

WARRUMBUNGL E SHIRE COUNCIL

**MINUTES OF THE SPECIAL MEETING OF THE WARRUMBUNGL E SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS COOLAH ON THURSDAY, 18 SEPTEMBER 2014
COMMENCING AT 10.00AM**

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PRESENT: Cr Andrews, Cr Capel, Cr Clancy, Cr Coe, Cr Schmidt, Cr Peter Shinton, Cr C Sullivan, Cr R Sullivan, Cr Todd, General Manager (Steve Loane), Director Corporate Services (Rebecca Ryan), Director Technical Services (Kevin Tighe) and Director Development Services (Leeanne Ryan)

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

The General Manager (acting as Returning Officer for the election) advised Council that the method of voting needed to be dealt with before taking nominations.

72/1415 RESOLVED that voting be recorded by Show of Hands.

Todd/Andrews
The motion was put and carried

1S) Election of Mayor

The General Manager called for nominations for the position of Mayor.

The General Manager announced that two nominations had been received for the position of Mayor being nominations for Councillor Clancy and Councillor Shinton.

The General Manager extended the opportunity for each Councillor to state their preferred candidate for Mayor. The votes recorded were as follows:

Cr Shinton – 6 votes

- Cr Schmidt
- Cr Coe
- Cr Shinton
- Cr Capel
- Cr R Sullivan
- Cr C Sullivan

Cr Clancy – 3 votes

- Cr Todd
- Cr Andrews
- Cr Clancy

The General Manager declared Councillor Peter Shinton elected to the position of Mayor for the period 18 September 2014 to September 2015.

2S) Election of Deputy Mayor

The General Manager called for nominations for the position of Deputy Mayor.

The General Manager announced that one nomination had been received for the position of Deputy Mayor, that of Councillor Coe.

The General Manager declared Councillor Coe elected unopposed to the position of Deputy Mayor for the period 18 September 2014 to September 2015.

The Mayor assumed the Chair.

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3S Delegations of Authority to the Mayor and Deputy Mayor

73/1415 RESOLED that Council endorse the following Delegations to the positions of the Mayor and Deputy Mayor.

WARRUMBUNGL SHIRE COUNCIL

Delegations Mayor

That subject to the requirements of the Local Government Act, 1993, regulations thereunder, any expressed policies of Council or requirements of any Public Authority and pursuant to Section 377 of the Local Government Act, 1993, the Mayor, be authorized to exercise or perform on behalf of the Warrumbungle Shire Council the functions, powers, authorities and duties set out in the schedule hereunder.

Under Legislation – Pursuant to section 225 of the Local Government Act 1993

Mayors Functions – Authority to

- *exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the Council.*
- *exercise such other functions of the council as the council determines*
- *preside at meetings of the Council.*
- *carry out the civic and ceremonial functions of the mayoral office.*
- *to carry out any function conferred on and duty imposed on the Mayor under any act or regulation.*
- *to carry out the general supervision, control and direction of the General Manager.*
- *to affix the Common Seal of Council in conjunction with the General Manager or Deputy Mayor to any necessary document pursuant to or consequent upon any decision of Council.*
- *to respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.*
- *approve attendance by Elected Members at Conferences and Seminars etc, within New South Wales and the ACT to a maximum of three (3) days and within budget provisions.*
- *authorise urgent works up to an amount of \$20,000 where budget funds are available and report that approval to the next Council meeting.*
- *issue References under Council letterhead.*
- *promote the area of Council through representations, functions and personal approaches.*
- *provide Civic Receptions as deemed appropriate by the Mayor.*
- *use of a Council Corporate Credit Card to a maximum of \$5,000*

WARRUMBUNGL SHIRE COUNCIL

Delegations Deputy Mayor

Subject to the requirements of the Local Government Act 1993, and regulations thereunder and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the

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Deputy Mayor, be authorised to exercise on behalf of Warrumbungle Shire Council the following powers, authorities, duties and functions:

- *to carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out his/her duties.*
- *to affix the Common Seal of Council in conjunction with the Mayor or General Manager to any necessary document pursuant to or consequent upon any decision of Council.*
- *to issue References under Council letterhead.*

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

4S) Meeting Schedule

74/1415 RESOLVED that Council adopts the current Meeting schedule and practice, being the third Thursday of each month, commencing at 10.00 am alternating between the Coolah and Coonabarabran Council Chambers as per the following schedule;

2014

Thursday 16 October	Coonabarabran
Thursday 20 November	Coolah
Thursday 11 December	Coonabarabran

2015

Thursday 19 February	Coolah
Thursday 19 March	Coonabarabran
Thursday 16 April	Coolah
Thursday 21 May	Coonabarabran
Thursday 18 June	Coolah
Thursday 16 July	Coonabarabran
Thursday 20 August	Coolah
Thursday 17 September	Coonabarabran

**Capel/Schmidt
The motion was carried**

There being no further business the special meeting concluded at 10.06am.

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CHAIRMAN

WARRUMBUNGL E SHIRE COUNCIL

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PRESENT: Cr Peter Shinton (Chairman), Cr Andrews, Cr Capel, Cr Clancy, Cr Coe, Cr Schmidt, Cr C Sullivan, Cr R Sullivan, Cr Todd, General Manager (Steve Loane), Director Corporate Services (Rebecca Ryan), Director Technical Services (Kevin Tighe) and Director Development Services (Leeanne Ryan)

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

The Mayor thanked the members of the gallery for attendance.

**10.07am
Forum**

Ray Christison addressed Council regarding the Local Heritage Fund and answered questions from the Councillors.

10.23am

Ian Clifton addressed Council regarding the yards and the boost provided to economic development for the area through this community asset. Mr Clifton outlined the history and utilisation of the yards and the difficulties now presented with the sale.

10.40am

Jim Atkinson addressed Council regarding the success of the Recycling Centre and requested Council's consideration of naming the site, providing a prize for each school for environmental science and providing local media with a short history of the centre.

10.45am

75/1415 RESOLVED that standing orders be suspended to break for morning tea.

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

11.10am

76/1415 RESOLVED that standing orders be resumed.

**Capel/Schmidt
The motion was carried**

The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest

Councillor Shinton declared a non pecuniary interest in Items 12 and 13.

11.05am

REPORTS

Item 1 Minutes of Ordinary Council Meeting – 21 August 2014

77/1415 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 21 August 2014 be endorsed.

**Schmidt/Todd
The motion was carried**

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Item 2 Minutes of Extraordinary Council Meeting – 4 September 2014

78/1415 RESOLVED that the resolutions contained in the Minutes of the Extraordinary Council meeting held on 4 September 2014 be endorsed.

**Coe/Clancy
The motion was carried**

Item 3 Minutes of Traffic Advisory Committee Meeting - 28 August 2014

79/1415 RESOLVED:

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 28 August 2014.
2. That request by Coonabarabran Area Medical Centre for additional disabled car spaces in Cassilis Street is refused as there are two spaces already in existence.
3. That exemption is provided for the Coolah Rescue Squad truck to turn at Cunningham Street in Campbell Street and furthermore an exemption sign is installed underneath the existing No Truck sign in Cunningham Street in accordance with Australian Standard 1742.

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

Item 4 Minutes of Plant Advisory Committee Meeting - 4 September 2014

80/1415 RESOLVED:

1. That Council accepts the Minutes of the Plant Advisory Committee meeting held at Coonabarabran on 4 September 2014.
2. That the year to date plant replacement program is accepted.
3. That the income and expenditure report for year to date 2014/15 is accepted with thanks to staff for the high level of detail provided.
4. That Council purchase one (1) Komatsu PC200LC-8 Crawler Excavator fitted with Tilting Hydraulic Hitch and standard 1800mm bucket from Komatsu Australia Pty Ltd that complies with the tender specifications at a price of \$215,020(ex GST) and that Council trade in Plant No 8090 to Komatsu Australia Pty Ltd for \$88,000 resulting in a changeover price of \$127,020 being \$92,980 under budget.
5. that Council purchase one (1) Isuzu FXY1500 bitumen patching truck with paveline body with electronic flashing arrow board to Workcover standard and road maintenance system from Tracserv Pty Ltd that complies with tender specification at a price of \$356,689(excl GST) and furthermore a report is prepared on options for use or sale of the trade vehicle including retaining the vehicle as a back up vehicle stationed in the southern area of the Shire.
6. That options for purchase of a second hand landfill compactor for the Coonabarabran landfill are investigated.

**Andrews/Coe
The motion was carried**

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**Item 5 Minutes of Robertson Oval Advisory Committee Meeting - 20 August 2014
81/1415 RESOLVED:**

1. That Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 20 August 2014.

2. That the draft masterplan for development and upgrading of the Robertson Oval complex is advertised in the local Dunedoo paper, with plans displayed at the multipurpose building and other shopfronts and on Council's website. A story about the proposed plan to be provided to the Dunedoo paper. Invite comment on the plans, which may be made to any of the Committee members.

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

**Item 6 Minutes of Pedestrian Access Advisory Committee Meeting - 27 August 2014
82/1415 RESOLVED** that Council accepts the Minutes of the Pedestrian Access Advisory Committee meeting held at Coonabarabran on 27 August 2014.

**Clancy/Todd
The motion was carried**

**Item 7 Minutes of Consultative Advisory Committee Meeting – 28 August 2014
83/1415 RESOLVED** that Council notes the minutes from the Consultative Advisory Committee meeting held on 28 August 2014 at Coonabarabran.

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

**Item 8 Minutes Bushfire Appeal Advisory Panel 27 June 2014
84/1415 RESOLVED**

1. That Council endorse the RESOLVED s of the Warrumbungle Shire Mayors Bushfire Appeal Advisory Panel Meeting held on 27 June 2014

2. That the application for Roadside Clearing be approved for payment.

3. That an Information Pack be provided for Fire Affected Residents when a DA is lodged. The Information Pack should include the application for the House Re Establishment Grant of \$5,000.

4. That the application for Community Renewal Funds for the Coonabarabran Art Space, be placed on hold and further information is sought from the Applicant, on the type of display envisaged and the size of the image frames quoted by OfficeWorks

5. That Council investigate and establish why there are so few applications for the House Re-establishment grant.

6. That the Chief Financial Officer seeks advice from the ATO on the possible extension of time for the Appeal.

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

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**Item 9 Economic Development and Tourism Advisory Committee Meeting Minutes
85/1415 RESOLVED:**

1. That apologies be accepted
2. That the minutes of 12th June meeting be ratified and form the working document for this meeting.
3. To ensure that there are always two elected councillors able to exercise voting rights at EDT meetings, an alternative councillor should be appointed to the committee and **FURTHERMORE** Cr Anne-Louise Capel be appointed as Council's alternative representative on the EDT Advisory Committee.
4. That Council proceed with the purchase of an annual subscription of the REMPLAN Suite at \$11,208 (gst incl) on the understanding that as this kit provides resources for all departments of Council it will be funded accordingly
5. That Council source funds to engage Dr Bruno Parolan to complete a comprehensive By Pass Study for Coonabarabran. The survey period for the study must encompass a holiday travel period and a draft report must be presented to Council within two months of the survey.
6. That Council resolves the boundary locations to be considered for the next 3 shire boundary signs.
7. That the design and publication of the 2014-2015 Visitor Guide be awarded to VAADA at the quoted price of \$25,498 for design and \$24,671.42 for printing noting that there may be opportunities to reduce some of the costs in the design and layout of the brochure.
8. That the budget drafted for the production of a new Visitor Guide incorporate a bundling of other tourism marketing activities and form the basis for advertising sales for the Visitor Guide 2014-2015.
9. That \$500 be allocated to engage Anna Tenne Photography for additional imagery for the Visitor Guide.

**Schmidt/Clancy
The motion was carried**

86/1415 RESOLVED that the boundary locations for the next three (3) shire boundary signs be as follows:

- Boundary with Mid Western Regional Council on Castlereagh Highway near Barneys Reef Road
- Boundary on Golden Highway east of Tongy Lane
- Black Stump Way at cross roads near Premer.

**Coe/Clancy
The motion was carried**

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Item 10 Minutes of the Audit and Risk Management Committee Meeting – 26 August 2014

87/1415 RESOLVED:

1. That Council accepts the Minutes of the Audit and Risk Management Committee meeting held at Coonamble on 26 August 2014.
2. That:
 - I. the report be noted;
 - II. the committee notes Council is progressing with the TCorp findings;
 - III. a report be brought to the next ARMC meeting on Council's development and implementation of individual and overarching asset management plans;
 - IV. a report be brought to the next ARMC meeting on Council's opportunities for shared services such as a joint EOI for assets condition assessment and valuation;
 - V. a report be brought to the next ARMC meeting on Council's agreed actions from the IA Report;
 - VI. the Committee thanks the Internal Auditor for the detailed report and opinions
3. That the progress on the action list items be noted.
4. That progress on the Creditors Report be noted.
5. That progress on the Orders Report be noted.
6. That the Report be noted and Council prepare a report for the subsequent meeting on the implementation plan for the items addressed.
7. That the report for reappointing the Audit committee be noted

**Schmidt/Clancy
The motion was carried**

Item 11 Minutes of the Finance and Projects Committee Meeting – 13 August 2014

88/1415 RESOLVED that Council accepts the Minutes of the Finance and Projects Committee Meeting held at Coonabarabran on 13 August 2014.

**Todd/Schmidt
The motion was carried**

Item 12 Coonabarabran Showground Reserve Trust

89/1415 RESOLVED that Council accept the report but does not endorse the General Manager's actions.

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

A motion was moved by Councillor Clancy that the letter from SK Partners dated 7 September 2014 be submitted to the Office of Local Government for clarification of the role of Councillors and the role of the General Manager in the execution of the day to day running of the organisation and the role of implementing policy determinations of Council.
The motion lapsed for want of a seconder.

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Item 13 Horse and Rider Club Yards

A motion was moved by Councillor R Sullivan that Council resign from being Trustee of the Showground.

The motion was WITHDRAWN

Item 14 Coonabarabran Showground Reserve Trust Caretaker

90/1415 A motion was moved by Councillor Clancy seconded by Councillor Todd that Council establish whether it is able to engage John Hughes as interim caretaker of the Coonabarabran Showground on the basis he will provide a better service than Council.

The motion was put and LOST

Item 15 Coonabarabran Showground Interim Trustee

A motion was moved by Councillor R Sullivan seconded by Councillor Coe that Council resign as Interim Trustee of the Coonabarabran Showground.

The motion was WITHDRAWN

Item 16 Code of Meeting Practice

91/1415 A motion was moved Councillor Clancy seconded by Councillor Andrews that Council provide an opportunity for Councillors to raise Matters of Concern at the end of each meeting limited to three (3) questions per Councillor, acknowledging that all provisions in the Code of Meeting Practice must be adhered to.

The motion was put and carried

Item 17 Financial Assistance

A motion was moved Councillor Schmidt seconded by Councillor R Sullivan that in relation to financial assistance for 2WCRFM for the replacement of damaged equipment:

1. Council consider a dollar for dollar contribution at our next budget deliberation.
2. Council advise them of grant opportunities that would assist in the replacement of the damaged component.

An amendment was moved by Councillor Clancy that \$2,000 be provided from the community financial assistance budget and a further \$3,000 be provided from the Bushfire Appeal fund.

The amendment was withdrawn

92/1415 A further amendment was moved by Councillor Coe seconded Councillor Clancy that the request for the \$5,000 to assist 2WCRFM be submitted to the Warrumbungle Shire Mayors Bushfire Appeal committee for consideration.

The amendment was put and carried.

The amendment became the substantive motion and was put and carried.

12.58 pm

93/1415 RESOLVED that standing orders be suspended to break for lunch.

Capel/Schmidt

The motion was carried

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1.50pm

94/1415 RESOLVED that standing orders be resumed.

**Capel/Todd
The motion was carried**

Item 18 Staffing

95/1415 RESOLVED that a report be brought back that when Council has its review on Council Senior Staff with Council's appointed facilitator, that all members of Council be invited to attend.

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

Item 19 Council Resolutions Report September 2014

Received.

Item 20 2014 Local Government NSW Annual Conference

96/1415 RESOLVED that Councillor Schmidt attend the 2014 LGNSW Conference and that all transport, transfers, accommodation and meals be provided as per the Payment of expenses and Provision of facilities to Elected Members policy.

**Capel/Coe
The motion was carried**

Item 21 Report from Human Resources – September 2014

Received.

Item 22 Delegations of Authority to the General Manager

97/1415 RESOLVED that Council delegate to the General Manager the Acts and Regulations as prescribed in this report **FURTHERMORE** that any amendments to Acts and Legislation is automatically bestowed to the General Manager however any new Legislation is to be endorsed by Council.

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

On Thursday, 18 September 2014 the Warrumbungle Shire Council ("Council") resolved that:

1. All previous delegations of the Functions this subject of the Instrument be revoked.
2. The person who from time to time holds the position of General Manager of Council ("General Manager"), being at the date of this instrument Steve Loane, be delegated authority under:
 - 2.1. Section 377 of the LG Act, to exercise and/or behalf on behalf of Council the Council's Functions under all Acts and Regulations in force and as amended from time to time:
 - a) **Subject to** any condition or limitation on a Function specified in Schedule 1; and
 - b) **Excluding** those functions:
 - i. that are expressly prohibited from delegation as listed under Section 377 of the LG Act;
 - ii. which are expressly required by legislation to be exercised by a resolution of the Council.

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- 2.2. Section 68 of the NW Act, to exercise and/or perform on behalf of Council the Functions of the Council (other than the power of delegation) under the NW Act
3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the council set out in **Schedule 2, excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.
4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.
5. The General Manager be delegated and Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.
6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.
7. These delegations and authorities are subject to, and are to be exercised in accordance with:
- 7.1. the requirements of the relevant Legislation;
 - 7.2. any conditions or limitations set out in **Schedule 1**; and
 - 7.3. any resolution or policy, procedure or budget adopted from time to time by the Council.
8. These delegations and authorities are effective from thy date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.
9. In this delegation:
- “**Acts**” includes legislation enacted by the parliaments of New South Wales and the Commonwealth of Australia;
 - “**Functions**” means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.
 - “**Legislation**” includes an Act of the parliament of New South Wales or of the Commonwealth of Australia and a Regulation under the Act.
 - “**LG Act**” means the *Local Government Act 1993* as amended.
 - “**NW Act**” means *Noxious Weeds Act 1993* as amended.

Schedule 1: Limitations

Part A – Limitations applicable to specific statutory Function (if any)	
Legislation	Limitation (if any)
N/A	N/A
Part B – General Limitations	
N/A	

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Schedule 2: Instruments of Delegation to Council

Delegator	Instrument Name	Date of Instrument
Minister for Planning – EPA Act 1979	Environmental Planning and Assessment Act – Section 59	Wednesday, 21 November 2012
NSW Department of Fair Trading	Plumbing and Drainage Act under Section 21	Thursday, 20 December 2012
Roads and Maritime Services	RMS Delegation to Councils – Regulation of Traffic	Monday, 31 October 2011

Schedule 3: Policy Authorities

Policy Authority - Administrative
Use of Council Corporate Credit Card to a maximum limit of \$10,000
Requisition Authority Limit to \$150,000
To carry out the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with the resolutions of Council
To authorise MANEX training, travel and conference costs are approved subject to the Operational Plan budget, professional development opportunities and benefit to Council.
Staff Time Sheets
To implement the decisions of Council
Policy Authority - Administrative
Complaints and Requests –To instruct staff to take any necessary action in connection with any complaints or requests received, subject to all major matters being reported to Council
Correspondence of Council : To control all correspondence of Council with all official mail to be addressed to the General Manager and for all outgoing mail, Section 603 Certificates of Local Government and Section 149 Certificates of Environment an Planning Act to be signed by himself or other persons authorised by him in any emergent circumstances.
A reply to correspondence is not necessary where the item is actioned and completed within 21 days of receipt.
Legal and Other Documents To sign and execute documents under the Common Seal of the Council in conjunction with Mayor.
Policy Authority – Financial
To be a signatory to the bank accounts of Council
Expenditure and authorisations – certify the prices and computations on all creditor payments

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Authority to sign as the authorising officer on Council's voucher payments for any costs.
Advances – Cash – To fix and vary the level of cash advances
Cheques/Orders for Goods – Signing – to sign and or to specify the servants authorised to sign cheques and orders for goods of Council
Accounts – Payments – Authority to pay all accounts as they fall due
Authority to write off Rates and Charges up to \$10,000 and to write off debts to Council up to \$500 in accordance with Clause 131 of the Local Government (General) Regulation 2005.
Policy Authority – Media
To make media statements and issue press releases in respect of Council Resolutions and decisions
Policy Authority - Staff
Exercise the powers of the Council in relation to: <ul style="list-style-type: none">• The day to day management of Council employees.• The conduct of staff education and staff attendance at training courses and computer user group.• Engage and dismiss casual staff as and when required within the provisions made in the approved estimates.• Deal with all industrial disputes involving the Council and its staff, subject to any formal dispute being referred to Council.• Within the funds voted by Council to approve overtime being worked by staff in all directorates or branches of Council when considered necessary subject to any directions or policy of Council from time to time.• Authority to approve staff leave
Salaries – To authorise the payment of the salaries and wages of the employees of Council within the sums voted by Council expenditure thereon.

Attachment 2 Acts

- Boarding House Act 2012
- Building Professional Act 2005

- Children(Protection & Parental Responsibility) Act 1987
- Commons Management Act 1989
- Community Land Development Act 1989
- Community Land Management Act 1997
- Companion Animals Act 1998
- Contaminated Land Management Act 1997
- Conversion Of Cemeteries Act 1974
- Conveyancing Act 1919
- Crown Lands Act 1989, Crown Lands Regulation 2006, Crown Lands (General Reserves By Laws 2006

- Dams Safety Act 1978

- Electricity Supply Act 1995

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- Environment Planning And Assessment Act 1979
 - Environment Planning And Assessment Regulation 2000

 - Fines Act 1996
 - Fire Brigades Act 1989
 - Fisheries Management Act 1994
 - Fluoridation Of Public Water Supplies Act 1957
 - Food Act 2003

 - Game & Feral Animal Control Act 2002
 - Gas Supply Act 1996
 - Geographical Names Act 1996
 - Government Advertising Act 2011
 - Graffiti Control Act 2008
 - Growth Centres (Development Corporations) Act 1974
 - Heritage Act 1977
 - Holiday Parks (Long-Term Casual Occupation) Act 2002
 - Housing Act 2001

 - Inclosed Land Protection Act 2001
 - Independent Pricing & Regulatory Tribunal Act 1992

 - Land & Environment Court Act 1979
 - Land Acquisition (Just Terms Compensation) Act 1991
 - Library Act 1939
 - Library Regulation 2010
 - Liquor Act 2007 And Liquor Regulation 2008
 - Local Government Act 1993
 - Local Government (General) Regulation 2005
 - Local Government (Manufactured Home Estates, Caravan Parks, Camping Ground And Moveable Dwellings) Regulation 2005
 - Local Government And Other Authorities (Superannuation) Act 1927
 - Local Land Services Act 2013

 - Major Events Act 2009

 - Noxious Weeds Act 1993

 - Ombudsman Act 1974

 - Pesticides Act 1999
 - Pipelines Act 1967
 - Protection Of The Environment Operations (Clean Air) Regulation 2010
 - Privacy & Personal Information Protection Act 1998
 - Public Health Act 2010
 - Public Health Regulation 2012
 - Public Interest Disclosures Act 1994
 - Public Works Act 1912

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- Restricted Premises Act 1943
 - Roads Act 1993
 - Roads Transport Act 2013
 - Road Transport (General) Regulation 2013
 - Rural Fires Act 1993
 - Rural Fires Regulation 2013

 - Service NSW (One Stop Access To Government Services) Act 2013
 - State Emergency And Rescue Management Act 1989
 - State Emergency Service Act 1989
 - State Records Act 1998
 - Strata Schemes (Freehold Development) Act 1973
 - Strata Schemes (Freehold Development) Regulation 2012
 - Strata Schemes (Leasehold Development) Act 1986
 - Strata Schemes (Leasehold Development) Regulation 2012
 - Strata Schemes Management Act 1996
 - Surveying And Spatial Information Act 2002
 - Swimming Pools Act 2002
 - Swimming Pools Regulation 2008

 - Tattoo Parlours Act 2012
 - Threatened Species Conservation Act 1995
 - Transport Administration Act 1988
 - Trees (Disputes Between Neighbours) Act 2006

 - Valuation Of Land Act 1916

 - Water Management Act 2000
 - Wilderness Act 1987
 - Work Health And Safety Act 2011

**Schmidt/Capel
The motion was carried**

Item 23 Warrumbungle Cobbora Transition Fund Projects Update

98/1415 RESOLVED that Council note the Cobbora Coal Transition Fund Projects and Warrumbungle Cobbora Transition Fund 355 Committee Update.

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

Item 24 Brick Bats and Bouquets

Received

Item 25 2014 National Local Roads and Transport Congress

99/1415 RESOLVED that the Mayor, General Manager and Councillors Todd and Clancy attend the 2014 National Local Roads and Transport Congress.

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

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 SEPTEMBER 2014
COMMENCING AT 10.07AM**

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Item 26 Australia Day 2015

100/1415 RESOLVED that Council participates in the Australia Day Program in 2015 hosting two (2) Ambassadors from the Australia Day Council **FURTHERMORE**;

1. Council administers and presents the following awards for Australia Day 2015;
 - Warrumbungle Shire Council Citizen of the Year
 - Young Citizen of the Year
 - Senior Citizen of the Year
 - Sportsperson of the Year and
 - Young Sportsperson of the Year Award
2. Council provides a contribution to each local organising Australia Day Committee in Baradine, Binnaway, Dunedoo, Coolah and Mendooran an amount of \$500 and Coonabarabran \$600.
3. Council pools be opened free of charge throughout the shire on Australia Day 2015 as in past years.

**Schmidt/Capel
The motion was carried**

Item 27 Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

101/1415 RESOLVED that the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors 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 2014 Council meeting.

**Schmidt/Capel
The motion was carried**

Item 28 Bank Reconciliation for the month ending 31 August 2014

102/1415 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 31 August 2014.

**Capel/Schmidt
The motion was carried**

Item 29 Investments and Term Deposits for Month ending 31 August 2014

103/1415 RESOLVED that Council accept the Investments Report for the month ending 31 August 2014.

**Schmidt/Andrews
The motion was carried**

Item 30 Rates Report for Month Ending 31 August 2014

Received.

Item 31 Second Internal Audit Management Letter - Year Ending 30 June 2014

104/1415 RESOLVED that Council note the findings of the Second Internal Audit Management Letter for the year ending 30 June 2014 from Council's internal auditors.

**Schmidt/Capel
The motion was carried**

Item 32 Review of Council resolution – property access to ‘Glen Alvin’

105/1415 RESOLVED that Council continue to consult with ARTC regarding the existing level crossing between the properties ‘Claredale’, ‘Pine Park’, ‘Ewetopia’ and ‘Glenveigh’ and advise relevant owners on the outcome of the consultation. **FURTHER** that Councillors Coe and C Sullivan be party to those discussions.

**Coe/Capel
The motion was carried**

Item 33 Newell Highway Taskforce Strategy

106/1415 RESOLVED that the following comments are made in relation to the draft vision statement prepared by the Newell Highway Taskforce:

That as a strategy document more certainty in relation to timeframes and route is provided to towns identified as requiring an alternate truck route or town centre bypass. Furthermore, funding be sought for structural improvements to be made to road pavement, culverts and causeway on the over dimension route in Coonabarabran. There is a lack of adequate facilities for truck parking in the urban area of Coonabarabran. Incident response plans must be developed if any section of the Newell Highway is closed to traffic.

**Todd/Andrews
The motion was carried**

Item 34 Permit application to install a cattle grid on Narrawa Road.

Consideration of this request to install a cattle grid on Narrawa Road has been deferred until October 2014 Council meeting to allow further consultation.

Item 35 Roadside Vegetation Project

Received.

Item 36 Development Applications

107/1415 RESOLVED that Council note the Applications and Certificates Approved, during August 2014, under Delegated Authority

**Capel/Schmidt
The motion was carried**

Questions of Concern

Cr C Sullivan

Ownership and use of stockpiles of blue metal on Spring Ridge Road. Director Technical Services advised that the piles belong to Council.

Cr Coe

Experiencing occasions where overhanging limbs on our roads are problem for stock trucks. Director Technical Services (DTS) advised Councillors to notify Manager Road Operations via email and cc DTS

Drainage Project for Bullinda St Dunedoo – seeking further information.

DTS advised that have written to residents with proposal seeking feedback; report to October meeting; Council has resolved on the concept and now on public comment; need a meeting with relevant stakeholders post Council meeting.

WARRUMBUNGL E SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGL E SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 SEPTEMBER 2014
COMMENCING AT 10.07AM**

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Cr Clancy

DA on Timor Road – seeking information regarding refusal of building entitlement on Timor Road property. Cr Clancy asked that a report be brought back to Council meeting about building entitlements as may need Council support to amend LEP.

There being no further business the meeting closed at 2.50pm.

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CHAIRMAN