



# **Warrumbungle Shire Council**

## **Council meeting**

**Thursday, 17 September 2015**

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

**commencing at 10.00 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)

Stefan Murru (Director Corporate & Community  
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

## Ordinary Meeting – 17 September 2015

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**NOTICE** is hereby given that the **ORDINARY MEETING** of Council will be held on Thursday, 17 September 2015 at the Council Chambers, John Street, Coonabarabran commencing at 10.00am

## **AGENDA**

Welcome

Turn Off Mobile Phones

### **Order of Business**

Items 1 and 2 Mayor and Deputy Mayor Elections

Forum

Apologies

Disclosure of Interest  
Pecuniary Interest  
Non Pecuniary Conflict of Interest

Reports

Matters of Concern

Reports to be considered in Closed Council

Item 1C Tender for Replacement of Roof on Water Reservoir in Bullinda Street Dunedoo

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

# **WARRUMBUNGLE 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 abovementioned 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 a Tender and is 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.

### **FURTHER that Council resolve:**

- (a) that Council go into closed committee to consider business relating to commercial information
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) (a) as outlined above
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

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

# WARRUMBUNGLE SHIRE COUNCIL

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# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 1 Election of Mayor

<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's governance practices and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### Reason for Report

As per s225 -230 of the NSW Local Government Act (1993) an area must have a Mayor who is elected in accordance with the Act.

The role of the Mayor is:

- to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council
- to exercise such other functions of the council as the council determines
- to preside at meetings of the council
- to carry out the civic and ceremonial functions of the mayoral office.

In Warrumbungle Shire Council, the person elected to the office of Mayor by the Councillors from among their number and is for a one (1) year term subject to the Act.

### Background

As per Schedule 7 of the Local Government Regulations (2005) parts 1-13 the General Manager is the returning officer.

A Councillor may be nominated without notice for election as Mayor.

The nomination is to be made in writing by two (2) or more Councillors (one of who may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered to or sent to the General Manager however a valid written nomination will be accepted up until the announcement of the nominations for the position.

The General Manager is to announce the names of the nominees at the Council meeting at which the election is to be held for the election of Mayor for forthcoming period.

### Issues

If, on any count of votes, there are two (2) candidates in, or remaining in, the election and the numbers of votes cast are equal — the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be



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elected. If, on any count of votes, there are three (3) or more candidates in, or remaining in, the election and the numbers of votes cast for two (2) or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

To choose a candidate by lot, the names of the candidates who have equal numbers of votes the General Manager will write the names on similar slips of paper, fold the slips so as to prevent the names being seen, mix and draw one at random. The candidate whose name is on the drawn slip is chosen.

The result of the election is to be declared to the Councillors at the Council meeting at which the election is held by the General Manager, and sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.

Councillors have enclosed under separate cover a nomination sheet for the Mayor.

### **Options**

If only one Councillor is nominated, that Councillor is elected.

If more than one Councillor is nominated, Council is to resolve whether the election is to proceed by Ballot; which under the Regulations means secret ballot or Open Voting; which means voting by a show of hands or similar means.

In addition, Council also needs to determine if the method of voting is by Preferential Ballot or Ordinary Ballot and the order that candidates will appear on the ballot paper.

- Preferential Ballot

If the election proceeds by preferential ballot the ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers '1', '2' and so on against the various names so as to indicate the order of their preference for all the candidates. An informal ballot-paper must be rejected at the count.

If a candidate has an absolute majority of first preference votes, that candidate is elected. If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers. A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected. An *absolute majority*, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

- Ordinary Ballot and Open Voting

# **WARRUMBUNGLE SHIRE COUNCIL**

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If there are only two (2) candidates, the candidate with the higher number of votes is elected. If there are only two (2) candidates and they are tied, the one elected is to be chosen by lot.

If there are three (3) or more candidates, the one with the lowest number of votes is to be excluded. This process is to be repeated until only two (2) candidates remain and a further vote is to be taken of the two (2) remaining candidates. If at any stage during this process when two (2) candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### **Financial Considerations**

The Mayor is paid the Councillor/Member fee of \$11,010 and an additional amount as per the recommendation approved Local Government Remuneration Tribunal which is constituted under Chapter 9, Division 4 of the Local Government Act 1993.

This additional amount of \$24,030 is provided annually by monthly payments in arrears and has been included in the current 2015-2016 budget under Councillor expenses as per s.249(2).

### **RECOMMENDATION**

For Council's determination.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 2 Election of Deputy Mayor

<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's governance practices and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### Reason for Report

Whilst not a requirement under the NSW Local Government Act (1993) s231, Warrumbungle Shire Council has traditionally elected a Deputy Mayor.

The Act states '*the Councillors may elect a person from among their number to be the Deputy Mayor*' who:

- may be elected for the mayoral term or a shorter term.
- may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.

### Background

A Councillor may be nominated without notice for election as Deputy Mayor.

The nomination is to be made in writing by two (2) or more Councillors (one of who may be the nominee) and is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered to or sent to the General Manager however a valid written nomination will be accepted up until the announcement of the nominations for the position.

The General Manager is to announce the names of the nominees at the Council meeting at which the election is to be held for the election of Deputy Mayor for forthcoming period.

### Issues

The result of the election is to be declared to the Councillors at the Council meeting at which the election is held by the General Manager, and sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.

Councillors have enclosed under separate cover a nomination sheet for Deputy Mayor.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **Options**

If only one Councillor is nominated, that Councillor is elected.

If more than one councillor is nominated, Council is to resolve whether the election is to proceed by Ballot; which under the Regulations means secret ballot or Open Voting; which means voting by a show of hands or similar means.

In addition, Council also needs to determine if the method of voting is by Preferential Ballot or Ordinary Ballot and the order that candidates will appear on the ballot paper.

### **Financial Considerations**

In past practice the Deputy Mayor is paid an allowance of five hundred dollars (\$500) being part of the Mayoral allowance which is provided annually by monthly payments in arrears. This amount has been included in the current 2015-2016 budget under Councillor expenses along with the Councillor/Member fee of \$11,010.

### **RECOMMENDATION**

For Council's determination.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 3 Minutes of Ordinary Council Meeting – 20 August 2015

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Administration Officer – Leigh Ernest and 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 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 & Community Services (Stefan Murru), Director Technical Services (Kevin Tighe) and Director Development Services (Leeanne Ryan)

**In attendance:** Administration Officer (Leigh Ernest) (minutes)

The Mayor welcomed members of the public to the meeting.

#### **Forum**

##### **10.01am**

Kevin Carberry addressed the meeting regarding disabled parking in Coolah and request for an additional disabled car park in the shopping centre area.

##### **10.04am**

Carol Richard addressed the meeting and supported the request for a donation towards printing costs of Roy Cameron's new book lodged by the Coolah District Development Group.

##### **10.08am**

Shelly Piper addressed the meeting in relation to agenda item 29 – Coolah Residential Properties and support for recommendation in the report.

##### **10.13am**

**APOLOGIES:** Nil

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

Cr R Sullivan declared a non pecuniary interest in applications from Jockey Club & Warrumbungle Arts and Crafts due for consideration in Item 13 and Cr Clancy declared a possible non pecuniary interest in item 27- Mow Rock Rural Fire Services Station, Land Acquisition and Build.

### Item 1 Minutes of Ordinary Council Meeting – 16 July 2015

**23/1516 RESOLVED** that the resolutions contained in the Minutes of the Ordinary Council meeting held on 16 July 2015 be endorsed.

**Schmidt / Todd**  
**The motion was carried**

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **Item 2 Minutes of Traffic Advisory Committee Meeting – 23 July 2015**

#### **24/1516 RESOLVED:**

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 23 July 2015.
2. That a 'Cobbora Town' sign be installed at the intersection of the Golden Highway subject to clarification of correct spelling and inclusion of 'Village' on the signage.
3. That Council write to RMS thanking them for the erection of all school zone flashing lights and request the opportunity to obtain additional signage for St Lawrence's School to be located in Namoi Street, Coonabarabran subject to the availability of funding.
4. That Council request to NHVR that any road in the Warrumbungle Shire that is a 25 metre B Double Route be converted to a 26 metre B Double Route.
5. That RMS amend the proposed Heavy Vehicle Bypass sign layout to include all signage for intersections at Coolah **FURTHER** that Council, in liaison with RMS, do a survey of existing signs and bring back to the next meeting for further consideration.
6. That the Traffic Control Plan as presented for the Baradine Sesqui-Centenary Street Parade to be held on Sunday, 4 October 2015 be accepted.
7. That an investigation be undertaken on the current bus usage at the existing site in Bullinda Street, Binnaway, which would include discussions with bus operators **FURTHER** that the outcome of the investigation be brought back to the next meeting.

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

### **Item 3 Minutes of Plant Advisory Committee Meeting – 12 August 2015**

#### **25/1516 RESOLVED:**

1. That Council accepts the Minutes of the Plant Advisory Committee meeting held in Coonabarabran on 12 August 2015.
2. That Council purchase one (1) Volvo FE from Volvo Trucks Australia fitted with a MacDonald Johnston 18 cubic metre Garbage Compactor, Transmission, Retarder and Alloy Bullbar that complies with the tender specifications at a price of \$347,418.00 (ex GST) **FURTHER** that Council retain ownership of Plant Item No 180 with Waste Services agreeing to pay \$33,363.00, as this is the highest trade price received, resulting in a changeover price of \$314,055.00 being \$10,945.00 under budget.
3. That when Council takes delivery of the new Garbage Compactor the existing Garbage Compactor does not remain in the Plant Replacement Program until a report is considered by the Plant Advisory Committee on the condition and expected utilisation of the existing Garbage Compactor.
4. That an Options Report be prepared for Committee consideration on hiring or purchasing a Bulldozer based on a review of benefits and costs of the current Bulldozer hire arrangements.

**Coe / Andrews**  
**The motion was carried**

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 4 Minutes of the Finance and Projects Committee Meeting – 12 August 2015

#### 26/1516 RESOLVED

1. That the Mayor and General Manager present the *motion* “*Reinstatement of Registration Labels for Light Vehicles in NSW*” at the Local Government Conference
2. That Council accepts the Minutes of the Finance and Projects Committee Meeting held on 12 August 2015 at Coonabarabran

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

### Item 5 Minutes of the Economic Development and Tourism Advisory Committee Meeting – 29 July 2015

#### 27/1516 RESOLVED

1. That the minutes of 22 April, 2015 meeting be accepted;
2. That Council endorse the following people to comprise a sub committee responsible for preparing a scoping report on Rail Trails in Warrumbungle Shire: Cr Capel, Sal Edwards, Liz Cutts, Aileen Bell and **FURTHERMORE** Council invites John Moore and the subcommittee to present the concept and plans to a meeting of council with a view to implementing Rail Trails on Coolah to Dunedoo, Coolah to Merriwa, and the Binnaway to Gwabegar lines;
3. That Council advises CMCA that within Warrumbungle Shire there are established facilities that can meet the needs of all travellers including free camping facilities at Mendooran and Binnaway and inexpensive caravan park/camping grounds in all communities;
4. Accept the quote from VAADA for reprint of pad maps and proceed with reprint.

**Capel / Schmidt**  
The motion was carried

### Item 6 Minutes of Warrumbungle Cobbora Transition Fund Committee Meeting – 14 July 2015

**28/1516 RESOLVED** that Council accept the minutes from the Warrumbungle Cobbora Transition Fund Committee Meeting held at Dunedoo Old Bank Building on 14 July 2015.

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

### Item 7 Minutes of Warrumbungle Cobbora Transition Fund Committee Meeting – 11 August 2015

**29/1516 RESOLVED** that Council accept the minutes from the Warrumbungle Cobbora Transition Fund Committee Meeting held at Dunedoo Old Bank Building on 11 August 2015.

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

### Item 8 Warrumbungle Cobbora Transition Fund Committee

**30/1516 RESOLVED** that Council note progress of the Cobbora Transition Fund projects, and adopt the layout and three different design plans presented by Lewis & Zwart for the RNSW290 Three Rivers Retirement Community and Learning Centre project.

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

### Item 9 LGNSW Annual Conference 2015 – Call for Motions – Costs of Major Projects

**31/1516 RESOLVED** that the following motion be submitted for consideration:

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Issue 1.

**Category: Economic**

**Heading: Costs of Major Projects**

#### Details of issue:

##### 1. *Asymmetry in resource capacity*

When it comes to being able to contribute to the assessment of major projects, Councils are usually at a disadvantage regarding capacity and technical knowledge when compared to big business and big government. Yet in today's world, with increasing scrutiny of projects, Councils need to demonstrate all due diligence in their assessment of what are often complex and controversial issues.

Thus expertise often has to be engaged from external sources. Even if resourced in-house, it is a big drain on capacity. The assessment process may run over a couple of years.

##### 2. *The cost of participating in major project assessment*

A survey by the Local Government Association of Queensland in 2010 found that participation by councils in the assessment and determination of major projects cost councils on average \$400,000 per project. (Source: 'Supporting Queensland's Resource Regions. Local Govt Assoc of Qld. p 43).

This is a major impost on Councils, especially rural ones.

##### 3. *Precedents for Proponents contributing funds to offset costs*

There are precedents for Proponents providing assistance and two recent examples are cited below:

- Santos contributed to the case management costs of local government in managing submissions and assessments pertaining to the Santos Gladstone Liquefied Natural Gas project. Santos was required to provide financial assistance (ranging from \$75,000 to \$150,000) to Gladstone, Maranoa and Banana Regional Councils to assist in their consideration and response to the EIS; and
- Buru Energy in Western Australia has provided significant financial support to the Traditional Owners (Yawuru and Noonkanbah) for access to independent specialist advice regarding proposed shale gas exploration activities.

##### 4. *Benefits*

Providing this capacity would enable effective case management which would deliver significant benefits for the NSW Government including:

- Local Government being actively engaged in the land use and economic development planning within the State; and
- feedback from Local Government on local community sentiments thus potentially avoiding conflicts which result in costly project delays – both time and resources.

**Motion:** That LGNSW:

- a) call on the NSW Government to acknowledge the costs to Local Government of contributing to the assessment of major projects;
- b) call on the NSW Government to require proponents of major projects to contribute funds to Local Government to help offset these costs as projects are often delayed, mothballed or cancelled, leaving Councils with no benefits accruing from its investment of time and resources; and
- c) Amend the EP&A Act to include a Schedule of Fees which stipulates the financial contributions required (say a percentage of capex).

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



# WARRUMBUNGLE SHIRE COUNCIL

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### Item 10 LGNSW Annual Conference 2015 – Call for Motions – Reinstatement of Vehicle Registration Labels

**32/1516 RESOLVED** that the following motion be submitted for consideration:

#### Issue 2.

**Category: Social Policy**

**Heading: Reinstatement of Vehicle Registration Labels**

**Details of issue:** Since the abolition of registration labels the number of unregistered light vehicles in NSW has increased by 40%. General duty police staff have difficulty in verifying the registration of motor vehicles, it is acknowledged highway patrol staff have equipment to read and verify registration but this is not of assistance to General Duty police.

**Motion:** That LGNSW request the NSW Government to reinstate registration labels for light vehicles in NSW.

**Coe / Todd**  
**The motion was carried**

### Item 11 Council Resolutions Report August 2015

Received.

### Item 12 Progress Report Delivery Program 2014/15 – 2017/18

**33/1516 RESOLVED** that Council accepts the 2014/15-2017/18 Delivery Program six (6) month Progress Report to 30 June 2015.

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

### Item 13 Community Financial Assistance Donations 2015/16 (Round One)

**34/1516 RESOLVED** that Council approves the following applications totalling \$7,240.00, and **FURTHERMORE** that Council include the Seventh Day Adventist Church donation of \$500 in this round making the final amount being donated in Round one of the 2015/2016 Community Financial Assistance Donations \$7,740.00.

Ref.	Applicant	Amount Provided
1	Mendooran Youth Club	\$500.00
4	Coolah Lions Club	\$500.00
5	The Mendooran Singers	\$220.00
6	Mendooran Tennis Club Inc.	\$500.00
7	Binnaway Pre School	\$500.00
9	Mendooran PA & H Association	\$50.00
11	Mullaley Gymkhana Association	\$500.00
15	Dunedoo Amateur Swimming Club – value of family season ticket	\$220.00
16	Bugaldie War Memorial Hall	\$500.00
17	Coolah District Development Group – <b>proviso</b> that Council's libraries receive a copy of the book	\$500.00
23	Dunedoo & District Development Group	\$500.00
26	Warrumbungle Wheelers	\$500.00
27	Coona Drop In Centre	\$500.00
32	Dunedoo Mens Shed/Dunedoo Area Community Group Inc	\$500.00
3	Binnaway Rail Heritage & Preservation Group Inc	\$500.00
12	Binnaway Showground Management Committee	\$250.00
19	Coonabarabran Rifle Club	\$500.00
<b>Total</b>		<b>\$7,240.00</b>

**Schmidt / Clancy**  
**The motion was carried**

# WARRUMBUNGLE SHIRE COUNCIL

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11.24 am

**35/1516 RESOLVED** that standing orders be suspended to break for morning tea.

**Capel / Sullivan**  
The motion was carried

11.43am

**36/1516 RESOLVED** that standing orders be resumed.

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

**Item 14 Bank Reconciliation for the month ending 31 July 2015**

**37/1516 RESOLVED** that Council accept the Bank Reconciliation Report for the month ending 31 July 2015.

**Schmidt / Clancy**  
The motion was carried

**Item 15 Investments and Term Deposits for Month ending 31 July 2015**

**38/1516 RESOLVED** that Council accept the Investments Report for the month ending 31 July 2015.

**Schmidt / Capel**  
The motion was carried

**Item 16 Rates Report for Month Ending 31 July 2015**

Received.

**Item 17 Revote Request Capex 2014/15**

**39/1516 RESOLVED** that Council approve the 2014/15 CAPEX revote request totalling \$3.382m and **FURTHERMORE** that \$50,000 be revoted for Milling Park, Dunedoo Toilet Awning.

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

**Item 18 2014/15 Financial Statements**

**40/1516 RESOLVED:**

1. That the statement in accordance with Section 413(2)(c) of the Local Government Act 1993, and Clause 215 of the Local Government (General) Regulation 2005, for the General Purpose Financial Statements for the year ending 30 June 2015 be made;
2. That the statement in accordance with the requirements of the Code of Accounting Practice in relation to the Special Purpose Financial Statements for the year ending 30 June 2015 be made;
3. That the statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer;
4. That the General Purpose Financial Statements and Special Purpose Financial Statements be referred to audit per the requirements of Section 413(1) of the Local Government Act 1993.

**Schmidt / Coe**  
The motion was carried

**Item 19 Monthly Report from Human Resources – August 2015**

Received.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 20 Third Quarter Employee Excellence in Achievement Award

**41/1516 RESOLVED** that Council approve MANEX's nomination of Craig Hynds as the winner of the 3rd Quarterly Staff Achievement Award, to be presented at this meeting.

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

### Item 21 Organisational Structure Review Report – August 2015

**42/1516 RESOLVED** that Council approve the draft Warrumbungle Shire Council Organisational Structure.

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

### Item 22 Macquarie Regional Library Annual Report

**43/1516 RESOLVED** that Council notes the report provided on Macquarie Regional Library operations in Warrumbungle Shire for 2014/15.

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

### Item 23 Children's and Community Services End of Financial Year Report

**44/1516 RESOLVED** that Council:

1. Notes the report provided on the end of financial year result for Children's and Community Services;
2. Approve the proposed change in fees, as outlined in this Business Paper, to ensure ongoing operation of services, and advertising of the suggested fees as per Council requirements for a minimum of 28 days.

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

**45/1516 RESOLVED** that Council acknowledge the work of staff in each program of the Children's and Community Services section.

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

### Item 24 Access to Six Pools for Season Ticket Holders between 6.00am and 8.00am

**46/1516 RESOLVED** that if Council are to pursue unsupervised lap sessions at each pool it is recommended that **Option B** is installed at all pools during the 2015/2016 financial year using surplus money from the operational budget due to wage reduction. Additionally, it is recommended that **Option C** be installed at each pool during the 2016/2017 financial year using surplus money from the operational budget due to wage reduction, provided that the operational budget for that year matches that of the 2015/2016 financial year.

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

**1.05 pm**

**47/1516 RESOLVED** that standing orders be suspended to break for lunch.

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

**1.41pm**

**48/1516 RESOLVED** that standing orders be resumed.

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

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### **Item 25 Funding Opportunity for Four ‘Backlog’ Sewerage Projects**

**49/1516 RESOLVED** that Council lodge an Expression of Interest to receive funding under the Water Security for Regions - Regional Water and Wastewater Backlog program, for the following preconstruction projects and associated indicative total project costs;

- Dunedoo Sewerage Project - \$400,000
- Coolah Sewage treatment plant project - \$300,000
- Coonabarabran Sewage Treatment Plant augmentation project - \$150,000
- Binnaway Sewerage project - \$80,000
- Mendooran Sewerage project - \$80,000

**FURTHERMORE**, Council is prepared to contribute up to \$3,000,000 over the next eight (8) years towards construction costs associated with sewage treatment plant renewal and augmentation works.

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

### **Item 26 2015/16 Technical Services Works Program – Road Operations, Urban Services & Water Services**

Received.

**2.00pm**

Cr Clancy declared a non pecuniary interest in the next item and left the room.

### **Item 27 Mow Rock Rural Fire Services Station, Land Acquisition and Build**

**50/1516 RESOLVED** that Council agree with the proposed purchase and building of a Category 2a fire shed at Mow Rock. **FURTHERMORE** that Council approves the General Manager and Mayor to affix Councils seal and sign the sales contract to execute the purchase of Lot 18 DP 754962.

**Andrews / Capel**  
**The motion was carried**

**2.03pm**

Cr Clancy returned to the meeting.

### **Item 28 Public Reserve Management Fund Program Grants 2015**

**51/1516 RESOLVED** that Warrumbungle Shire Council accept the Public Reserve Management Fund Program grants of \$108,117 to be deposited into Councils Trust account, being for \$13,915 for repair of the main pavilion roof at Binnaway Showground and \$94,202 for installation of a commercial grade kitchen and connection of upgraded septic pump out facilities at the Coonabarabran Racecourse.

**Schmidt / Coe**  
**The motion was carried**

### **Item 29 Potential Sale of Coolah Residential Properties to Lease Back to Council**

**52/1516 RESOLVED** that Council continue the current practice of owning the residential properties in Coolah and leasing them to staff as set out in the current Residential Properties Policy.

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

### **Item 30 Recycle Centre Plaque**

**53/1516 RESOLVED** that Council endorse the wording on the commemorative plaque as follows:  
*In grateful recognition of Peter Wasley for the significant impact he has made to improve waste and recycling services within Warrumbungle Shire from 1989 to 2013.*

**Todd / Coe**  
**The motion was carried**

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **Item 31 Reserve 78473 – Merrygoen Recreational Reserve**

**54/1516 RESOLVED** that Council resolve to support the Merrygoen Recreational Reserve being added to the Reserve Trusts managed by Warrumbungle Shire Council Reserve Trust Committee.

**Andrews / Capel**  
**The motion was carried**

### **Item 32 Re-establish Alcohol Free Zones**

**55/1516 RESOLVED** that Council renew the existing Alcohol Free Zones within Baradine, Binnaway, Coonabarabran, Coolah, Dunedoo and Mendooran and for a further period of four years.

**Todd / Schmidt**  
**The motion was carried**

### **Item 33 Development Applications**

**56/1516 RESOLVED** that Council note the Applications and Certificates determined during July 2015, under Delegated Authority.

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

### **Matters of Concern**

#### **Cr R Sullivan**

- Nil

#### **Cr Schmidt**

- Resident in Namoi Street, Coonabarabran still having a problem with her water

#### **Cr Clancy**

- PAMP – members of committee to have final look at PAMP – Director Technical Services advised this was on the to-do list
- RDA Building – no work being done Director Development Services advised DA required for roof replacement and needs to be lodged by builder or contractor
- Mayor's Bushfire Fund – update provided by Director Corporate & Community Services (18 months before closure of fund)

#### **Cr Coe**

- Concerns raised about the apparent high number of warning signs being left on the side of the road. He indicated that they should either be collected or reinstalled.
- Resident questions the height of the new bridge at Baradine
- Site of truck roll-over at Dunedoo and repairs to guard rail
- Signage – warning signs falling down (Sawpit Creek). Review need for signs and reinstall if necessary

#### **Cr C Sullivan**

- Communication issue, ratepayers calling the Coonabarabran Office regarding private works and having no response – General Manager advised this matter is currently being reviewed

#### **Cr Andrews**

- Night Rider Bus disposal – Director Technical Services advised process of transfer of plates is being finalised

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Cr Capel

- Nil

### Cr Todd

- Munns Road and Tabletop Road – on list for works
- Expressed disappointment in the Aerodrome Creek Bridge not being raised higher in Baradine

### Cr Shinton

- Quia Road / Goolhi Road question regarding the naming of the road in rural addressing system

### 2.42 pm

**57/1516 RESOLVED** that:

- (a) that Council go into closed committee to consider business relating to commercial information and alleged contraventions of any code of conduct requirements
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) (c) and (i) as outlined above
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

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

Consideration of Item 1C Tender – Orana Road Bridge Project, and  
Item 2C Tender – Construct of a Category C Rural Fire Service Fire Control Centre and five bay storage shed

### 2.54pm

Consideration of Item 3C Code of Conduct Investigation Report

At this time Councillor Clancy addressed the meeting regarding the final report of the Code of Conduct Investigator.

### 3.10pm

Councillor Clancy left the room during consideration of this matter.

The General Manager, Mr Steve Loane also left the room during consideration of this matter.

### 3.42pm

**58/1516 RESOLVED** that Council move out of closed Committee.

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

### 3.43pm

Councillor Clancy and the General Manager, Mr Steve Loane, rejoined the meeting.

**The following resolutions of Council while the meeting was closed to the public were reported to the meeting by the Director Technical Services (Mr Kevin Tighe).**

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 1C Tender – Orana Road Bridge Project

**59/1516 RESOLVED** that the contract for the design and construction of Orana Road bridge project is awarded to Murray Constructions for construction of bridge 30 metres long and 6 metres wide for a price of \$417,255 (excl. GST).

**Coe / Todd**  
**The motion was carried**

### Item 2C Tender – Construct of a Category C Rural Fire Service Fire Control Centre and five bay storage shed

**60/1516 RESOLVED** that Council engage Wallandra Group Pty Limited to construct the Category C Rural Fire Service Fire Control Centre and five bay storage shed in Coonabarabran for a price of \$2,343,080 (GST exclusive).

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

### Item 3C Code of Conduct Investigation Report

#### **61/1516 RESOLVED:**

- a) That Councillor Clancy issue a written apology to the Council's Town Planning staff within 14 days of Council adopting this recommendation.
- b) That Councillor Clancy be directed by Council not to attend meetings between Council staff and applicants in the future.
- c) That Councillor Clancy be required to undertake a training course provided by the Office of Local Government within six (6) months from the date of adoption of this recommendation.
- d) The findings in relation to each allegation are as follows;
  1. Allegation 1. Councillor Clancy has breached Clause 3.1, a), d), e), Clause 3.7, Clause 3.8 & Clause 6.7, e) and g) of Council Code of Conduct because of the evidence that was provided and Councillor Clancy's acknowledgement of the facts.
  2. Allegation 2. Councillor Clancy has breached Clause 3.1, a), d), e), Clause 3.3, Clause 3.7, Clause 6.2 a) and b), Clause 6.7, e) and g) of Council's Code of Conduct because of the evidence which was provided and Councillor Clancy's acknowledgement he should not have been present during discussions between Council staff and applicants who are having dealings with Council.
  3. Allegation 3. Councillor Clancy has breached Clauses 3.1, a), b), c), d) and e), Clause 3.3, Clause 6.7 e) and f) of the Code of Conduct for intimidation of the General Manager regarding the Code of Conduct matter before Council. Councillor Clancy has breached Clauses 7.9 and 7.10 a), b), and c) of the Code of Conduct which relates to the use and security of confidential information.
  4. Allegation 4. Councillor Clancy has breached Clause 3.1, a), b), c), d), Clause 3.2 and Clause 3.3 of Council's Code of Conduct and Section 335 of the Local Government Act because of his involvement in contacting persons in relation to Council's internal operations which by Law, is to be undertaken by the General Manager in accordance with the Local Government Act.
- e) That;
  - a. Councillor Clancy be formally censured by Council for the breaches under Section 440G of the Act and
  - b. The matter be referred to the Office of Local Government for further action under the misconduct provisions of the Act.

**Schmidt / Todd**  
**The motion was carried**

There being no further business the meeting closed at 3.48 pm.

.....  
**CHAIRMAN**

# **WARRUMBUNGLA SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **RECOMMENDATION**

That the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 August 2015 be endorsed.



# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 4 Minutes of Traffic Advisory Committee Meeting held on 27 August 2015

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	PA to Director Technical Services – Tracy Cain
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	P13 – Road networks throughout the shire need to be safe, well-maintained and adequately funded.

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**PRESENT:** Cr Peter Shinton (Chair), Ms Sharon Grierson (RMS), Senior Constable Steven Chaplin (NSW Police Force), Mr Colin Harper (Minister's Representative) and Mr Bikram Joshi (Manager Asset & Design).

**APOLOGIES:** Mr Kevin Tighe (Director Technical Services), Ms Chantelle Elsley (RMS) and Ms Jackie Barry (RMS).

**IN ATTENDANCE:** Mrs Tracy Cain (Minute Taker).

#### 10.08 AM

**RESOLVED** that standing orders be suspended to undertake site inspections at the intersection of John Street (Newell Highway) and Edwards Street, and Timor Road, Coonabarabran.

Grierson/Chaplin

#### 11.16 AM

**RESOLVED** that standing orders be resumed.

Grierson/Chaplin

#### CONFIRMATION OF MINUTES

**8/1516 RECOMMENDED** that the minutes of the Traffic Advisory Committee meeting held on Thursday, 23 July 2015 be confirmed.

Harper/Shinton

#### BUSINESS ARISING FROM THE MINUTES

The following matters were noted as outstanding:

- Proposal to Extend Centre Median in Binnia Street - Further investigations and site visit to be undertaken in relation to issue with northbound vehicles making a U turn at Campbell Street intersection. Plan to be prepared prior to site visit.
- Further investigations and site visit to be undertaken of sight distance concerns at the intersection of Digilah Street and Wallaroo Street.
- Council to investigate the preparation of a Rural Bus Stop Policy.
- Location of School Bus Stop Areas on Golden Highway between 9 km and 13 km West of Dunedoo – Formal contact to be made with bus operator(s).
- Alternative treatments to be investigated for discouraging trucks travelling via Binnia Street, Coolah. Traffic counters to be placed at Cunningham and Binnia Streets.
- Inspection of side road and crest located 600 m on the Dandry Road. Side road warning sign before or on top of crest. – RMS to investigate criteria for signage and forward to Council for determination of installation.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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- Ashby Piggery – Review to be undertaken of warning and advisory signs at the intersection of Baradine Road and Ashby Road.
- Tastebuds Café – Forecourt area at Old McDonagh's Garage Site in Dalgarno Street, Coonabarabran. DTS to discuss further with Development Services.
- Flashing Lights at School Zone Signs – Council to write to RMS thanking them for the erection of all school zone flashing lights and request the opportunity to obtain additional signage for St Lawrence's School to be located in Namoi Street, Coonabarabran subject to the availability of funding.
- Black Stump Way – Council request to NHVR that any road in the Warrumbungle Shire that is a 25 metre B Double Route be converted to a 26 metre B Double Route.
- Bus Stop and Shelter at the Northern End of Binnaway - Investigation to be undertaken on the current bus usage at the existing site in Bullinda Street, Binnaway, which would include discussions with bus operators. Outcome to be brought back to the next meeting.

### Direction Signs for Village of Cobbora Off Golden Highway – Agenda Item a) of 23 July 2015

Reference was made to Traffic Recommendation No 2/1516 of 23 July 2015 regarding the installation of a 'Cobbora Town' sign at the intersection of the Golden Highway subject to clarification of correct spelling and inclusion of 'Village' on the signage.

RMS advised that the correct spelling for the sign was 'Cobbora' as per tabled SIX Maps plan and that the word 'Village' would not be included. It was noted that the Traffic Advisory Committee approved the proposed signage and that RMS would order and install the sign.

### RMS – Sign Layout for Coolah Heavy Vehicle Bypass – Agenda Item d) of 23 July 2015

Reference was made to Traffic Recommendation No 5/1516 of 23 July 2015 regarding amendment by RMS of proposed Heavy Vehicle Bypass sign layout to include all signage for intersections and that Council, in liaison with RMS, does a survey of existing signs for further consideration at the next Traffic Advisory Committee meeting.

The amended version of the sign layout was presented to the Committee, however it was noted that the plan required further changes including the incorporation of white on blue direction signs for the Coolah Caravan Park at Cunningham Street and Black Stump Way intersection and Booyamurra Street and Binnaway Street intersection.

The Committee determined that the amended sign layout plan as presented with the inclusion of Coolah Caravan Park direction signs be accepted. The signage is to be designed and ordered by RMS with Council undertaking the installation. RMS to provide Council with a Progress Report.

### Request for Additional Disabled Car Parking Spaces in Binnia Street, Coolah – Agenda Item b) of 26 February 2015

Reference was made to a request for additional disabled car parking spaces in Binnia Street, Coolah tabled at the Traffic Advisory Committee meeting on 26 February 2015.

It was noted that Council had previously determined to reject the proposed disabled car parking space in front of the Community Centre and accept the installation of a second disabled car parking space in front of the IGA Supermarket.

## **AGENDA ITEMS**

- a) NPWS – Request for Installation of Permanent Electronic Sign on Timor Road, Coonabarabran Opposite Nandi Park

It was noted that a site inspection was undertaken during the suspension of standing orders.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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Reference was made to an email received from Development Services of 26 August 2015 advising that request by NPWS dated 23 July 2015 to install a permanent electronic sign on Timor Road, Coonabarabran opposite Nandi Park would require lodgement of a Development Application (DA).

**9/1516 RECOMMENDED** that the proposed location of 50 metres prior to Rifle Range Road on Timor Road, opposite Nandi Park, be approved for the erection of both a NPWS permanent electronic sign (*permanent site once DA approval is granted by Warrumbungle Shire Council*) and a trailer mounted temporary sign **FURTHER** that Council should consider speed, distraction to motorists and all weather conditions when assessing the Development Application.

**Grierson/Chaplin**

b) Siding Spring Observatory – Request for Installation of Caravan / Trailer ‘No Access’ and ‘Parking’ Signage on Timor Road, Coonabarabran

Reference was made to an email received from the Siding Spring Observatory of 17 August 2015 requesting the installation of ‘Caravan and Trailer’ ‘No Access’ and ‘Parking’ signage on Timor Road, Coonabarabran as per tabled locality map.

**10/1516 RECOMMENDED** that the proposed Caravan / Trailer ‘No Access’ and ‘Parking’ signage for Siding Spring Observatory be installed in accordance to standard on Timor Road as per tabled locality map **FURTHER** that the proposed signage be split into two separate signs (*due to number of words – for clarity for drivers approaching*) with the first advance sign to be located 25 metres prior to the proposed location and the second sign to include the bottom half of proposed message (*distance to parking area*).

**Grierson/Chaplin**

c) Warrumbungle Eventing – Request for Closure of Reservoir Street for Cross Country One Day Event on 13 September 2015

**11/1516 RECOMMENDED** that request by Warrumbungle Eventing to close Reservoir Street, Coonabarabran on Sunday, 13 September 2015 from 9.00 am to 3.00 pm for the Annual Cross Country One Day Event be approved subject to compliance with Council’s Road Closure Policy, preparation of a Traffic Control Plan and provision of all the required documentation to Council.

**Grierson/Chaplin**

d) Proposed Treatment at the Intersection of John Street (Newell Highway) and Edwards Street for Pedestrian Access

It was noted that a site inspection was undertaken during the suspension of standing orders.

A draft plan was presented to the Committee on the proposed treatment at the intersection of John Street (Newell Highway) and Edwards Street for pedestrian access.

**12/1516 RECOMMENDED** that draft plan as presented for proposed treatment at the intersection of John Street (Newell Highway) and Edwards Street for pedestrian access be amended to include the following and brought back to the next Traffic Advisory Committee meeting for further consideration.

- 1) a) The proposed blisters located at John Street between the Shell Service Station and private property not be accepted as a new pedestrian refuge in addition to the two existing pedestrian crossings would be all located within 250 metres of each other on the Newell Highway.
- b) The facility does not seem to be a desire line and would not be warranted.
- 2) The Edwards Street refuge from the western side of the Shell Service Station to the Swimming Pool be reviewed to see if there is a demand for pedestrian movements /

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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access across Edwards Street (*maybe look at installation of some pram ramps*) due to the narrow width of the road, the design line and Edwards Street being used as an oversized vehicle route **FURTHER** investigate the option of the installation of pram ramps ensuring a safe access across, keeping with the design line – slope be reviewed to meet the design criteria.

- 3) The proposed blisters located on the eastern side of Edwards Street are moved closer to the intersection taking into consideration the utilities, driveways, parking and desire line.
- 4) The proposed pedestrian fencing is removed due to the change in scope and new designs submitted for the next Traffic Advisory Committee meeting.

Grierson/Chaplin

### GENERAL BUSINESS

The following matters were raised without Resolution:

- Request for the installation of a 50 kph sign on White Street across from the Newell Highway and Hill Street and a further reinforcement 50 kph sign at Baradine Road (*Street*) between Hill Street and North Street.
- Traffic Efficiency Funding – Noted that Council would be submitting an application for the proposed blisters in Bolaro Street, Dunedoo.
- It was noted that previous request for the installation of a bus stop and shelter at the northern end of Binnaway had missed the opportunity for funding under the Traffic Efficiency Program. It was determined that Council investigate an appropriate location at the pump house and establish the number of users for future funding opportunities under the Country Passenger Transport Infrastructure Grant Scheme.

### Apology for Next Meeting – 24 September 2015

Cr Peter Shinton (Chair) advised that he would be an apology for the next Traffic Advisory Committee meeting to be held on Thursday, 24 September 2015. An alternate delegate is to be arranged prior to the meeting.

There being no further business the meeting closed at 12.05 pm.

The next meeting is to be held on Thursday, 24 September 2015 in the Gallery Meeting Room, Coonabarabran commencing 10.00 am.

.....  
CHAIRMAN

### RECOMMENDATION

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 27 August 2015.
2. That the proposed location of 50 metres prior to Rifle Range Road on Timor Road, opposite Nandi Park, be approved for the erection of both a NPWS permanent electronic sign (*permanent site if DA approval is granted by Warrumbungle Shire Council*) and trial trailer mounted temporary sign **FURTHER** that Council should consider speed, distraction to motorists and all weather conditions when assessing the Development Application.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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3. That the proposed Caravan / Trailer 'No Access' and 'Parking' signage for Siding Spring Observatory be installed in accordance to standard on Timor Road as per tabled locality map **FURTHER** that the proposed signage be split into two separate signs (*due to number of words – for clarity for drivers approaching*) with the first advance sign to be located 25 metres prior to the proposed location and the second sign to include the bottom half of proposed message (*distance to parking area*).
4. That request by Warrumbungle Eventing to close Reservoir Street, Coonabarabran on Sunday, 13 September 2015 from 9.00 am to 3.00 pm for the Annual Cross Country One Day Event be approved subject to compliance with Council's Road Closure Policy, preparation of a Traffic Control Plan and provision of all the required documentation to Council.
5. That draft plan as presented for proposed treatment at the intersection of John Street (Newell Highway) and Edwards Street for pedestrian access be amended to include the following and brought back to the next Traffic Advisory Committee meeting for further consideration.
  - 1
    - a) The proposed blisters located at John Street between the Shell Service Station and private property not be accepted as a new pedestrian refuge in addition to the two existing pedestrian crossings would be all located within 250 metres of each other on the Newell Highway.
    - b) The facility does not seem to be a desire line and would not be warranted.
  - 2 The Edwards Street refuge from the western side of the Shell Service Station to the Swimming Pool be reviewed to see if there is a demand for pedestrian movements / access across Edwards Street (*maybe look at installation of some pram ramps*) due to the narrow width of the road, the design line and Edwards Street being used as an oversized vehicle route **FURTHER** investigate the option of the installation of pram ramps ensuring a safe access across, keeping with the design line – slope be reviewed to meet the design criteria.
  - 3 The proposed blisters located on the eastern side of Edwards Street are moved closer to the intersection taking into consideration the utilities, driveways, parking and desire line.
  - 4 The proposed pedestrian fencing is removed due to the change in scope and new designs submitted for the next Traffic Advisory Committee meeting.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 5 Minutes of Local Emergency Management Committee Meeting – 17 August 2015

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Technical Services Management
<b>Author:</b>	Emergency Services Coordinator – Phil Southwell
<b>CSP Key Focus Area:</b>	Our Natural Environment
<b>Priority:</b>	PI2 The long-term wellbeing of our communities is supported by ongoing provision of high quality health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management

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<b><u>CHAIRPERSON</u></b>	Kevin Tighe	LEMO
<b><u>PRESENT</u></b>	David Maher Kel Wise, REMO Cheyne Gasson Bob Cosgrove Dave Smith Rod Williams Glen Clarke Tom Mumford Clinton Baglee Randall Michael Corey Philip Tony Cole Rodney Coombes Stuart Green Barbara Brown	LEOCON REMO Alt LEOCON SES Baradine SES Dunedoo VRA Coolah VRA Coolah VRA Coolah NSW F&R NSW F&R RFS VRA Coonabarabran VRA Coonabarabran VRA Coonabarabran FACS
<b><u>MINUTES</u></b>	Phil Southwell	WSC
<b><u>APOLOGIES</u></b>	Insp Peter Markham Tony Waldron Anne Taylor Barry Johnson Kasey Wilson Adam Dewberry Chris McCracken June Buck	NSW Police RFS Health Coolah SES Baradine NSW Ambulance NSW F&R Red Cross Red Cross

### **MINUTES OF PREVIOUS MEETING**

The minutes for the previous meeting, which was held at Coolah on the 18th May 2015 was available to all committee members at the meeting.

*Minutes accepted Rod Williams / Bob Cosgrove*

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### BUSINES ARISING

1. Rod Williams mentioned that the warning sign and light at Coolah VRA shed entrance was still outstanding.

### AGENDA ITEMS

1. **REMO Report** (*Written Report distributed to meeting and attached to minutes*)

#### Important Items

- (i) MPES is now the Department of Justice with our section called the 'Office of Emergency Management'.
- (ii) Change in REMC Meeting date, moved to 10th September at Dubbo.

2. **Contact Lists**

To be sent out with the minutes and distributed to meeting for amendments.

3. **Events** (*Summary of events within the Shire*)

- (i) Crooked Mountain Concert - 7th November 2015
- (ii) Coona Race Weekend - 24 / 26th October 2015
- (iii) Back to Baradine Weekend - 3 / 4th October 2015
- (iv) Warrumbungle Bike Ride - 12 / 13th Sept 2015
- (v) Festival of Stars at AAO - 3 / 4th October 2015

4. **Agency Reports**

1. RFS - Corey Philip informed the committee of the future summer fire season and the prediction of a hotter and dryer summer ahead. He suggested that the Pre Season Memorandum and ConOps EM information be distributed to members.  
*Note - attached PDF and links to minutes.*
2. VRA Coonabarabran - Tony Cole thanked Corey Philip for organising the ES Golf Day and Tony was pleased with the day and the fact that the VRA had come 2nd beating the RFS but losing to the Police.
2. Dunedoo SES - Dave Smith mention that they were called out to a MVA involving a truck. The load was mixed and created a difficult situation of not knowing the dangers of a mixture of substances that may not be listed on the manifest. Hazmat was called from Dubbo to assist.
4. FACS Dubbo - Barbara Brown reported that a training exercise with Welfare, Red Cross and the Salvation Army had been conducted in June with a mini scenario for an evacuation.

### The EM Plan Process

Corey Philips presented to the committee the Consequence Management Guide for the hazard of Bushfire.

After discussion, the committee decided that the time required to go through the document thoroughly was not sufficient and that a sub committee be formed to work through the document.

A sub committee with the LEOCON, Emergency Services Coordinator, RFS and VRA will meet before the next LEMC Meeting. The date for this was chosen as Monday, 7th September 2015 at 1400 hrs at the RFS Coonabarabran.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### GENERAL BUSINESS

Nil

### CORRESPONDENCE

1. REMO Report
2. Letter to Anthony Smith on resignation
3. Letter to Phil Mangan on retiring
4. Card to June Buck.

### DATE OF NEXT MEETING

The date of the next meeting will be Monday, 16th November 2015 at Coolah RFS following the Rescue Meeting.

### MEETING CONCLUDED

As there was no further business the formal part of the meeting concluded at 2129 hrs.

.....  
**CHAIRMAN**  
Kevin Tighe  
LEMO

### RECOMMENDATION

That Council notes the minutes from the Local Emergency Management Committee held on 17 August 2015 at Coonabarabran.



# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 6 Minutes of Warrumbungle Cobbora Transition Fund Committee Meeting – 1 September 2015

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Manager Communications & IT – Chris White
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF5 Council has guaranteed access to diverse sources of funding to address its responsibilities in service planning and delivery.

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**Present:** Cr A Capel (chair), S Stoddart, W Hill, S Russell, K Rose, Mayor P Shinton, T Fergusson

**Apologies:** S Loane, Cr M Coe, Cr C Sullivan, S Dent, M Hensley, P Campbell, A Stuart

Capel /Hill

**Attending:** A Parker, C White

#### **Previous Minutes**

Previous minutes presented and accepted.

Hill/Stoddart

#### **Business Arising**

1. Opening deferred until after 18 October.
2. Kerb blisters will be constructed at the proposed location on the western side of the Merrygoen Street intersection. This follows consultation with business proprietors located near this intersection.
3. A Parker will follow up with the Warrumbungle 355 Traffic Committee regarding availability of further funding from RMS for the kerb blisters
4. Request to communicate the governance and auspicing requirements of the Cobbora Transition Funds at the Opening.

#### **Financial Update**

Progress report verbally presented of financials.

INSW require final invoicing to be 10% of the total project budget.

#### **RNSW295 Dunedoo District Infrastructure Revitalisation Fund**

1. Skatepark – four benches to be installed around Skatepark; signs detailing rules of use will be installed as part of the Opening; Fence to be deferred following confirmation of additional funds from RMS.
2. Bolaro St - blisters to be installed following completion of the flat seating area; Illuminated signage board Development Application and construction certificate submitted; installation of signage board planned to be around 6 weeks. Content ideas/suggestions for the signage board to be forwarded to K Rose, who will then compile and forward to C White.
3. HV Parking - bins and seating to be installed along eastern end, expending fully CTF funds. Extension of culvert and eastern entrance to be funded by RMS.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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4. RV Parking – western entrance upgrade works to commence. Signage to be installed once the entrance modifications are complete.
5. Dunedoo Sports Club - works completed;
6. Dunedoo Bowling Club – Require confirmation as to whether the Development Application for the water tank has been submitted to Council by the Dunedoo Bowling Club committee.
7. Robertson Oval – Lighting for netball courts to be turned on this evening; stormwater drainage works have been completed and working effectively during recent rainfall events.

### **RNSW333 Recreational and Sporting and Cultural Facilities Improvement Project**

1. Jubilee Hall – construction of amenities and internal painting has commenced; Planned upgrades to be complete by mid November.
2. Old B
3. Bank Building – Construction of library extension, outdoor seating and disabled ramp have commenced. New sewer line required to meet compliance regulations. S Stoddart to liaise with historical group regarding re-location of the old Uniting Church sandstone steps on the site.
4. Mendooran Tennis courts - works complete
5. Dunedoo Tennis Courts - works complete

### **RNSW290 Three Rivers Regional Retirement Community and Learning Centre**

1. A 3-D walk through was demonstrated to the TRRRC Working Group Meeting of the design plans to date. The Development Application for occupation of site is waiting on a ' license of occupation' from the state government prior to submission to Council's planning division. Demolition can then commence.

### **RNSW300 Mendooran Multipurpose Centre**

1. Internal fit-out under construction and due to be completed by end of September.

### **RNSW324 Three Rivers Recreation Ground Upgrade Project**

1. Works complete.

### **General Business**

1. Request to approach ARTC with a request from WSC for around 200 railway sleepers to be used for landscaping at the TRRRC project site.

**Next Meeting** Tuesday October 13 at 4:30pm

**Meeting Closed** 5:30pm

### **RECOMMENDATION**

That Council accept the minutes from the Warrumbungle Cobbora Transition Fund Committee Meeting held at Dunedoo Old Bank Building on 1 September 2015 at 4.35pm.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 7 Warrumbungle Cobbora Transition Fund Committee

<b>Division:</b>	Governance
<b>Management Area:</b>	Executive Services
<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.

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### Reason for Report

To provide an update of projects funded by the Restart NSW Cobbora Transition Fund.

### Background

The projects funded by the Restart NSW Cobbora Transition Fund to be auspiced by Council are:

1. RNSW295 Dunedoo District Infrastructure Revitalisation \$1,846,500
2. RNSW290 Three Rivers Regional Retirement Community and Learning Centre \$4,500,000
3. RNSW300 Mendooran Multipurpose Centre \$133,445
4. RNSW324 Three Rivers Recreation Grounds Upgrade Project \$287,500
5. RNSW333 Recreational Sporting and Cultural Facilities Improvement Project, Dunedoo Region \$1 million

The Warrumbungle Cobbora Transition Fund 355 Committee (WCTF 355) oversees the progress of the projects.

### Issues

Funding Deeds detail the scope, budget and time schedule for each project component. Updates are submitted monthly to INSW via an online web portal, and is audited by NSW Public Works before reimbursement of funds expended by Council. Monthly updates detail progress of each project as per the timeline, procurement, risk management and cashflow details executed with the Funding Deeds.

Updates on projects follow:

- RNSW333 Jubilee Hall – painting commenced; construction of extension for amenities ongoing.
- RNSW333 Old Bank Building – construction continues for disabled access; construction of library extension commenced.
- RNSW295 Robertson Oval – netball courts completed; lighting installed; storm water drainage upgrade completed; landscaping and installation of bench seats to commence.

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- RNSW295 Bolaro Street – Flat outdoor seating area construction ongoing; DA complete for illuminated signage board with installation to be completed in October; kerb blisters to be installed on western side of Merrygoen St intersection.
- RNSW295 Heavy Vehicle Parking –additional bins and seating to be installed near eastern end of the HV Parking area.
- RNSW295 RV Parking/Dump Point– modifications on western driveway have commenced
- RNSW295 Milling Park – bench seats to be installed adjacent to skatepark.
- RNSW300 Mendooran Showground – Fit-out of multipurpose shed complete.
- RNSW324 Coolah Recreation Ground – works completed.
- RNSW290 Three Rivers Retirement Community – License agreement drafted by legal counsel to provide access to the site prior to transfer of title under negotiation; Master Plan to be placed on public exhibition in October once finalised.

### **Options**

Nil

### **Financial Considerations**

Invoices totalling \$204,328 for reimbursement of completed August works were forwarded to INSW. Payment of invoices is pending confirmation by NSW Treasury and audited by NSW Public Works.

Total funds invoiced to INSW for reimbursement to date are \$2,256,459.

### **RECOMMENDATION**

Council note progress of the Cobbora Transition Fund projects.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 8 Meeting Schedule 2015-2016

<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's governance practices and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

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### Reason for Report

It has been considered appropriate for Council to agree on a 12 month program of proposed meeting dates and venues for the monthly Council meeting.

The following meeting schedule is proposed for Council consideration for the next 12 months. Meetings will commence at the accepted time of 10.00 am on the third Thursday of every month except for January, and alternating between Coolah and Coonabarabran Council Chambers.

The QBRS will be included as per DLG guidelines for presentation to Council at the November, February, May and August meetings. The Council meeting held in September includes the Mayoral and Deputy Mayor elections. The audited Financial Statements are presented to Council by the External Auditor at the October or November meeting.

### Background

The Local Government Act (1993) s365 stipulates that the Council is required to meet at least ten (10) times each year, each time in a different month. A number of Council Policies relate to meeting practice being; Code of Conduct and Code of Meeting Practice, which refer to the guidelines provided by NSW Division of Local Government (DLG).

During meetings Councillors have an obligation to;

- Act in accordance with Council's Code of Meeting Practice and the Local Government (General) Regulation 2005 during Council and Committee meetings.
- Show respect to the chair, other Council officials and any members of the public present during Council and Committee meetings or other formal proceedings of Council.

### Issues

Whilst the current day time meeting makes it difficult for those Councillors with businesses or full time jobs to participate, driving long distances at night time and the associated risks of hitting kangaroos is the main reason meetings are held during the day.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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The third week of the month is the preferred meeting period, in order for the timely completion of bank reconciliations for the previous month and investment reports being approved for presentation to Council.

This schedule does not include Town Committee meetings, held in November and May each year nor the various Committee meetings, special Council meetings, training, civic functions and other commitments of Councillors.

### Options

Council may choose to change the following meeting program;

- Day of the week within the month
- Time
- Venue

### Financial Considerations

Council meetings are a normal part of the operations of the organisation, and budgeted for in the 2015-2016 Operational Plan. This includes travel reimbursement costs of Councillors and catering for meals.

### RECOMMENDATION

That Council adopts the current Meeting schedule and practice, being the third Thursday of each month, commencing at 10.00am alternating between the Coolah and Coonabarabran Council Chambers as per the following schedule:

#### 2015

Thursday 15 October	Coolah
Thursday 19 November	Coonabarabran
Thursday 17 December	Coolah

#### 2016

Thursday 18 February	Coolah
Thursday 17 March	Coonabarabran
Thursday 21 April	Coolah
Thursday 19 May	Coonabarabran
Thursday 16 June	Coolah
Thursday 21 July	Coonabarabran
Thursday 18 August	Coolah
Thursday 15 September	Coonabarabran

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 9 Request for Leave of Absence – Councillor Peter Shinton

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Manager Administration & Customer Service – Sally Morris
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF6 Support and encourage Councillors in fulfilling their roles as community leaders and in being accessible and actively involved in representing the shire

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### Reason for Report

Councillor Peter Shinton has made a request for Leave of Absence from the Ordinary October 2015 Council meeting.

### Background

In reference to the Local Government (Meeting Procedures) Regulations 2005 – Reg 39;

#### 39. Leave of absence

- (1) A councillor, or the mayor on behalf of a councillor, may request leave of absence in respect of one or more meetings.
- (2) A council may decide to grant a request for leave of absence.
- (3) Leave must not be granted retrospectively.
- (4) The purpose of the leave and the period involved are to be recorded in the minutes.

### Issues

Nil

### Options

Nil

### Financial Considerations

Nil

### RECOMMENDATION

That Council accepts the notification from Councillor Peter Shinton and grants a Leave of Absence from the Ordinary October 2015 Council meeting.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 10 Delegations of Authority to the Mayor and Deputy Mayor

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Services Administration Officer – Joanne Hadfield
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council's governance practices and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

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#### **Reason for Report**

To update the alignment for the Mayors and Deputy Mayors delegations with the requirements of legislation as detailed below.

#### **Background**

That subject to the requirements of the Local Government Act, 1993, regulation thereunder, any expressed policies of Council or requirements of a Public Authority and pursuant to Section 377 of the Local Government, 1993, the Position of the Mayor and the Deputy Mayor be authorised to exercise or perform on behalf of the Warrumbungle Shire Council the functions, powers, authorities and duties set out in the schedules attached

#### **Issues**

Council maintains a subscription to a delegations database that advises Council of changes to acts and regulations.

#### **Options**

Nil

#### **Financial Considerations**

Nil

#### **RECOMMENDATION**

That Council endorse the following delegations to the positions of the Mayor and Deputy Mayor.



# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **WARRUMBUNGLE 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

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **WARRUMBUNGLE 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 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.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 11 Delegations of Authority to the General Manager

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Administration Officer - Joanne Hadfield
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council's governance practices and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

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### Reason for Report

To update the alignment for the General Managers delegations with the requirements of legislation as detailed below.

### Background

In pursuance of Section 335 of the Local Government Act, 1993, the General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.

Council amended the delegations of the General Manager in December 2014 to include relevant legislation and regulations relating to various Acts and Regulations (**Resolution 195/1415**).

### Issues

Council maintains a subscription to the Delegations Database with Local Government Legal that advises Council of changes to Acts and Regulations to ensure compliance and staff delegations

As per s377 of the Local Government Act (1993) Council cannot delegate to the General Manager the following functions of Council:

- a) *the appointment of a general manager,*
- b) *the making of a rate,*
- c) *a determination under section 549 as to the levying of a rate,*
- d) *the making of a charge,*
- e) *the fixing of a fee,*
- f) *the borrowing of money,*
- g) *the voting of money for expenditure on its works, services or operations,*
- h) *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- i) *the acceptance of tenders which are required under this Act to be invited by the council,*
- j) *the adoption of an operational plan under section 405,*
- k) *the adoption of a financial statement included in an annual financial report,*

# WARRUMBUNGLA SHIRE COUNCIL

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- l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- m) the fixing of an amount or rate for the carrying out by the council of work on private land,*
- n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- r) a decision under section 234 to grant leave of absence to the holder of a civic office,*
- s) the making of an application, or the giving of a notice, to the Governor or Minister,*
- t) this power of delegation,*
- u) any function under this or any other Act that is expressly required to be exercised by resolution of the council..*

Attached is the draft delegations to the General Manager and a current list of all Acts and Legislation relevant to the General Manager's delegations as prescribed by Local Government Legal.

### **Options**

Council may choose to review and amend any part of the Draft Delegations.

In addition the current delegation enables approval of the General Manager and Directors to attend only one annual conference of their professional organisation each year. It is proposed to include in the new delegation that MANEX training, travel and conference costs are approved subject to the Operational Plan budget, professional development opportunities and benefit to Council.

### **Financial Considerations**

Nil

### **RECOMMENDATION**

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.

# WARRUMBUNGLE SHIRE COUNCIL

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### Attachment 1

#### DRAFT DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

On Thursday, 17 September 2015 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 Stephen John Loane (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.
  - 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:

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“**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	

### 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

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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 (replacement)

To attend to all correspondence addressed to the Council (except correspondence addressed to the Mayor personally) in any of the following ways:-

- a) deal with it administratively
- b) to refer it to a committee
- c) to refer it direct to Council

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

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

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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:

- 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
  
- Cemeteries and Crematoria Act 2013
- Children(Protection & Parental Responsibility) Act 1987
- Commons Management Act 1989
- Community Land Development Act 1989
- Community Land Management Act 1989
- Companion Animals Act 1998
- Companion Animals Regulation 2008
- Contaminated Land Management Act 1997
- Conveyancing Act 1919
- Crown Lands Act 1989, Crown Lands Regulation 2006, Crown Lands (General Reserves By Laws 2006



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- Dams Safety Act 1978
- Dangerous Goods ( Road and Rail Transport) Act 2008
- Disability Inclusion Act 2014
  
- Electricity Supply Act 1995
- 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 1966
- Government Information (Public Access) Act 2009
- Graffiti Control Act 2008
- Growth Centres (Development Corporations) Act 1974
  
- Heavy Vehicle National Law (NSW) and Heavy Vehicle (Adoption of National Law) Act 2016
- Heritage Act 1977
- Holiday Parks (Long-Term Casual Occupation) Act 2002
- Housing Act 2001
  
- Impounding Act 1993
- Inclosed Land Protection Act 1901
- 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

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- Pesticides Act 1999
- Pipelines Act 1967
- Protection of the Environment Operations (Clean Air) Regulation 2010
- Protection of the Environment Operations (Waste) Regulation 2005
- Protection of the Environment Operations Act 1997
- Privacy & Personal Information Protection Act 1998
- Public Health Act 2010
- Public Health Regulation 2012
- Public Interest Disclosures Act 1994
- Public Works Act 1912
  
- Real Property Act 1900
- Restricted Premises Act 1943
- Roads Act 1993
- Roads Transport Act 2013
- Road Transport (General) Regulation 2013
- Rural Fires Act 1997
- 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 1992
- 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
- Water Management (General) Regulation 2011
- Wilderness Act 1987
- Work Health And Safety Act 2011

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 12 Number of Councillors for the following Term of Office

<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>	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

Council is required not less than 12 months before the next ordinary election, to determine the number of Councillors for the following term of office.

### Background

As set out below, Section 224 of the Local Government Act 1993 requires Council to determine the number of Councillors for the following term of council not less than 12 months before the next ordinary election.

#### 224 How many councillors does a council have?

- (1) A council must have at least 5 and not more than 15 councillors (one of whom is the mayor).
- (2) Not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office.
- (3) If the council proposes to change the number of councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

### Issues

Council is required to notify the Office of Local Government of its determination regarding the number of Councillors for the following term of office.

### Options

Council has the option to determine to change the number of councillors, however approval for the change is required.

### Financial Considerations

Council currently has nine (9) Councillors and provision is made in the current budget for Councillor payments and expenditure for these nine councillors.

### RECOMMENDATION

That Council determine to retain nine (9) Councillors for the following term of office.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 13 Australia Day 2016

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Executive Administration Officer – Joanne Hadfield
<b>CSP Key Focus Area:</b>	Community and Culture
<b>Priority:</b>	CC3 The vibrant arts and cultural life of the shire needs to be promoted and supported as an essential aspect of community well-being.

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#### **Reason for report**

Council consideration is sought for the arrangements for the 2016 Australia Day functions throughout the shire and if it wishes to participate in the Australia Day Ambassador Program for the 2016 Australia Day Celebrations.

#### **Background**

Australia Day 2016 celebrations included events hosted in Baradine, Coonabarabran, Binnaway, Coolah, Mendooran and Dunedoo. Australia Day Ambassadors made representation at the 2015 celebrations with Miss Prue Watt attending Binnaway, Baradine and Coonabarabran and Ms Liz Deep-Jones attending Mendooran, Dunedoo and Coolah celebrations.

As part of the celebrations in 2015 Council opened the public swimming pools free of charge to the public. Attendance at the pools on Australia Day in 2015 recorded numbers of above average.

Council have provided a small contribution to each committee to cover the advertising, and frames or laminating of local awards and catering. The amount allocated in 2015 was;

- \$500 each for Binnaway, Mendooran, Baradine, Dunedoo and Coolah
- \$600 for Coonabarabran

The Warrumbungle Shire Wide Awards are administered by Council and include;

- Citizen of the Year
- Young Citizen of the Year
- Senior Citizen of the Year
- Sportsperson of the Year and
- Young Sportsperson of the Year

The communities have ownership of their town awards including categories such as Certificates of Recognition, Group Community Service and Sports Team of the Year Awards.

The Draft 2016 Guidelines and Criteria and the Nomination forms follow this report as Attachment 1 and Attachment 2.

A list showing the past ten (10) years winners for Councilor's information as follows:

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

Category	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006
<b>Citizen of the Year Award</b>	Lois Sutton	Rodney Williams and Rob Deans	Len Roberts	Rita Keech	Bob Sutherland	John Sawyer	John Eastburn	Roger Hadfield	David Baker	Peter Manning
<b>Young Citizen of the Year Award</b>	Samantha Smith	Brendon Hawkins	Alexander Tighe	Lewis Varty	Shannon Nott	Malcolm Fleming	Dannielle Macbeath	Amy Elton	John Abbott	Sarah Ford
<b>Senior Citizen of the Year Award</b>	John King and Barry Evans	Tony Brain	Krystina Wesley and Annette Estens	Woody Carberry	Suzanne Stoddard	Kevin Stewart	John Yeo, Lachlan Campbell and Maxwell Fairall	Ted Miller, Len Bowman, Charlotte Dinsdale, Graham Martin and Robert Walton	Ernie Rookyard and Don Watton	Joan Rockliffe
<b>Sportsperson of the Year Award</b>	Heather Waters and Kyle Turner	Kevin Williams and Roy Mathews	Edward Kuras	Gabi Olsen	Tim Wilkinson	Ken Campbell	Philip Ayoub	Wesley Suckley	Sharon Nott	James Campbell
<b>Young Sportsperson of the Year Award</b>	Harley Wood	Darcy Clifton and Albert Nolan	Ellie Capewell	Jessica Cormie	Coona High School Open Netball Team	Casey Burgess	Kyle Turner	Hayley Arden	Gabi Olsen	Wes Suckley

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Issues

The Hospital Auxiliary in Baradine, the Development Groups in Coolah, Dunedoo and Mendooran, the Progress Association in Binnaway and the Chamber of Commerce in Coonabarabran provide the basis for the host Australia Day Committee which includes the Public Liability Insurance for each event.

Members of the community and other local organisations are also invited to participate in this Australia Day committee with the Development Coordinators assisting as necessary. Other service organisations such as Lions and Rotary for catering and Schools, Lands Council or Girl Guides are involved for the event program support.

The Australia Day Ambassador program is a very popular feature of the day and Councilor attendance is appreciated.

### Options

Council may choose to select local Ambassadors as opposed to an Ambassador provided by Australia Day Council.

Council may wish to review the Guidelines and Criteria with the view to including an option for Councillors to nominate community members from the floor.

Council may elect to remove or add categories of awards associated with the Warrumbungle Shire Wide Awards.

Council may choose to rescind previous year practices of providing free pool entry on Australia Day 2016.

### Financial Considerations

The pools were open on Australia Day 2015 and the loss of revenue is estimated at \$800 to \$1,000. Fees for the pool have increased for the 2015 – 2016 season and the loss of revenue is estimated up to \$1600 across the shire's pools.

The total budget allocation for Australia Day in the 2015-2016 Management Plan is \$6,000. This covers the cost of advertising, awards/certificates and frames, donations to each community, hosting of two (2) Australia Day Council Ambassadors.

### RECOMMENDATION

That Council participates in the Australia Day Program in 2016 hosting two (2) Ambassadors from the Australia Day Council and **FURTHERMORE:**

1. Council administers and presents the following awards for Australia Day 2016;
  - 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 2016 as in past years.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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## Australia Day Awards 2016 Program

### Guidelines and Criteria

Each year the people of Warrumbungle Shire Council are invited to nominate fellow citizens for the Warrumbungle Shire Wide Australia Day Awards. The awards aim to recognize outstanding achievement during the past year and / or have contributed to the local community over a number of years.

#### **AWARD CATEGORIES**

##### **Citizen of the Year**

To be eligible, the person must be 26 years of age or older on 26 January 2016

##### **Young Citizen of the Year**

To be eligible, the person must be under 26 years of age on 26 January 2016

##### **Young Sports Person of the Year**

To be eligible, the person must be under 26 years of age on 26 January 2016

##### **Sports Person of the Year**

To be eligible, the person must be 26 years of age or older on 26 January 2016

##### **Senior Citizen of the Year**

To be eligible, the person must be 60 years of age or older on 26 January 2016

#### **WHO IS ELIGIBLE?**

- Nominees must be Australian citizens and residing in Warrumbungle Shire at the time of nomination;
- Unsuccessful nominees may be re-nominated in subsequent years;
- Self nominations will not be accepted;
- Awards will not be granted posthumously;
- Sitting State and Federal politicians and current vice-regal offices are not eligible; Consideration of retired politicians and officers would be for work in addition to their official duties;
- A person cannot receive the same award in subsequent years.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **HOW TO NOMINATE:**

The attached nomination form is to be completed and returned to Council offices. The nomination should detail the nature, duration and impact of the nominee's contribution to the Warrumbungle region.

In assessing a nomination, the judging panel may consider:

- The number of hours of work over and above normal employment duties
- The benefits to the community from the nominee's service or contribution
- Other outstanding achievements by the nominee
- Other recognition of the nominee's contribution or work, including publicity
- Whether the nominee worked as part of a team and their role within the team.

### **JUDGING:**

The judging panel comprises of the elected Councillors at the time.

The selection of recipients will reflect the nominations received and information available to the judging panel.

The nomination forms received by the closing date will be presented to the judging panel. At the December council meeting, Councillors will determine the award winner for each category.

### **PRESENTATION:**

The awards will be presented by Council at the Australia Day celebrations in the town of which the successful recipient resides.

Warrumbungle Shire Council reserves the right to withdraw an award if further information or the recipients conduct draws the Australia Day award into disrepute.

**Nominations close at 4.30pm Friday 6<sup>th</sup> November 2015**



# WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 17 September 2015

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## Australia Day 2016 - Shire Wide Awards Nomination Form

1. Please provide as much detail as possible
2. One nomination per form
3. Nominations close 4.30pm on Friday 6 November 2015. Late nominations will not be considered
4. All nomination forms should be forwarded to the General Manager, PO Box 191 Coonabarabran 2357 or hand delivered to the Council Chambers in Coolah or Coonabarabran.

**Award Category for nominee:** (please tick one category)

- Citizen of the Year                       Young Citizen of the Year
- Senior Citizen of the Year
- Sports Person of the Year               Young Sports Person of the Year

**Nominee:** (The person you would like to nominate)

Title (Mr, Mrs, Ms etc) .....

First Name .....

Surname.....

Position/Organisation

(Optional).....

Address ..... Town

.....

Tel (H)..... Tel (W) .....

Tel (M) .....

Age/DOB .....Please tick  Exact  Estimate  Unknown

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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**Areas of Excellence:** In what area(s) has the nominee excelled? (you may tick more than one box)

- Arts/Media/Entertainment     Business     Charity  
 Community/Volunteer Service  
 Education Services     Environment     Humanitarian  
 Indigenous/Ethnic  
 Medicine/Science     Technology/Engineering     Sport  
 Other.....

**Tell us about your nominee:** How are they an inspirational role model? How have they demonstrated excellence in their field and to the community? Please write as much as you can about your nominee. If you need more space please write on a separate piece of paper and attach it to this form. Remember, your nominee will be judged on this information and it is important for you to give as much information as possible.

.....  
.....  
.....

**Nominator:** (Your details)

Your title (Mr, Mrs, Ms etc) .....

First Name .....

Surname .....

Position/Organisation

(Optional).....

Address .....

Suburb ..... State ..... Postcode.....

Tel (H) ..... Tel (W) ..... Tel (M).....

**Referee:** (Optional, this information will help us if your nominee is short listed. This person may be contacted for further information.)

Title (Mr, Mrs, Ms etc) .....

First Name..... Surname.....

Position/Organisation (Optional).....

Address .....

Suburb ..... State ..... Postcode.....

Tel (H) ..... Tel (W) ..... Tel (M).....

**Nominator's Signature** ..... **Date** .....

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### **Item 14 2015 National Local Roads and Transport Congress**

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Executive Services
<b>Author:</b>	Manager Administration & Customer Service – Sally Morris
<b>CSP Key Focus Area:</b>	Local Governance and Finance
<b>Priority:</b>	GF4 Council builds strategic relationships with other levels of government to ensure that the shire receives an equitable allocation of resources.

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### **Reason for Report**

Council has received notification from the Australian Local Government Association (ALGA) that the 2015 Local Roads and Transport Congress is to be held in November and Council's attendance is encouraged to show support for the work that ALGA is doing to secure better funding for local government roads and infrastructure.

### **Background**

The Australian Local Government Association is holding the 2015 National Local Roads and Transport Congress this year at Ballarat in Victoria from 17-19 November 2015.

The theme is 'Connecting Communities – Driving the Nation' to highlight the importance of Federal funding to local government in overcoming road and infrastructure challenges. The full program for 2015 congress can be located at [www.alga.asn.au](http://www.alga.asn.au)

### **Issues**

Ongoing federal funding.

### **Options**

That Council does not register delegates to attend the 2015 congress.

### **Financial Considerations**

The cost of standard registration is \$890 (prior to 9 October 2015) per delegate and includes: attendance at all congress sessions, welcome reception, congress dinner, morning tea, lunch and afternoon tea as per the congress program, congress satchel and material.

Meals, travel and accommodation is yet to be determined.

### **RECOMMENDATION**

That the Mayor, General Manager and one (1) Councillor (to be nominated) attend the 2015 National Local Roads and Transport Congress in Ballarat.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 15 Council Resolutions Report September 2015

<b>Division:</b>	Executive Services
<b>Management Area:</b>	Governance
<b>Author:</b>	Executive Services Administration Officer, Joanne Hadfield
<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 August 2014 to August 2015. 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.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 16 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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#### **Reason for Report**

Council is required each year to review its Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors and place the Policy on public exhibition.

#### **Background**

Under Section 252 of the Local Government Act, Council is required to adopt within five (5) months after the end of each year, a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor and the other councillors in relation to discharging the functions of civic office.

#### **Issues**

The amendments to the policy relate to the limits identified in Clause 2.1 and 2.5 and Appendix A being the updating of expenses in line with the Australian Tax Office's Taxation Determination TD 2015/14. A copy of the draft Policy has been forwarded to Councillors under separate cover.

#### **Options**

Under Section 253 of the Local Government Act, Council must place the amended Policy on public exhibition for a period of 28 days seeking public submissions.

#### **Financial Considerations**

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

#### **Summary**

The review of the policy and updating of the references to the current Taxation Determination and insertion of updated Appendix A tables, allows clarity in calculation of provision of the expenses to be paid under this policy.

The Draft Policy is submitted for review and consideration.

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### **RECOMMENDATION**

That the Draft 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 2015 Council meeting.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 17 Monthly Report from Human Resources – August 2015

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Human Resources
<b>Authors:</b>	Manager Human Resources – Val Kearnes Learning & Development – Glennis Mangan Workplace Health & Safety – Kathryn Weatherall & Christine Kennedy
<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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#### **Reason for Report**

This report is to inform Council of activities undertaken by the Human Resources Department and provide an update on the status of Staff Recruitment, Training and Workplace Health and Safety (WHS) matters.

#### **Background**

Human Resources are responsible for Recruitment, Learning and Development, Workplace Health and Safety.

Since the last Council Meeting in August 2015 no positions have been advertised either internally or externally.

The following position has been filled since last Council meeting:

- Town Planner

The position of Grader Operator remains unfilled and will be re advertised in September.

#### **Resignations**

There have been two resignations since the August Council meeting. One in Corporate Services and one in Technical Services.

#### **Issues**

There are numerous positions to be advertised follow the adoption of the new organisational structure, this will be undertaken over the following two months.

#### **LEARNING AND DEVELOPMENT**

A new Leadership and Management Course commenced this week comprising of ten staff who undertake higher duties responsibilities. The course is being facilitated by TAFE NE who has aligned the course content to be more relevant to Council. Staff will work closely with Council's vision, mission and values statement and the Code of Conduct.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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A briefing session was held at Council by the LGTI on the changes and requirements of the new RMS Traffic Control courses. There are now three qualifications instead of four and staff now longer need to attend a training course if renewing a ticket. Renewal is done via RPL. The old Red and Orange cards have been combined to become the Prepare a Work Zone Traffic Management Plan (ticket).

Eight outdoor staff from across the shire have successfully finished their Certificate III in Civil Construction Plant Operations.

### **Upcoming training includes:**

Records Management  
Dealing with Difficult People  
Non Friable Asbestos Removal  
Work Zone Traffic Management Plan

## **WORKPLACE HEALTH AND SAFETY**

### **Drug and Alcohol Testing**

Final training sessions will be held on 15 September to ensure Supervisors, Managers, Directors and HR Staff are suitably trained to assess Fitness for Work. This training and some minor amendments to Council's Drug and Alcohol Policy and Procedure (which will be submitted to the next WHS Committee meeting) are the final steps before we commence random selection drug and alcohol testing.

### **StateCover WHS Audit**

The results of the StateCover WHS Audit will be released this month. We anticipate solid improvements on last year's result, with positive progress made this year in a total of 13 areas of the Audit.

In early preparation for further improvement next year, we have now finalised design and ordered Emergency Procedure booklets for desktops at Council. Further investigation will be made as to the viability of providing fold out z-cards (the size of a credit card) or a similar product for outdoor staff which contain the emergency procedures.

### **Workers Compensation and Incidents for August:**

<b>Directorate</b>	<b>Near Misses</b>	<b>Incidents</b>	<b>New Claims</b>
Corporate and Community Services	-	2	-
Executive Services	-	-	-
Development Services	-	-	-
Technical Services	-	-	-

All incidents have been investigated and control measures implemented.

Reports have been given to appropriate Managers and MANEX and required actions to resolve WHS concerns are in progress.

## **RECOMMENDATION**

For Council's information.



# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 18 Bank Reconciliation for the month ending 31 August 2015

<b>Division:</b>	Corporate and Community 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 the monthly bank statement. They are completed by the Senior Finance Officer and signed off by the Chief Financial Officer then referred to the Director Corporate and Community Services for final review as part of Council's Monthly checklist procedures.

#### **Issues**

Outstanding deposits refer to cash amounts recorded in 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 and EFT Payments that have not been processed by the recipient but are recorded as being paid in Council's General Ledger.

#### **Options**

Nil

#### **Financial Considerations**

At Council's request the Trust Fund bank account and Mayors Bushfire Appeal Bank Account has been separated for the purpose of presenting an accurate balance of Council's funds.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

### Summary

Balance per General Ledger - 31 August 2015

<b>General Ledger</b>	<b>Amount</b>
Trust Bank Account	269,553
Bushfire Trust Account	5,747
Bushfire Trust Investment Account	275,304
General Bank Account	2,638,388
Investment At Call General	10,851,368
Investment At Call Water	1,905,000
Investment At Call Sewer	1,967,000
Investment Non Current General	710,000
Investment Non Current Water	580,000
Investment Non Current Sewer	210,000
<b>Total per General Ledger</b>	<b>19,412,360</b>

<b>Bank</b>	<b>Balance</b>
<b><u>General</u></b>	
Commonwealth General Account	2,078,478
<b>Total – General</b>	<b>2,078,478</b>
<b><u>Investments</u></b>	
Securities	1,500,000
Term Deposits	14,723,368
<b>Total Investments</b>	<b>16,223,368</b>
<b>Sub Total WSC Operational Accounts</b>	<b>18,301,846</b>

<b><u>Trust</u></b>	
Commonwealth Trust Account	269,553
<b>Total – Trust</b>	<b>269,553</b>
<b><u>WSC Mayors Bush Fire Appeal Trust</u></b>	
Commonwealth Mayors Fund General Account	5,747
Commonwealth Mayors Fund Savings Account	275,304
<b>Total - WSC Mayors Bush Fire Appeal Trust</b>	<b>281,051</b>
<b>Total All Bank Accounts</b>	<b>18,852,450</b>

# WARRUMBUNGLE SHIRE COUNCIL

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<i>Add:</i>	
Outstanding Deposits - General	619,523
Outstanding Deposits - Trust	
Outstanding Deposits – WSC Mayors Bushfire Appeal	
<i>Less:</i>	
Unpresented cheques - General	(59,613)
Unpresented cheques - Trust	
Unpresented cheques- WSC Mayors Bushfire Appeal	
<b>Balance adjusted for outstanding deposits &amp; Un-presented cheques (Final Bank Balance)</b>	<b>19,412,360</b>
<b>Variance between Final Bank Balance and General Ledger</b>	<b>-</b>

# WARRUMBUNGLE SHIRE COUNCIL

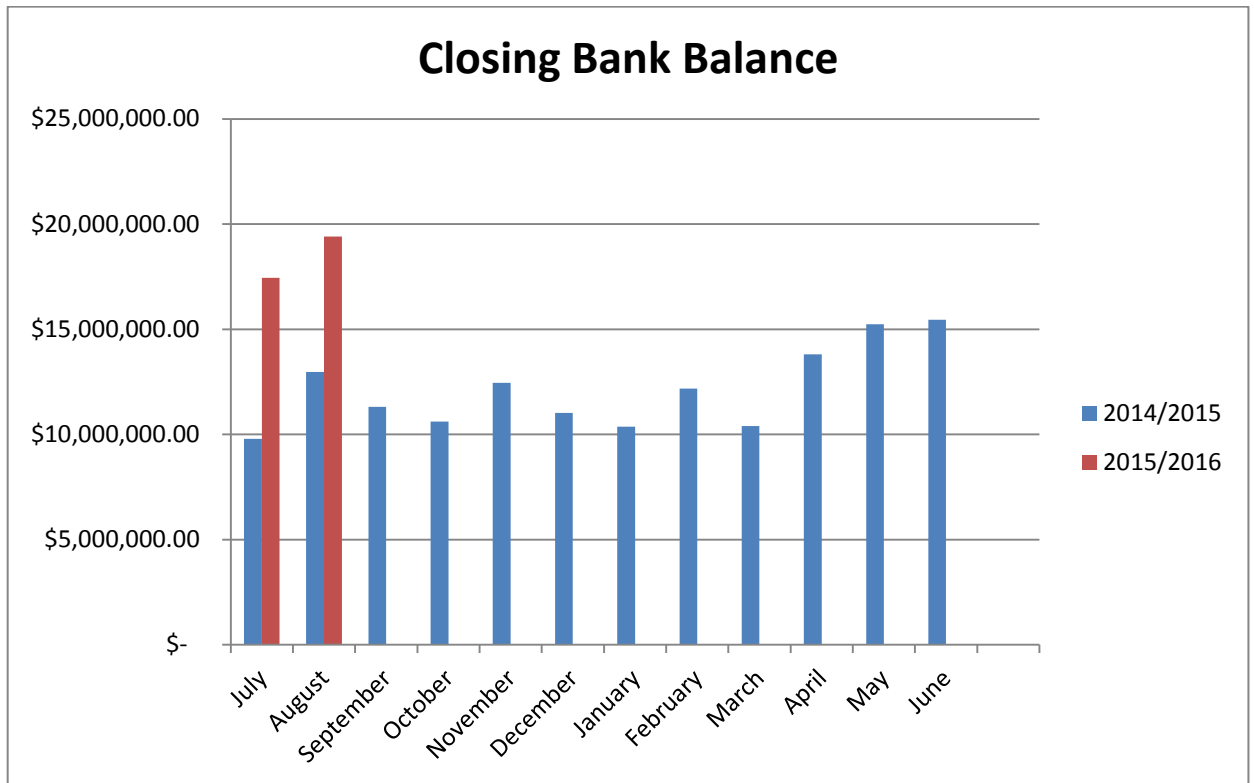
## Ordinary Meeting – 17 September 2015

Balance as per Bank Account History as at 31 August 2015

Month	Funds Held in General Account	Funds Held in Trust Account	Mayors Bushfire Appeal Trust Account	Investment	TOTAL	Net of Outstanding Deposits and Un-presented Cheques	End of Month Closing Bank Balance
Jun-15	300,089	269,553	285,549	14,588,295	15,443,486	9,906	15,453,392
July-15	1,206,649	269,553	285,682	15,543,572	17,305,456	141,326	17,446,782
Aug-15	2,078,478	269,553	281,051	16,223,368	18,852,450	559,910	19,412,360

# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015



### **RECOMMENDATION**

That Council accept the Bank Reconciliation Report for the month ending 31 August 2015.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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### Item 19 Investments and Term Deposits for Month ending 31 August 2015

<b>Division:</b>	Corporate and Community 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 265 of the Local Government Act 1993 must be reported to Council at each monthly ordinary meeting.

#### **Background**

Council is authorised by S.265 of the Local Government Act (the Act) to invest its surplus funds in the forms of investment notified in an Order of the Minister dated 12 January 2011.

Clause 212 of the Local Government (General ) Regulation 2005 (the Regulation) requires a council to provide a written report to the Ordinary Meeting of Council giving details of all monies invested and a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

#### **Issues**

##### ***Comments on Performance for the Month***

##### *Term Deposits and At Call Accounts*

In accordance with regulatory requirements and Council's Investment Policy, the majority of Council's current investment portfolio continues to be invested in term deposits, at call accounts and a Capital Protected Note (CPN)

During the month, \$1m of term deposits matured, earning \$7,436 in interest, new placements of \$2m were made and the month end balance was \$6.6m. \$1m was placed with Suncorp Treasury for a period of 90 days at an interest rate of 2.77%, \$1m was placed with NAB for a period of 90 days at an interest rate of 2.85%.

At call accounts are used to hold funds for shorter periods and generally are adjusted on a weekly basis to meet cash flow requirements. During the month net transfers of \$343,665 were made from these accounts and \$23,462 interest was received on the balances in the accounts resulting in a month end balance of \$8.123m.

# **WARRUMBUNGLE SHIRE COUNCIL**

## **Ordinary Meeting – 17 September 2015**

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### *Capital Protected Note*

Council continues to hold \$1,500,000 in a CPN called Octagon. Repayment of the principal is supported by a capital guarantee which ensures full repayment of capital invested at maturity. The estimated market value of the investment as at 30 June 2015 was \$1,484,100 and as the term approaches the maturity date, this value increases and could return a small capital profit. This investment is no longer earning any investment income and is adversely impacting the achievement of Council's benchmark rate of return. As this investment matures in October, it has been reclassified from non current to current.

### *Income Return*

The average rate of return on Investments for the month of 2.43% exceeded Council's benchmark Bank Bill Swap Rate (BBSW) of 2.13% by 0.30% or 14.08%.

On a year to date basis, interest received and accrued totals \$57,775 which is 16.99% of the annual budget (i.e. 1.94% over budget).

Depending upon the timing of forecast cash flows, consideration may have to be given to investing for longer terms to maintain higher interest yields.

### **Options**

Nil

### **Financial Implications**

Based on the current investment market and Council's current investment holdings and maturity dates, the average rate of return on Council's investment portfolio will continue to exceed the BBSW benchmark rate.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

### Summary

Financial Institution	Lodgement Date	Maturity Date	Total Days	Rating	Yield	Amount
<b>At Call Accounts</b>						
NAB Cash Maximiser	1-Aug-15	at call	at call	AA-	2.19%	3,725,778
ANZ at Call	1-Aug-15	at call	at call	AA-	1.75%	1,313,356
Community Mutual Group	1-Aug-15	at call	at call		2.45%	2,663,015
Westpac at Call	1-Aug-15	at call	at call	AA-	-	37,236
NAB Eftpos At Call	1-Aug-15	at call	at call	AA-	-	383,983
						<b>8,123,368</b>
<b>Term Deposits</b>						
ANZ	30-June-15	01-Sept-15	63	AA-	2.60%	1,000,000
NAB	15-June-15	13-Sept-15	90	AA-	2.95%	1,000,000
Bank Of QLD	02-Apr-15	29-Sept-15	180	BBB+	3.00%	1,600,000
Bank Of QLD	31-July-15	02-Nov-15	94	BBB+	2.76%	1,000,000
Suncorp Treasury	26-Aug-15	24-Nov-15	90	BBB+	2.77%	1,000,000
NAB	26-Aug-15	24-Nov-15	90	AA-	2.85%	1,000,000
						<b>6,600,000</b>



# WARRUMBUNGLA SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

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<b>Capital Protected Note</b>						
Octagon Ltd.	25-Oct-05	25-Oct-15	10 yrs	AA	-	1,500,000
						<b>1,500,000</b>
<b>TOTAL</b>						<b>16,223,368</b>

# WARRUMBUNGLE SHIRE COUNCIL

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Table 1: Investment Balances as at 31 August 2015

Bank	Opening Balance	Net Placements/ Withdrawals	Interest Accrued/ Received	Closing Balance
NAB Cash Maximiser	4,309,899	(600,000)	15,879	3,725,778
ANZ At Call	1,311,303	-	2,053	1,313,356
Community Mutual Group	2,657,485	-	5,530	2,663,015
Westpac General At Call	41,037	(3,801)	-	37,236
NAB Eftpos At Call	123,847	260,136	-	383,983
NAB	1,005,239	(1,007,436)	2,197	-
NAB	1,003,708	-	2,499	1,006,207
Bank Of Qld	1,615,738	-	4,066	1,619,804
ANZ	1,002,203	-	2,203	1,004,406
Bank Of Qld	1,000,000	-	2,338	1,002,338
Suncorp Treasury	-	1,000,000	378	1,000,378
NAB	-	1,000,000	389	1,000,389
<b>Total</b>	<b>14,070,459</b>	<b>648,899</b>	<b>37,532</b>	<b>14,756,890</b>

Table 2: At Call and Term Deposits - Monthly Movements

### 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.

\_\_\_\_\_  
Responsible Accounting Officer

### RECOMMENDATION

That Council accept the Investments Report for the month ending 31 August 2015.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 20 Rates Report for Month Ending 31 August 2015

<b>Division:</b>	Corporate and Community Services
<b>Management Area:</b>	Financial Services
<b>Author:</b>	Water Officer – Rachael Carlyle
<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 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 Office of Local Government (OLG) 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 2015 was 8.44% which is below the OLG recommended benchmark.

### **Issues**

The outstanding rates and annual charges ratio at 12.94%. This figure is higher than the 10% benchmark proposed by the OLG. The slight increase is due to the first instalment of rates falling due at the end of August. The overall outstanding charges ratio (including consumption charges) as at 31 August 2015 is 15.35%.

### **Options**

For Council Information

### **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.

# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

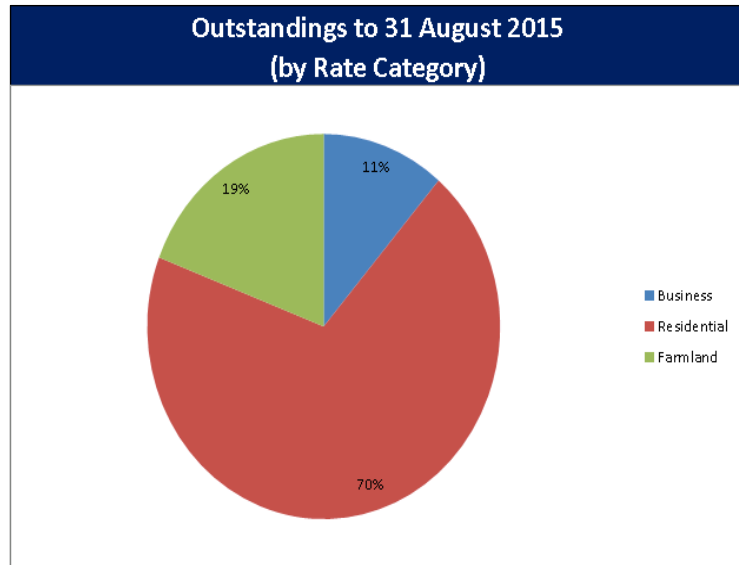
RATE/CHARGE TYPE	RATE ARREARS 2014/15	2015/16 LEVY	Pensioner Write off	Abandoned	Interest	Legal Fees	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDING 2015/16	COLLECTION % 2015/16	Total Arrears as at EOM	Outstanding Rates and Annual Charges %
General	625,471	7,592,204	(164,919)	1,067	6,219	14,056	8,074,098	(2,105,272)	5,968,826	26.07%	1,006,087	12.46%
Water	198,238	1,342,156	(72,408)	(15)	2,041	-	1,470,012	(439,683)	1,030,329	29.91%	243,798	16.58%
Sewerage	67,107	1,028,657	(51,902)	(9)	668	-	1,044,521	(304,699)	739,822	29.17%	100,873	9.66%
Trade Waste	-	8,160	-	-	-	-	8,160	(3,826)	4,334	46.89%	277	3.39%
Garbage	220,480	1,897,113	(108,914)	(326)	2,283	-	2,010,636	(633,213)	1,377,423	31.49%	280,913	13.97%
<b>TOTAL RATES AND ANNUAL CHARGES</b>	<b>1,111,296</b>	<b>11,868,290</b>	<b>(398,143)</b>	<b>717</b>	<b>11,211</b>	<b>14,056</b>	<b>12,607,427</b>	<b>(3,486,693)</b>	<b>9,120,734</b>	<b>27.66%</b>	<b>1,631,948</b>	<b>12.94%</b>
Sewer Access (Water Billing)	188,605	207,125	-	-	1,037	-	396,767	(99,303)	297,464	25.03%	90,339	22.77%
Water Consumption	755,650	1,330,922	-	1,652	4,576	66	2,092,866	(426,535)	1,666,331	20.38%	335,006	16.01%
Sewer Consumption	49,044	86,863	-	-	132	-	136,039	(35,204)	100,835	25.88%	13,972	10.27%
Trade Waste	-	-	-	-	-	-	-	-	-	0.00%	-	0.00%
<b>TOTAL WATER SUPPLY SERVICES</b>	<b>993,299</b>	<b>1,624,910</b>	<b>-</b>	<b>1,652</b>	<b>5,745</b>	<b>66</b>	<b>2,625,672</b>	<b>(561,042)</b>	<b>2,064,630</b>	<b>21.37%</b>	<b>439,317</b>	<b>16.73%</b>
<b>GRAND TOTAL</b>	<b>2,104,595</b>	<b>13,493,200</b>	<b>(398,143)</b>	<b>2,369</b>	<b>16,956</b>	<b>14,122</b>	<b>15,233,099</b>	<b>(4,047,735)</b>	<b>11,185,364</b>	<b>26.57%</b>	<b>2,071,265</b>	<b>15.35%</b>

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Analysis by Council staff has indicated that a majority of the rates and annual charges outstanding amount 70% relates to residential properties, while 19% relates to farmland and 11% to business.

See graph to the right, and table of outstanding balances by rate group and rate/charge type below for further details.



Rates Type	Rates levy				Water levy				Grand Total
	General	Domestic Waste	Water Access	Trade Waste	Sewer Access	Water Usage	Sewer Usage	Trade Waste	
<b>Business</b>	91,275	40,811	23,364	277	26,713	37,577	13,972	-	233,989
<b>Residential</b>	523,769	234,402	220,434	-	164,499	297,429	-	-	1,440,533
<b>Farmland</b>	391,043	5,700	-	-	-	-	-	-	396,743
<b>Total</b>	<b>1,006,087</b>	<b>280,913</b>	<b>243,798</b>	<b>277</b>	<b>191,212</b>	<b>335,006</b>	<b>13,972</b>	<b>-</b>	<b>2,071,265</b>

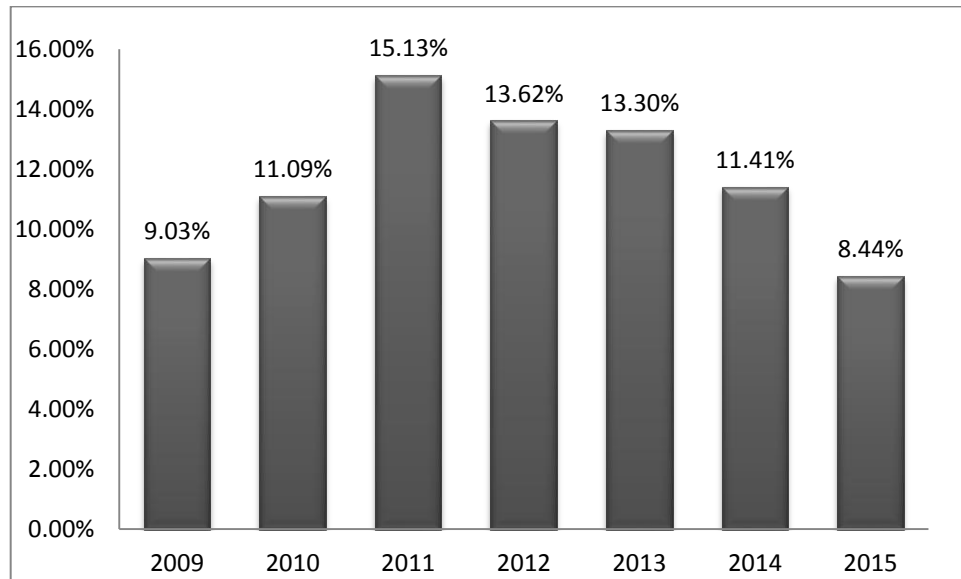
Collection of outstanding rates commences with an overdue letter which is received from Council giving 14 days to pay or contact Council requesting an arrangement, if no payment or contact is made a letter of demand is sent out by Council's Debt Recovery Agency giving 7 days to make a payment or contact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

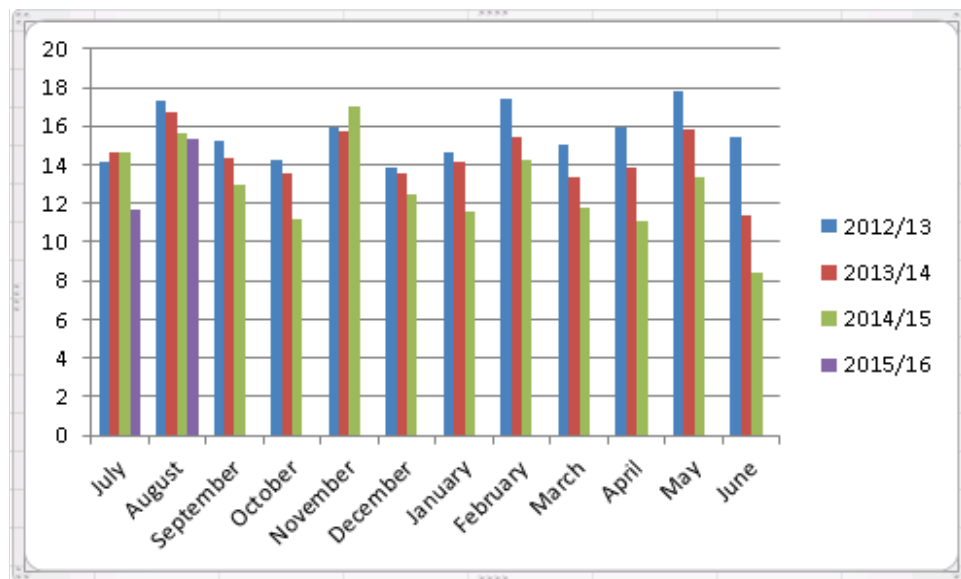
# WARRUMBUNGLE SHIRE COUNCIL

## Ordinary Meeting – 17 September 2015

**Graph 1: Ratio by Year**



**Graph 2: Ratio Month by Month**



### **RECOMMENDATION**

For Council's information.

# WARRUMBUNGLE SHIRE COUNCIL

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### Item 21 Proposed Tenders for Backup Water Supply Bore Project

<b>Division:</b>	Technical Services
<b>Management Area:</b>	Warrumbungle Water
<b>Author:</b>	Director Technical Services – Kevin Tighe
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	P17 Communities across the Shire are supported by the secure, long term supply of energy and clean water.

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### Reason for Report

A Council resolution is required to invite tenders for components of the water supply backup bore project.

### Background

Council will recall a report on the 21<sup>st</sup> May 2015 advising of successful funding submission for a project to install a backup water supply bore in Binnaway, Coolah and Mendooran. The works associated with the project are expected to be undertaken under contract, with prices expected to exceed staff delegation threshold. That is, in accordance with Section 55 of the Local Government Act, Council is required to invite tenders before entering into a contract if contract prices exceed \$150,000.

### Issues

The range of works for each bore project is similar in nature in each location and include the following;

1. Hydrogeological assessment to identify potential bore sites
2. Test drilling to determine quantity of available water
3. Production bore drilling and construction
4. Electrical supply and installation
5. Supply of pumps, telemetry & commissioning
6. Construction of connecting pipelines.

It is not proposed to develop a contract to cover all of the works listed above as there is uncertainty about the final location of each of the bores. The location of the bore can only be finalised once a desktop assessment is completed and on ground test drilling is completed, that is, items 3, 4, 5 & 6 can only be undertaken once items 1 & 2 are completed.

### Options

In accordance with Clause 166 of the Local Government Regulations, Council is required to determine method of tendering, that is, whether open tendering or selective tendering is preferred.

It is proposed to develop the following contracts for the project;

# **WARRUMBUNGLE SHIRE COUNCIL**

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- Contract for item 1 & 2. Assessment, siting and drilling of test bore for water supply for the towns of Coolah, Binnaway and Mendooran.
- Contract for item 3. Water supply production bore drilling for the towns of Coolah, Binnaway and Mendooran.
- Contract for item 4. Electrical connection for water supply bores in Coolah, Binnaway and Mendooran.
- Contract for item 5. Supply of pumps, telemetry and commissioning of town water supply bores in Coolah, Binnaway & Mendooran.

It is expected that Council staff will undertake works associated with item 6 and a Review of Environmental Factors (REF) will be undertaken by quotation.

### **Financial Considerations**

Total available funding for the project is \$1,337,800.

### **RECOMMENDATION**

That open tendering method is used to invite tenders for the following contracts associated with the water supply backup bore project;

- Contract for item 1 & 2. Assessment, siting and drilling of test bore for water supply for the towns of Coolah, Binnaway and Mendooran.
- Contract for item 3. Water supply production bore drilling for the towns of Coolah, Binnaway and Mendooran.
- Contract for item 4. Electrical connection for water supply bores in Coolah, Binnaway and Mendooran.
- Contract for item 5. Supply of pumps, telemetry and commissioning of town water supply bores in Coolah, Binnaway & Mendooran.



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### Item 22 2015/16 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 for 2015/16 is presented for information.

#### **Background**

The 2015/16 works program including expenditure until the end of August for all projects in Technical Services is presented in attachment 1.0. The report includes some of the significant projects commenced in 2014/15 that are ongoing.

Attachment 2.0 contains a list of unsealed roads scheduled for maintenance grading over the next two months.

#### **Issues**

The works program presented in attachment 1.0 contains draft 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 expenditure on the projects.

#### **RECOMMENDATION**

The 2015/16 works program presented in attachment 1.0 and attachment 2.0 is noted for information only.

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### Attachment 1.0 – Technical Services 2015/16 Works Program

Task Name	Finish Date	Budget Allocation (\$)	Expend. (\$)	% complete
<b>Technical Services</b>	<b>Fri 25/11/16</b>	<b>20,902,685</b>	<b>3,693,109</b>	<b>14%</b>
<b>Asset &amp; Design Services</b>	<b>Tue 3/05/16</b>	<b>146,500</b>	<b>42,796</b>	<b>0%</b>
Survey equipment	Tue 3/05/16	12,000	12,215	100%
Eng design software	Thu 14/04/16	13,000	0	0%
Bike Plan	Wed 25/11/15	40,000	0	0%
Kerb blister, Edwards/John	Mon 9/11/15	40,000	14,115	50%
Shared path, Edwards	Thu 17/12/15	40,000	16,466	80%
<b>Road Safety Programme</b>	<b>Thu 14/01/16</b>	<b>1,500</b>	<b>0</b>	<b>0%</b>
Just Slow Down	Thu 14/01/16	1,500	0	0%
Free Cuppa for driver	Thu 14/01/16	0	0	0%
<b>Fleet Services</b>	<b>Fri 27/05/16</b>	<b>3,563,639</b>	<b>665,925</b>	<b>0%</b>
Minor plant purchases	Fri 27/05/16	15,000	0	0%
Dog Trailer	Fri 15/01/16	35,000	0	0%
Chain Digger	Fri 15/01/16	40,000	0	0%
VMS	Wed 3/02/16	25,000	0	0%
Kerb Maker	Wed 3/02/16	25,000	0	0%
Generator (Sewer/water) trailer	Wed 3/02/16	20,000	0	0%
Mobile traffic lights	Wed 3/02/16	30,000	0	0%
Shed at Coolah depot	Fri 4/03/16	20,000	0	0%
Coona Workshop	Tue 22/03/16	25,000	0	0%
Dunedoo depot underground storage	Fri 25/09/15	63,793	72,241	100%
Plant & equipment purchases	Fri 27/05/16	3,264,846	593,684	20%
<b>Road Operations</b>	<b>Thu 30/06/16</b>	<b>11,208,736</b>	<b>1,611,566</b>	<b>0%</b>
<b>RMS Work Orders</b>	<b>Fri 29/04/16</b>	<b>1,000,000</b>	<b>129,293</b>	<b>0%</b>
Works orders	Fri 29/04/16	1,000,000	129,293	10%
<b>Local Roads</b>	<b>Thu 30/06/16</b>	<b>5,498,436</b>	<b>743,912</b>	<b>0%</b>
<b>Local Roads reseals</b>	<b>Thu 31/03/16</b>	<b>441,520</b>	<b>0</b>	<b>0%</b>
Bugaldie Goorianawa Rd	Thu 31/03/16	42,400	0	0%
Cooks Rd	Thu 31/03/16	31,320	0	0%
Coolah Crk Rd	Thu 31/03/16	22,800	0	0%
Digilah East Rd	Thu 31/03/16	30,000	0	0%
Spring Ridge Rd	Thu 19/11/15	30,000	0	0%
Sir Ivan Dohety Rd	Thu 31/03/16	30,000	0	0%
Kanoona Rd	Thu 31/03/16	30,000	0	0%
Lawson Park Rd	Thu 31/03/16	30,000	0	0%
Premier Tambar Springs Rd	Thu 31/03/16	60,000	0	0%
Maranoa Rd	Thu 31/03/16	35,000	0	0%
Sansons Lane	Thu 31/03/16	30,000	0	0%
Box Ridge Rd	Thu 31/03/16	70,000	0	0%
<b>Local Roads bridges</b>	<b>Thu 30/06/16</b>	<b>3,334,688</b>	<b>658,621</b>	<b>0%</b>
Coonagoony bridge	Tue 12/04/16	261,000	0	0%
Orana Road bridge	Wed 23/03/16	450,000	339	0%
Ross Crossing bridge	Thu 30/06/16	698,855	0	0%
Worrigal Creek bridge	Fri 28/08/15	312,908	356,782	100%
Baradine Creek bridge	Fri 27/11/15	1,017,000	301,500	25%
Kenebri bridge	Fri 29/01/16	594,925	0	0%
<b>Local Road pavements</b>	<b>Wed 29/06/16</b>	<b>759,500</b>	<b>65,964</b>	<b>0%</b>

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Task Name	Finish Date	Budget Allocation (\$)	Expend. (\$)	% complete
Box Ridge Rd causeway rehab.	Wed 29/06/16	52,500	0	0%
Bugaldie/Goorianawa Rd rehab.	Fri 18/12/15	160,000	0	0%
Coolah Ck Rd rehab.	Fri 18/12/15	120,000	64,193	60%
Intersection Digilah/Lockerbie, pipes	Wed 29/06/16	60,000	0	0%
Mitchell Springs Rd, erosion control	Fri 29/01/16	97,000	0	0%
Neilrex Rd pavement rehab.	Fri 18/12/15	270,000	1,771	2%
<b>Local Roads Gravel Resheeting</b>	<b>Fri 24/06/16</b>	<b>962,728</b>	<b>19,327</b>	0%
Box Ridge Rd	Fri 30/10/15	120,000	0	0%
Mitchell Springs Rd	Fri 27/11/15	110,000	0	0%
Sansons Lane	Fri 27/11/15	55,000	0	0%
Uliman Rd	Fri 27/11/15	50,000	0	0%
Yuggel Rd	Fri 27/11/15	100,000	0	0%
Baradine Showground	Fri 25/09/15	35,000	0	0%
Barwon	Fri 25/09/15	30,000	0	0%
Narrawa (south)	Fri 25/09/15	60,000	328	0%
Orana Rd	Fri 28/08/15	75,000	0	0%
Boomley Rd	Fri 27/11/15	150,000	0	0%
Merryula Rd	Fri 24/06/16	90,000	10,916	10%
Toorawandi Rd	Fri 24/06/16	40,000	8,083	10%
Carmel Ln	Fri 24/06/16	47,728	0	0%
<b>Regional Roads</b>	<b>Fri 24/06/16</b>	<b>4,710,300</b>	<b>738,361</b>	0%
<b>Regional Roads reseals</b>	<b>Thu 31/03/16</b>	<b>452,300</b>	<b>0</b>	0%
MR 129 Segs; 255,270,290,295,300	Thu 31/03/16	292,315	0	0%
MR396 Segs; 1470,1580	Thu 31/03/16	159,985	0	0%
<b>Pavement Rehab</b>	<b>Fri 26/02/16</b>	<b>969,000</b>	<b>0</b>	0%
Black Stump Way rehab.	Wed 20/01/16	800,000	0	0%
Baradine Rd shlder widening	Fri 26/02/16	169,000	0	0%
<b>Black Spot programme</b>	<b>Thu 5/05/16</b>	<b>1,074,000</b>	<b>7,203</b>	0%
Black Stump Way, Sth Tambar shlder wide	Thu 22/10/15	239,000	0	0%
Black Stump Way, Sth Coolah, shlder, guardrail	Wed 2/12/15	335,000	0	0%
Baradine Rd, shlder, guardrail	Thu 5/05/16	500,000	7,203	0%
<b>Regional Road Bridges</b>	<b>Fri 24/06/16</b>	<b>2,215,000</b>	<b>731,158</b>	0%
Mow Creek bridge(1)	Fri 11/09/15	1,250,000	731,158	80%
Allison bridge	Fri 24/06/16	965,000	0	0%
<b>Urban Services</b>	<b>Fri 24/06/16</b>	<b>2,643,244</b>	<b>1,299,838</b>	0%
<b>Ovals</b>	<b>Fri 18/03/16</b>	<b>620,000</b>	<b>415,373</b>	0%
Robertson Oval netball (1)	Fri 28/08/15	480,000	415,373	95%
Canteen - Baradine Oval	Fri 18/03/16	70,000	0	0%
Sporting precinct master plan	Fri 26/02/16	5,000	0	0%
Netball Courts - Coonabarabran	Fri 25/09/15	65,000	0	0%
<b>Swimming Pools</b>	<b>Fri 27/05/16</b>	<b>81,000</b>	<b>0</b>	0%
<b>Baradine</b>	<b>Fri 13/11/15</b>	<b>12,500</b>	<b>0</b>	0%
Renewal of pool lights	Fri 13/11/15	12,000	0	0%
Renewal of signs	Fri 25/09/15	500	0	0%
<b>Binnaway</b>	<b>Fri 27/05/16</b>	<b>20,500</b>	<b>0</b>	0%
Pump Room rehab	Fri 27/05/16	5,000	0	0%
Renewal of signs	Fri 25/09/15	500	0	0%
Shade structure	Fri 25/09/15	15,000	0	0%

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Task Name	Finish Date	Budget Allocation (\$)	Expend. (\$)	% complete
<b>Coolah</b>	<b>Fri 25/09/15</b>	<b>500</b>	<b>0</b>	<b>0%</b>
Renewal of signs	Fri 25/09/15	500	0	0%
<b>Coonabarabran</b>	<b>Fri 25/09/15</b>	<b>41,500</b>	<b>0</b>	<b>0%</b>
renewal of fence- toddlers pool	Fri 25/09/15	1,000	0	0%
renewal of signs	Fri 25/09/15	500	0	0%
concrete repairs toddlers pool	Fri 25/09/15	15,000	0	0%
Hot water installation	Fri 25/09/15	13,000	0	0%
renewals	Fri 25/09/15	12,000	0	0%
<b>Dunedoo</b>	<b>Fri 25/09/15</b>	<b>500</b>	<b>0</b>	<b>0%</b>
renewal of signs	Fri 25/09/15	500	0	0%
<b>Mendooran</b>	<b>Fri 27/05/16</b>	<b>5,500</b>	<b>0</b>	<b>0%</b>
renewal of pumps	Fri 27/05/16	5,000	0	0%
renewal of signs	Fri 25/09/15	500	0	0%
<b>Town Streets</b>	<b>Fri 24/06/16</b>	<b>1,942,244</b>	<b>884,465</b>	<b>0%</b>
<b>Baradine</b>	<b>Fri 24/06/16</b>	<b>217,038</b>	<b>37,261</b>	<b>0%</b>
Progress Ass'n - gardens	Fri 28/08/15	5,000	0	0%
Flood levee	Fri 24/06/16	200,038	37,261	20%
New garbage bins	Fri 25/09/15	2,000	0	0%
Footpath rehab	Fri 29/04/16	10,000	0	0%
<b>Binnaway</b>	<b>Fri 29/01/16</b>	<b>115,750</b>	<b>3,112</b>	<b>0%</b>
Railway Street K&G	Mon 3/08/15	90,750	0	0%
Progress Ass'n - gardens	Fri 28/08/15	5,000	0	0%
Drainage pipe renewal, Renshaw/Railway	Fri 25/09/15	10,000	0	0%
Street light	Fri 29/01/16	10,000	3,112	50%
<b>Coolah</b>	<b>Fri 22/04/16</b>	<b>537,456</b>	<b>232,523</b>	<b>0%</b>
Booyamurra St rehab(1)	Fri 11/09/15	408,456	231,775	50%
Cycleway extension	Mon 11/04/16	106,000	0	0%
Street Light	Fri 30/10/15	8,000	748	
Footpath rehab	Fri 22/04/16	15,000	0	0%
<b>Coonabarabran</b>	<b>Fri 29/04/16</b>	<b>475,000</b>	<b>38,095</b>	<b>0%</b>
Cycleway underpass, Mary Jane Cain bridge	Fri 18/12/15	100,000	0	0%
Kerb blister, John/Cassilis	Fri 27/11/15	45,000	0	0%
Cycleway, north of bridge	Fri 26/02/16	160,000	0	0%
Footpath rehab, Dalgarno(John to Cowper)	Fri 29/04/16	20,000	0	0%
Pave rehab, Dalgarno St West	Fri 28/08/15	20,000	0	0%
John St. K&G rehab	Wed 26/08/15	70,000	0	0%
Shared path, Cooinda	Fri 31/07/15	60,000	38,095	60%
<b>Dunedoo</b>	<b>Fri 27/05/16</b>	<b>587,000</b>	<b>573,474</b>	<b>0%</b>
Heavy Vehicle Parking area(1)	Fri 27/05/16	422,000	416,857	100%
Milling Park Toilet(1)	Fri 25/09/15	150,000	156,617	100%
Footpath rehab	Fri 27/05/16	10,000	0	0%
Wallaroo drain. Design	Fri 26/02/16	5,000	0	0%
<b>Mendooran</b>	<b>Fri 29/04/16</b>	<b>10,000</b>	<b>0</b>	<b>0%</b>
Footpath rehab.	Fri 29/04/16	10,000	0	0%
<b>Warrumbungle Water</b>	<b>Fri 25/11/16</b>	<b>3,017,566</b>	<b>47,962</b>	<b>0%</b>
<b>Baradine</b>	<b>Fri 24/06/16</b>	<b>505,000</b>	<b>0</b>	<b>0%</b>
Meter replacements	Fri 24/06/16	5,000	0	0%
Renewal of treatment plant clarifier	Fri 27/05/16	500,000	0	0%

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Task Name	Finish Date	Budget Allocation (\$)	Expend. (\$)	% complete
<b>Binnaway</b>	<b>Fri 25/11/16</b>	<b>500,000</b>	<b>0</b>	<b>0%</b>
Meter replacements	Fri 24/06/16	5,000	0	0%
Renewals water treatment plant	Fri 29/04/16	20,000	0	0%
Back up bore	Fri 25/11/16	475,000	0	0%
<b>Coolah</b>	<b>Fri 25/11/16</b>	<b>490,200</b>	<b>5,964</b>	<b>0%</b>
Mains extension - removal of dead ends	Thu 24/12/15	40,000	4,856	5%
Meter replacements	Fri 24/06/16	5,000	0	0%
Back up bore	Fri 25/11/16	445,200	1,108	0%
<b>Coonabarabran</b>	<b>Fri 25/11/16</b>	<b>986,766</b>	<b>26,494</b>	<b>0%</b>
meter replacements	Fri 24/06/16	10,000	0	0%
Tools	Fri 24/06/16	3,000	488	0%
Main extension - Jubilee Street	Fri 30/10/15	66,051	9,006	5%
Mains extension - removal of dead ends	Thu 24/12/15	60,000	0	0%
Raising Timor Dam wall - study	Fri 25/11/16	599,860	0	0%
Timor Dam - Fence repairs	Fri 26/11/15	197,855	17,000	30%
Telemetry upgrade - design	Fri 25/03/16	50,000	0	0%
<b>Dunedoo</b>	<b>Fri 24/06/16</b>	<b>113,000</b>	<b>15,504</b>	<b>0%</b>
Tools	Fri 24/06/16	3,000	0	0%
Evans Street - new main	Thu 24/12/15	50,000	15,504	20%
Bullinda Street, reservoir roof	Fri 25/03/16	60,000	0	0%
<b>Mendooran</b>	<b>Fri 25/11/16</b>	<b>422,600</b>	<b>0</b>	<b>0%</b>
meter replacements	Fri 24/06/16	5,000	0	0%
Back up bore	Fri 25/11/16	417,600	0	0%
<b>Warrumbungle Sewer</b>	<b>Fri 24/06/16</b>	<b>323,000</b>	<b>25,022</b>	<b>0%</b>
<b>Baradine</b>	<b>Fri 24/06/16</b>	<b>55,000</b>	<b>25,022</b>	<b>0%</b>
Treatment plant component renewal	Fri 24/06/16	10,000	0	0%
Pump station odour bed	Fri 25/09/15	45,000	25,022	50%
<b>Coolah</b>	<b>Fri 26/02/16</b>	<b>85,000</b>	<b>0</b>	<b>0%</b>
Mains relining	Fri 26/02/16	50,000	0	0%
Grit chamber invest. & design	Fri 26/02/16	30,000	0	0%
RV dump site	Fri 25/09/15	5,000	0	0%
<b>Coonabarabran</b>	<b>Fri 24/06/16</b>	<b>133,000</b>	<b>0</b>	<b>0%</b>
Mains relining	Fri 26/02/16	70,000	0	0%
Tools - sewer rods	Fri 24/06/16	3,000	0	0%
Pump station renewal	Fri 26/02/16	60,000	0	0%
<b>Dunedoo</b>	<b>Fri 26/02/16</b>	<b>50,000</b>	<b>0</b>	<b>0%</b>
Mains relining	Fri 26/02/16	50,000	0	0%

Notes

(1) Includes budget allocation and expenditure from 2014/15 & 2015/16

# WARRUMBUNGLA SHIRE COUNCIL

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### Attachment 2.0

Unsealed Roads – Completed grading Maintenance, year to date

Road Name	Category	Length
Avonside West	2	5.4
Bellings	2	3
Beni Crossing	1	5
Boogadah	3	4.21
Dennykymine	1	6.4
Keech's	2	4.2
Leaders	2	2.5
Marona	2	1.3
Merryula	2	3
Mia Mia	2	9.3
Neilrex	1	3
Pibbon	2	14.7
Sherbrooke	3	2
Uphills	2	1.4
Wattle Springs	2	5.5
Avonside East/North	1	4.2
Borah Creek	2	5.8
Upper Laheys Creek	3	9.3
Leaders	2	18
Madigan	3	2.9
Mitchell Spring	1	11.5
Neilrex	1	4
Tibuc	3	2
Yaminbah	2	9.8

### Unsealed Road - Upcoming Grading Maintenance program

Mt Hope Road  
Laheys Creek & surrounding roads  
Munns Road  
Dandry Road & surrounding roads  
Morrisseys Road  
River Road

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### Item 23 Scores on Doors Program

<b>Division:</b>	Development Services
<b>Management Area:</b>	Regulatory Services
<b>Author:</b>	PA to Director Development Services – Kelly Dewar
<b>CSP Key Focus Area:</b>	Local Government and Finance
<b>Priority:</b>	GF5.2 Council recognises the importance of its role in the care and protection of the natural, built, economic and social environments.

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### Reason for Report

Council has received correspondence from The Hon Niall Blair MLC seeking Council's support for the Scores on Door program in the Shire.

### Background

In March 2014 Council considered a report relating to Scores on Doors. The concept of Scores on Doors was rejected by Council at the time. Council has been approached to revisit the original decision; seeking an outcome of Council to support this project; a copy of the correspondence is provided under separate cover.

The program has already been adopted in 36 authority areas and a further 20 Councils have indicated their readiness to implement the scheme in the 2015-16 financial year. The NSW Government is presently implementing strategies to support the successful rollout of the program across the State.

The NSW Food Authority works with Councils to improve food safety and hygiene through the Food Regulation Partnership. The success of the partnership have been recognised by the Independent Pricing and Regulatory Tribunal in its *Local government compliance and enforcement* report as a model for better regulatory relationships in NSW.

To meet its commitments to safe food and informed consumer choice, the NSW Government seeks full cooperation from all Councils in this initiative.

Council's Environmental Health Officer undertakes food inspections to ensure compliance with hygiene and food safety requirements. Scores on Doors is a NSW wide program to display onsite the results of food premises inspections for hygiene and food safety.

Following Council's routine inspections, eligible food premises receive a hygiene and safety rating. Businesses assessed as Good, Very Good or Excellent receive a certificate which can then be displayed on shop windows or near the entrance to the premises.

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### **Issues**

Implementing the program provides local food services with an incentive to raise standards in food hygiene and safety.

### **Options**

To either be involved in Scores on Doors or not.

### **Financial Considerations**

The Scores on Doors program is implemented by Council's Environmental Health Officer as part of routine inspections. All certificates and associated documentation is provided free by the NSW Food Authority.

### **RECOMMENDATION**

For Council's Information



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### Item 24 Update on Waste Management

<b>Division:</b>	Development Services
<b>Management Area:</b>	Warrumbungle Waste
<b>Author:</b>	Manger Regulatory Services – Robert Jehu
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	PI8 – Local communities have access to effective and efficient waste and recycling services

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### Reason for Report

To provide Council with an update on waste management actions as a result of Resolution 280/1415 relating to waste management changes within WSC.

### Background

At the December 2014 Ordinary Meeting of Council it was stated that a range of waste financial models relating to various ways that waste services could be delivered across the Shire would be presented for Council's consideration at the February 2015 Ordinary Meeting of Council. These models were generated as a direct result of a proposal that was adopted by Council on 15 August 2013 whereby it was proposed that all waste collection services for recycling and domestic waste would be tendered and contracted. As reported in December 2015 queries were raised with the financial information presented to Council under a proposed contract arrangement and the possible negative outcomes for Council and the local communities as well as for Council's own employees.

To progress the matter forward the report included an attached document on Waste Financial Models (prepared in-house) providing Council with information and costing on five specific scenarios for delivery of waste services. In fairness to provide a comparison, the abovementioned contract model was included as one of the scenarios.

At the March 2015 Ordinary Meeting of Council a resolution was made to seek Expressions of Interest (EOI) from waste contractors to develop and price a waste management model for Warrumbungle Shire Council. Council also accepted a proposal to introduce 240 litre bins to replace the recycling crates currently utilised on the Shire rural runs.

### Issues

It is noted the above waste actions have been slow to introduce. Waste actions remain the responsibility of Manager Regulatory Services. To progress the outstanding matters, Manager Regulatory Services has placed priority onto waste management, and timeframes have been developed to undertake development of the EOI document as well as the roll-out of new 240L wheelie bins to rural runs.

### Options

Warrumbungle Shire Council will be seeking Expressions of Interest from waste contractors to develop and price a waste management model for Warrumbungle Shire Council. This EOI will be sent to waste contractors by the 1 October 2015.

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The information required in this EOI would be for a waste contractor to provide the following information and data on the below three areas:

1. Develop and price a suitable putrescible waste collection system that meets the needs of current users of Council's waste collection system – includes residential and commercial users. Provide a cost of implementation.
2. Develop and price a suitable recycling collection system that meets the needs of current users of Council's waste collection system – includes residential and commercial users. Provide a cost of implementation.
3. Method and costs to transfer putrescible wastes from various transfer stations across the Shire to the Coonabarabran Landfill.
4. Method and costs to transfer recyclables from various transfer stations across the Shire to the Coonabarabran Recycling Centre.

If a suitable model is forthcoming then tenders may be called for the provision of waste services across the Shire.

The collection of recycling crates along the main roads within 100km/hr zones by the introduction of 240 litre recycle bins to replace the current crates will be implemented after the delivery of the bins and the installation of a sorting platforms for recyclables installed at the Coonabarabran and Dunedoo facilities. The bins and platforms are being ordered this week with expected delivery time in 1 -2 weeks. It is envisaged that we will be implementing the replacement of the crates by the end of October.

### **Financial Considerations**

1. Cost of purchasing required 240l recycle bins in total = \$27,500.
2. Cost to introduce sorting platforms at Coonabarabran and Dunedoo approximately \$2,000.

### **RECOMMENDATION**

That Council introduces the new 240 litre bins to replace the current recycling crates on all rural runs commencing pickup in November 2015, and **FURTHERMORE** that a report be presented to Council after EOI process is undertaken to seek prices and models from interested waste contractors including Warrumbungle Shire Council.

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### Item 25 Len Guy Park Boundary Adjustment

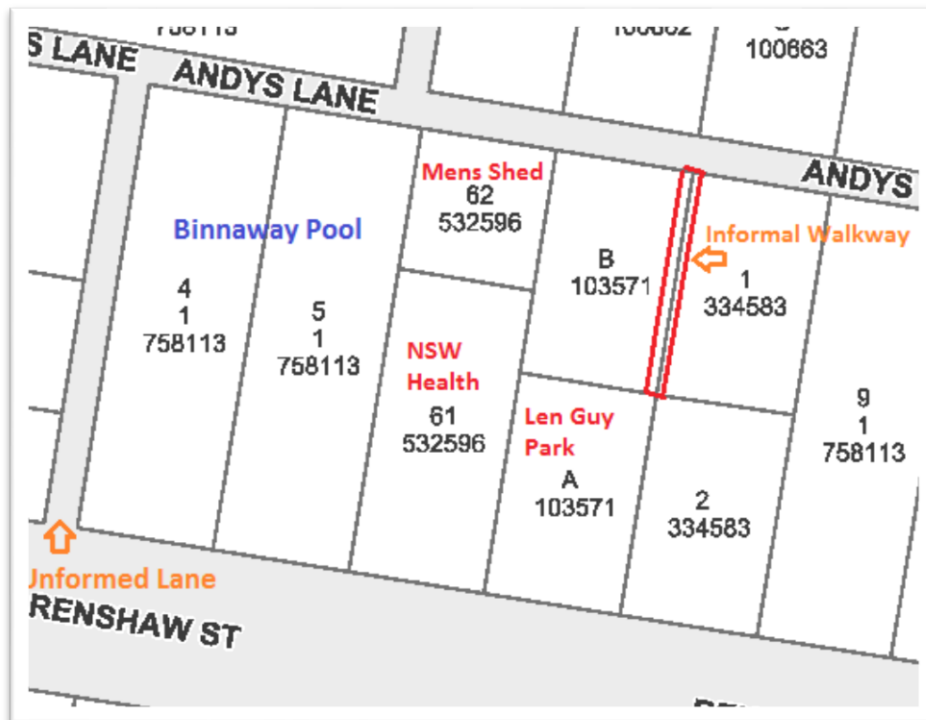
<b>Division:</b>	Development Services
<b>Management Area:</b>	Property and Risk
<b>Author:</b>	Manager Property and Risk – Jennifer Parker
<b>CSP Key Focus Area:</b>	Recreation and Open Space
<b>Priority:</b>	RO 1 - The planning and provision of local sports and recreation facilities and parklands reflect community needs and anticipated demographic changes.

### Reason for Report

Council has received correspondence from an adjoining neighbour to Len Guy Park in Binnaway regarding an outstanding resolution from October 2007 (Resolution 117) relating to a boundary encroachment onto neighbouring property from Len Guy Park. The matter remains outstanding requiring finalisation.

### Background

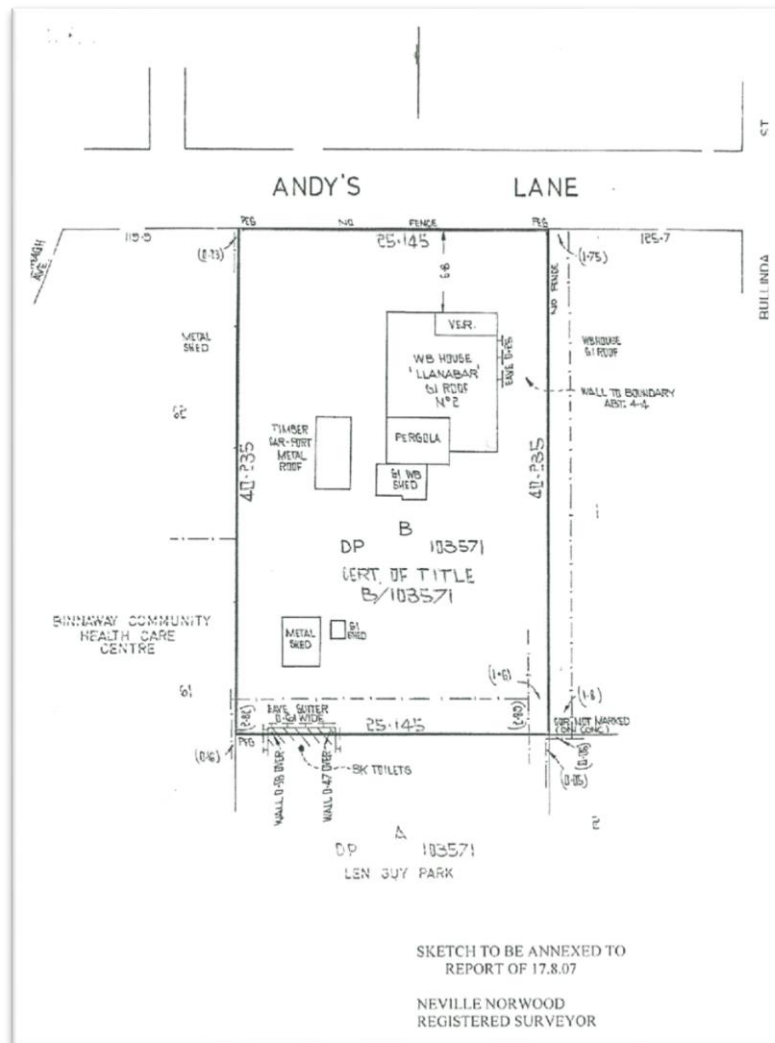
In October 2007 a report was presented to Council addressing complaints about an informal pedestrian walkway being used by Binnaway residents as a convenient short-cut from Andy's Lane to Renshaw Street on the right side of Lot B DP103571. A plan of the area is provided below. This path is not supported by any identifiable legal agreement running through private property.



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The report went on to say that in response to an approach to Council by the current owner of Lot B DP103571 a budget allocation of \$5,000 was provided in the 2007/2008 budget to cover the cost of legal and practical processes necessary to investigate and correct any anomalies in this area and fencing. A copy of the Surveyor's sketch plan showing the encroachments is provided below and shows some remnant fencing in the vicinity of the informal walkway.



*Copy of Sketch plan used in original business paper*

The Registered Surveyor's report at the time (and its inherent property searches) did not identify any legal rights easement over the informal walkway. In addition the encroachment of the existing brick toilet block onto the land was shown to be 1.19 metres.

A new walkway was proposed to be developed through creation of an easement and via a boundary adjustment on either the eastern side or western side of the land to the north utilising approximately seventy (70) square metres of land from Lot 61 DP 532596.

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As part of the enquiries at that time it had also been identified that the septic system serving the public toilets is located on land belonging to NSW Health; and further that a legal laneway (currently not in use) exists on the western side of the Binnaway Pool (approximately one hundred (100) metres to the west of the current informal walkway). It is also noted for the purposes of this report that Council is the owner of the land on which Binnaway Men's' Shed stands (Lot 62 DP 532596) located at the rear of the Community Health Care Centre.

As part of prior discussions with the current owners of Lot B DP 103571 and Lot 1 DP 334583 (upon which the informal walkway existed) it was identified that they would prefer to relocate the walkway to the western side of Lot B.

The following proposal had been offered to the owner of Lot B DP103571 as a means of resolving encroachment issues from the toilet block and the informal walkway: -

1. That Council will cover all survey, search and plan registration costs associated with a boundary adjustment between Lot A (Len Guy Park) and Lot B DP103571 to create a 1.6 metre wide walkway on the western side of Lot B and including an adjustment to wholly accommodate the brick toilet building onto Lot A. Estimated cost \$3,000.
2. That Council will cover the costs associated with tree stump removal, signage, public advertisements and Colorbond® fencing heading east from the existing brick toilets to the existing fencing of Lot 2 DP334583 and heading north along the new property line to Andy's Lane. Estimated cost in 2007 of \$1,500.

The business paper did say that this offer had been verbally refused by the current owner of Lot B DP103571, with the additional request that Council immediately close the current informal walkway.

The owner of Lot B, DP103571 disputes the above statement that the offer had been verbally refused and only due to the owners personal health issues had not taken action with Council regarding this at the time.

The recommendation resolved at the October 2007 Ordinary Council Meeting was;

### **4.1 PEDESTRIAN ACCESS TO REAR OF LEN GUY PARK, BINNAWAY 117 RESOLVED:**

1. *That the offer outlined above and made to the current owner of Lot B DP 103571 be withdrawn.*
2. *That the current owners of Lot B DP 103571 and Lot 1 DP 334583 be advised that the issue of trespass on their land is outside Council's control.*
3. *That cost estimates be prepared on the options of (1) reconstructing the rear wall of the brick toilets within the boundary of Len Guy Park and (2) undertaking the compulsory acquisition process necessary to acquire up to a maximum of twelve (12) square metres of land from the current owner of Lot B DP 103571.*
4. *That the Lions Club of Binnaway be approached regarding its expectations with the low level chain mesh fence currently situated on Lot B DP 103571.*

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5. *That the Greater Western Area Health Service be approached regarding its views on a boundary adjustment with either or both parcels of neighbouring Council owned land such that the septic tank and effluent disposal area can be transferred back to Council for both septic tank maintenance purposes and facilitation of a walkway between Len Guy Park and Andy's Lane.*
6. *That the Binnaway Progress Association, as a representative community organisation, be approached to ascertain its preferences in this matter, and*
7. *That Council consider a further report on this matter following responses to the above requests.*

**Dawson/Hill**

### **Issues**

Upon investigation of the actioning of the above resolution it was noted that some of the items have been addressed, but not all. Following is a breakdown of the resolution and actions undertaken;

1. The offer outlined in the business paper to the current owner of Lot B DP103571 had been formally withdraw on the purported verbal withdrawal. This verbal retraction from the owner of Lot B DP103571 is being disputed by the owner; no correspondence has been received by Council stating that the owner refused Councils offer.
2. The owners of Lot B DP103571 and Lot 1 DP334583 have been formally advised that the issue of trespass on their land was outside Councils control.
3. No cost estimate has been found for Option (1) reconstructing the rear wall of the brick toilet block within the boundary of Len Guy Park and (2) undertaking the compulsory acquisition process necessary to acquire up to the maximum to (12) twelve square metres of the land of the owner of Lot B DP 103571 has not been initiated by Council. The suggested 12m<sup>2</sup> compulsory acquisition of only the land that is encroached on seems minor when the owner has agreed to gift 38m<sup>2</sup> of land to Council for the cost of legal expenses and fencing. The owner does have the right to demand that Council pull down the part of the building on their land and under the Conveyancing Act 1919 and Council would have no option but to comply with this request.
4. The Lions Club of Binnaway were approached by Council regarding the low level chain mesh fence currently situated within the boundary of Lot B DP 103571 and they advised they had no preferences for the fence.
5. NSW Health had been approached and have agreed for the boundary adjustment and a portion of their land to be transferred to Council for both septic tank maintenance purposes and facilitation of a formal walkway between Len Guy Park and Andy's Lane. This walkway has since been constructed and is in use. The finalisation for the boundary adjustments had been lodged at LPI but no further action had been progressed by either Council or the surveyor.

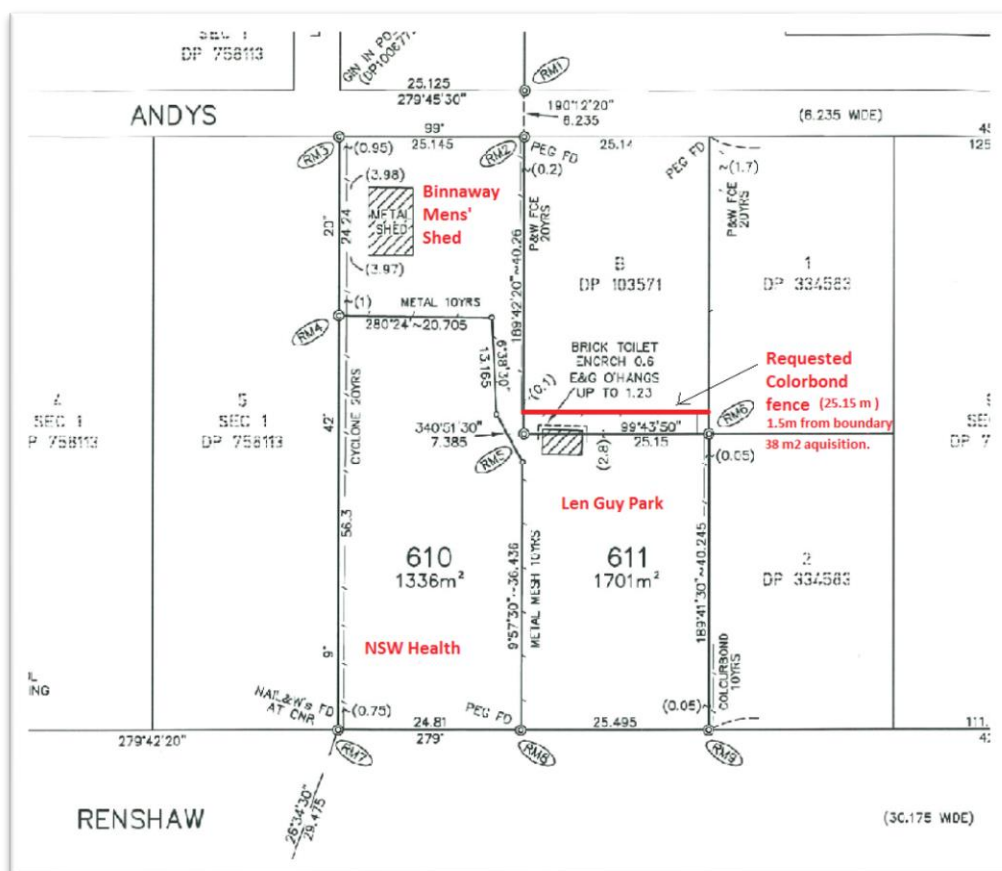
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- To Councils knowledge the Binnaway Progress Association had not been formally approached regarding its preference in this matter, and
- No further report was done for Council regarding this matter.

### Current Situation

In July 2015 the owner of Lot B DP103571, again formally offered to provide the land affected by the encroachment to Council at no cost, providing that Council pays for and erects a 1.8 metre high Colorbond® fence at the rear of the land facing Len Guy Park meets all the costs of surveying, legal fees and land transfer fees. A letter outlining this offer has been provided for Councillors information under separate cover.



Plan displaying location of boundary adjustment at rear of Lot B DP103571 and location of new walkway.

### **Options**

Council has several options available to finalise the issue of the the encroachment and the walkway easement.

- Council continue on with the transfer of the land from NSW Health to Council to formalise the new walkway from Len Guy Park to Andy's' Lane and compulsory acquire the property of the encroachment of the toilets only (being 12m²) as stipulated in the previous resolution.

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2. Council can continue with the transfer of land from NSW Health for the new walkway from Len Guy Park to Andys Lane and Council accept the gifted land from the owner of Lot B DP103571 that incorporates the encroaching toilet block for the cost of the surveying, legal fees, land transfer fees and construction of a Colorbond® fence at Council's expense.
3. Knock down the toilet block and rebuild them within the boundary of Len Guy Park and construct the lane not currently formed on the western side of Binnaway Pool to provide access from Renshaw Street to Andys Lane.

Council already has consent from NSW Health for the boundary adjustment on their land and secured survey plans of the site.

### **Financial Considerations**

The cost incurred by Council up to this stage is about \$5,000 including surveying costs. To complete the necessary boundary adjustments it is expected other fees will be approximately \$5,000 for land transfer and legal fees.

The expected cost to install a new fence is expected to be about \$3,500 for materials and staff labour.

To dismantle the toilet and remove Council is looking at an estimated cost of about \$250,000. No costing on forming the lane to the west of the Binnaway Pool has been calculated at this stage.

### **RECOMMENDATION**

1. That Council finalise the boundary adjustment to facilitate a walkway between Renshaw Street to Andys Lane through Len Guy Park, Binnaway by adjusting the boundary of Lot 61 DP 532596 with assistance of land transfer from NSW Health and finalise the toilet block encroachment issue by accepting the donation of the land from the owner of Lot B DP 103571 in return for the cost of land transfer fees, surveying and legal fees and erection of a Colorbond® fence at the northern end of Guy Len Park, and
2. That Council allocate budget to complete the land transfers and fencing in the 2015/16 financial year, and
3. That Council authorise the Mayor and the General Manager to affix the Council Seal to complete the boundary adjustment and transfer of this land.



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### Item 26 Gift of Land for RFS Shed - Weetaliba

<b>Division:</b>	Development Services
<b>Management Area:</b>	Property and Risk
<b>Author:</b>	Manager Property and Risk – Jennifer Parker
<b>CSP Key Focus Area:</b>	Public Infrastructure and Services
<b>Priority:</b>	PI 1 - The long-term wellbeing of our communities is supported by ongoing provision of high quality health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management.

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### Reason for Report

Council has been approached by a local landholder in Weetaliba regarding the gifting of land to enable re-establishment of an RFS shed in this area. NSW Rural Fire Services (RFS) support the gifting of land to Council specifically for the location of a new RFS shed to service the Weetaliba surrounds.

### Background

Originally the Weetaliba RFS shed was built on Lot 6 DP132223 with the agreement of the owner in 1997. The owner had an informal agreement with the RFS for the facility to be located on the property as there was no other land available in the Weetaliba district at the time.

Lot 6 DP132223 was sold in 2002; it seems the RFS shed was not separated by title at the time of the sale and formed part of the sale of the property. The shed and its contents have been insured by Council. The contents remain the property of the RFS. In the last month the RFS have been asked by the current landowner to vacate the site. There is no formal agreement between Council/RFS and the current landowner of Lot 6 DP132223.

Council has now been offered an alternate site for location of an RFS shed being Lot 1, Section 2, DP759065. RFS agree that the site would be suitable for the siting of a new RFS shed to service the Weetaliba locality. The owner of Lot 1 Section 2 DP 759065 has requested that the all transfer costs be borne by Council; it is also requested that the new RFS shed be named after his late father. The property has a land area of 0.2HA and is located on the Warrumbungle Way within Weetaliba - opposite the site of the old Post Office.

This property is considered by the RFS to be a prime location for an RFS shed not just because of its proximity to a regional road but with its high visibility for the local community it will also have the potential of encouraging future membership to the RFS.

The local command district is seeking to build a Category 2a amended facility which includes toilets on this site.

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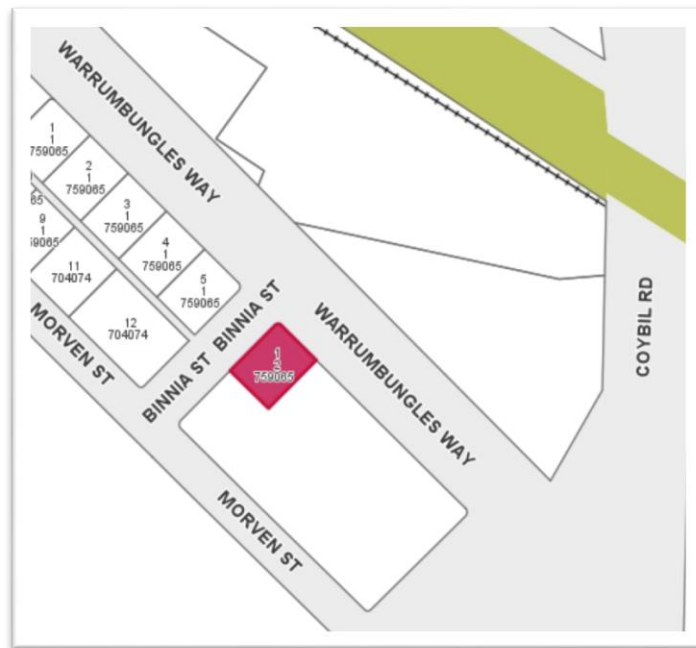
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### Issues

Without the availability of the original shed located on Lot 6 DP132223 the RFS have had to find an alternative storage for their equipment and truck.

The gifting of Lot 1, Section 2, DP 759065 would provide a site for construction of a new shed (providing storage space) to be built on Council owned land.

The project would be funded jointly by RFS and Council; 88.3% by RFS and 11.7% by Council as per the current Rural Fire District Service Agreement.



Location of Lot 1 Section 2 DP 759065

### Options

Council has the option to support the gifting of the land in Weetaliba and building of the new RFS shed (that could be scheduled for construction in the 2016/17 financial year) and cover the costs of the land transfer.

### Financial Considerations

The overall cost of the project is expected to be approximately \$262,000 which includes transfer of the land, building cost of the shed including DA fees (based on the known cost incurred by Council previously when costing for a Category 2 fire shed within the last 12 months). The expected final cost to Council being approximately \$30,700. When the project is completed the asset would be added Councils current property portfolio.

Legal costs for the transfer are expected to be about \$1,000.

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### **RECOMMENDATION**

That Council accept the donation of Lot 1, Section 2, DP 759065 for the siting of a new Category 2a fire shed at Weetaliba, and **FURTHER** that Council approves the General Manager and Mayor to affix Councils seal and sign the transfer deeds to execute the donation of Lot 1 Section 2 DP759065 and **FURTHERMORE** that this land be classified as operational land.

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### Item 27 Draft Development Control Plan 2015 Report to Council

<b>Division:</b>	Development Services
<b>Management Area:</b>	Town Planning
<b>Author:</b>	Temporary Town Planner – Phil Gibbon
<b>CSP Key Focus Area:</b>	Rural and Urban Development
<b>Priority:</b>	RU1.1 Council conducts periodic reviews of its planning controls to ensure that land use planning supports the long term sustainability of the Shires local community and economy.

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### Reason for Report

For consideration and adoption of Councils Draft Development Control Plan 2015. (DCP2015).

### Background

Council at its meeting held on 16 July 2015 resolved:

### ***Item 19 Draft Development Control Plan 2015***

***18/1516 RESOLVED*** that Council adopt the Draft Development Control Plan 2015 to enable exhibition for a period of 28 days for public comment and ***FURTHERMORE*** that a report be prepared for Council after the exhibition period.

As advised at Councils meeting on 16 July 2015 the DCP is to support the broad objectives of the Warrumbungle Local Environmental Plan 2013 (WLEP 2013) by:

- a) Supporting the provisions of the WLEP 2013
- b) Providing clear and concise development guidelines for various forms of development
- c) Encouraging a high standard of development that respects and maintains the shires existing urban, rural and natural environment
- d) Outlining Councils development application submission and application notification requirements
- e) Guiding members of the public in the development process
- f) Expediting development approvals by providing clear direction on Councils intent and criteria in the development process
- g) Providing certainty of development outcomes for developers and the community.

The DCP gives effect to the aims of the WLEP 2013. It facilitates development that is permissible and aims to achieve the objectives of land zones under Councils planning instrument.

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The provisions of the DCP are not statutory requirements. The relevant provisions of the DCP will be considered by staff in the assessment of development applications received by Council.

The draft DCP enables Council to depart to a minor extent, from the provisions of the plan where circumstances warrant. Any request for departure requires a written request from the applicant with submission of their development application.

Councils *Review Report Warrumbungle Shire Council November 2010* prepared by NSW Division Local Government, Department of Premier and Cabinet, made a number of recommendations which Council considered and adapted on 16 December 2010. Recommendations 21 & 22 recommended preparation by Council of a Notification Policy and Development Control Plan. The Notification Policy is included in the Draft DCP 2015.

### Issues

Under Clause 18 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000) the draft DCP 2015 must be publicly exhibited by giving notice in the local newspaper. It must be exhibited for a minimum period of 28 days.

The draft plan was recently exhibited for a period of 28 days with written submissions closing on 31 August 2015.

One written submission was received during the exhibition period as summarised below (a copy of the submission has been provided under separate cover for Councillors information):

Submission No.	Issues Raised	Town Planners Comments
1	<ul style="list-style-type: none"><li>The Heritage Conservation section of the <i>Draft DCP</i> indicates the focus appears to be on enhancing and restoring rather than conserving. This contradicts the <i>WSC LEP 2013 Clause 5.10 Heritage Conservation</i> objectives.</li><li>If the <i>Draft DCP</i> maintains its focus on restoring rather than conserving as currently written then it will discourage investment and development in the Heritage Conservation Areas.</li></ul>	<ul style="list-style-type: none"><li>In order to conserve a heritage item or an item in a heritage conservation area it is necessary to keep intact the early building components on all existing buildings within these areas (including windows, shopfronts, awning supports, verandahs and historic signage). Therefore, it may be necessary (at the discretion of Council or a Heritage Advisor) to repair/restore certain components of these buildings for future preservation. Due to this, it is considered that the <i>Heritage Conservation</i> section of the <i>Draft DCP</i> does not contradict <i>Clause 5.10 Heritage Conservation</i> objectives of <i>WSC LEP 2013</i>.</li><li>As indicated the <i>Heritage Conservation</i> section of the <i>Draft DCP</i> does not contradict <i>Clause 5.10 Heritage Conservation</i> objectives of <i>WSC LEP 2013</i>. Therefore, the <i>Draft DCP</i> will not discourage investment and development in the Heritage Conservation Areas.</li></ul>

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### **Options**

Under Clause 21 of the EP&A Regulation 2000 after considering any submission about the draft DCP Council may approve the plan as exhibited or approve the plan with alterations as Council thinks fit or may decide not to proceed with the plan.

Council must give public notice of its decision (within 28 days of its decision) whether to adapt the plan with or without changes or not to proceed with the plan and publish its decision in a local newspaper.

Notice of decision not to proceed with the DCP must include Councils reasons for the decision.

A development control plan comes into effect on the date that public notice of its decision is given in a local newspaper, or a later date specified in the notice.

### **Financial Considerations**

The Draft Development Control Plan has been prepared by Councils planning staff and will continue to be dealt with by planning staff until adoption or otherwise of the DCP by Council.

### **RECOMMENDATION**

That Council adopt the Draft Development Control Plan 2015 as exhibited pursuant to Clause 21 of the Environmental Planning & Assessment Regulation 2000 and including public notice of its decision in the local newspaper.

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### Item 28 Development Applications

**Division:** Development Services

**Management Area:** Regulatory Services

**Author:** Development Services Administration Officer, Katrina Matakitoga

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

**Priority / Strategy:** RU 4 – The attractiveness appearance and amenity of our towns and villages need to be improved

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### Development Applications

#### (i) Approved – August 2015

Complying Development (Set Criteria) Development Application (Specialised Conditions)	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type Of Development	Stop the Clock Referral Days
DA 57/2015	21/08/2015	21/08/2015	Joyce Stewart	Coonabarabran	Coonabarabran	Alterations & Additions to fence and Change of Use – Other	0
DA 56/2015	06/08/2015	07/08/2015	Noel Large	19 Talbragar Street	Dunedoo	New single storey dwelling	0
DA 55/2015	04/08/2015	04/08/2015	Susan Blackburn	1750 Coonabarabran Road	Mendooran	Other – private burial site	0

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Complying Development (Set Criteria) Development Application (Specialised Conditions)	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type Of Development	Stop the Clock Referral Days
DA 54/2015	31/07/2015	04/08/2015	Mark Prugger	Gardener Street	Coonabarabran	New Garages/Sheds – Commercial & Demolition of Garages/Sheds (Industrial)	0
DA 51/2015	27/07/2015	20/08/2015	Anna Williams	15 King Street	Coonabarabran	Conversion to Change of Use – Other	0
*DA 49/2015	20/07/2015	04/08/2015	Heather Meldrum	1244 Timor Road	Coonabarabran	New single storey dwelling	0

**\*Development from the January 2013 Wambelong Bushfires**

### **RECOMMENDATION**

That Council note the Applications and Certificates Approved, during August 2015, under Delegated Authority