



# **Warrumbungle Shire Council**

**Extraordinary Council meeting  
Thursday, 4 September 2014**

**to be held at the Council Chambers,  
14-22 John Street, Coonabarabran**

**commencing at 1.00 pm**

***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)

Leeanne Ryan (Director Development 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

# WARRUMBUNGLE SHIRE COUNCIL

## Extraordinary Meeting – 4 September 2014

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Councillors

As per the request by Councillors Clancy and Andrews, **NOTICE** is hereby given that the Mayor has called an **EXTRAORDINARY MEETING** of Council that will be held on Thursday, 4 September 2014 at the Council Chambers, John Street, Coonabarabran commencing at 1.00pm

For Council information I refer Councillors to the NSW Local Government Act (1993) sections 366 and 367;

### **s366 Calling of extraordinary meeting on request by councillors**

*If the mayor receives a request in writing signed by at least 2 councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable but in any event within 14 days after receipt of the request.*

### **s367 Notice of meetings**

- 1. The general manager of a council must send to each councillor, at least 3 days before each meeting of the council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.*
- 2. Notice of less than 3 days may be given of an extraordinary meeting called in an emergency.*
- 3. A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a councillor in electronic form but only if all councillors have facilities to access the notice, agenda and business papers in that form.*

And I refer Councillors to s232, 241 and 242 of Division 2 of the Local Government Regulations (2005) **Convening of, and attendance at, council meetings**

### **232 Notice of meetings**

- 1. This clause prescribes the manner in which the requirements outlined in section 9 (1) of the Act are to be complied with.*
- 2. A notice of a meeting of a council or of a committee must be published in a newspaper circulating in the area before the meeting takes place.*
- 3. The notice must specify the time and place of the meeting.*
- 4. Notice of more than one meeting may be given in the same notice.*
- 5. This clause does not apply to an extraordinary meeting of a council or committee.*

# WARRUMBUNGLE SHIRE COUNCIL

## Extraordinary Meeting – 4 September 2014

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### **241 Giving notice of business**

1. *A council must not transact business at a meeting of the council:
  - (a) unless a councillor has given notice of the business in writing within such time before the meeting as is fixed by the council's code of meeting practice or (if the council does not have a code of meeting practice or its code of meeting practice does not fix that time) as is fixed by resolution of the council, and
  - (b) unless notice of the business has been sent to the councillors in accordance with section 367 of the Act.*
  
2. *Subclause (1) does not apply to the consideration of business at a meeting if the business:
  - (a) is already before, or directly relates to a matter that is already before, the council, or
  - (b) is the election of a chairperson to preside at the meeting as provided by clause 236 (1), or
  - (c) is a matter or topic put to the meeting by the chairperson in accordance with clause 243, or
  - (d) is a motion for the adoption of recommendations of a committee of the council.*
  
3. *Despite subclause (1), business may be transacted at a meeting of a council even though due notice of the business has not been given to the councillors.*

*However, this can happen only if:*

- (a) a motion is passed to have the business transacted at the meeting, and*
  - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency. Such a motion can be moved without notice.*
4. *Despite clause 250, only the mover of a motion referred to in subclause (3) can speak to the motion before it is put.*

### **242 Agenda for extraordinary meetings**

1. *The general manager must ensure that the agenda for an extraordinary meeting of a council deals only with the matters stated in the notice of the meeting.*
  
2. *Despite subclause (1), business may be transacted at an extraordinary meeting of a council even though due notice of the business has not been given to the councillors.*

*However, this can happen only if:*

- (a) a motion is passed to have the business transacted at the meeting, and*
  
- (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.*

# WARRUMBUNGLE SHIRE COUNCIL

## Extraordinary Meeting – 4 September 2014

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*Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of.*

3. *Despite clause 250, only the mover of a motion referred to in subclause (2) can speak to the motion before it is put.*

### **AGENDA**

Welcome

Turn Off Mobile Phones

#### **Order of Business**

##### **Disclosure of Interest**

**Pecuniary Interest**

**Non Pecuniary Conflict of Interest**

#### **Matters to be dealt with**

- Item 1E** Horse and Rider Club Yards  
**Item 2E** Coonabarabran Showground Interim Reserve Trust  
**Item 3E** Code of Meeting Practice  
**Item 4E** Transparency Issues.

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

- Item 5E** Code of Conduct Determination Councillor Todd

#### **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 item relates to alleged contraventions and are classified CONFIDENTIAL under Section 10A(2)(i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

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

**WARRUMBUNGL SHIRE COUNCIL**

**Extraordinary Meeting – 4 September 2014**

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**INDEX**

Item 1E Horse and Rider Club Yards ..... 8

Item 2E Coonabarabran Showground Interim Reserve Trust ..... 9

Item 3E Code of Meeting Practice ..... 10

Item 4E Transparency Issues ..... 11

# WARRUMBUNGLA SHIRE COUNCIL

## Extraordinary Meeting – 4 September 2014

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### Item 1E Horse and Rider Club Yards

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#### **Notice of Motion**

Not Provided

#### **Background**

Correspondence from Ambrose Doolan and Kevin Sharpe in respect of ownership of horse yards, i.e. Expo Committee and Horse and Rider Committee and action undertaken by General Manager as Chairman of the Coonabarabran Showground Trust.

CR Fred Clancy  
**COUNCILLOR**



# **WARRUMBUNGL SHIRE COUNCIL**

## **Extraordinary Meeting – 4 September 2014**

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### **Item 2E Coonabarabran Showground Interim Reserve Trust**

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#### **Notice of Motion**

Not Provided

#### **Background**

Councils role as interim Trustee of Coonabarabran Showground

CR Fred Clancy  
**COUNCILLOR**

# WARRUMBUNGLA SHIRE COUNCIL

## Extraordinary Meeting – 4 September 2014

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### Item 3E Code of Meeting Practice

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#### **Notice of Motion**

Not Provided

#### **Background**

Provision of Councillors opportunity to ask questions on "matters of concern" during Monthly Council meetings.

CR Fred Clancy  
**COUNCILLOR**

# WARRUMBUNGLA SHIRE COUNCIL

## Extraordinary Meeting – 4 September 2014

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### Item 4E Transparency Issues

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#### **Notice of Motion**

Not Provided

#### **Background**

Transparency issues.

CR Fred Clancy  
**COUNCILLOR**