date Received</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type Of Development</b>	<b>Status</b>
DA 34/1314	24/10/2013	Laurence Stanton	57 Digilah Street	Dunedoo	Glass existing patio cover	Assessing
DA 35/1314	28/10/2013	Terry & Kerrie Ward	1054 Mitchell Springs Road	Purlewaugh	Erect a new house	Assessing
DA 36/1314	28/10/2013	Charlie Zaiter	8090 Black Stump Way	Premer	Subdivision	Assessing
DA 37/1314	20/09/2013	Scott & Sarah Witton	19 Oban Street	Coolah	Subdivision	Assessing

#### Construction Certificates

##### (iii) Approved – October 2013

<b>Construction Certificates</b>	<b>Date Approved</b>	<b>Applicant's Name</b>	<b>Location</b>	<b>Town</b>	<b>Type Of Development</b>
DA 12/1314 *	28/10/13	Paul Wilson	1788 Timor Road	Coonabarabran	Erect studio building
DA 13/1314	2/10/2013	Jane Nelson-Hauer	77 Homeleigh Drive	Coonabarabran	Build two (2) bay garage
DA 15/1314 *	3/10/2013	Lee Poulton	1244 Timor Road	Coonabarabran	Build shed

## WARRUMBUNGLA SHIRE COUNCIL

### Ordinary Meeting – 21 November 2013

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#### Local Approvals

(iv) Approved – October 2013

Local Approvals	Date Approved	Applicant's Name	Location	Town	Type Of Development
LA 3/1314	28/10/2013	Taylor Made Buildings	6 Railway Street	Baradine	Installation of a manufactured home
LA 4/1314 *	11/10/2013	Taylor Made Buildings	502 Guinema Road	Bugaldie	Installation of a manufactured home

#### Occupation Certificates

(v) Approved – October 2013

Occupation Certificates	Date Approved	Applicant's Name	Location	Town	Type Of Development
DA 100/1011	22/10/2013	Jason & Jo Isedale	26 Dows Lane	Coonabarabran	Erection of a dwelling
DA 79/1213	18/10/2013	David Crosdale	19 Nelson Street	Coonabarabran	Erect awning
DA 9/1314	22/10/2013	Paul & Glenda Tandy	15 Major Mitchell Road	Coonabarabran	Build kit shed
DA 10/1314	11/10/2013	Stephen Clements	34 Bandulla Street	Coonabarabran	Build patio cover
DA 50/1112	24/10/2013	Anthony Skinner	Goorianawa Station	Baradine	Erection of a single storey dwelling

#### RECOMMENDATION

That Council note the Applications and Certificates Approved, during October 2013, under Delegated Authority.