

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COONABARABRAN ON THURSDAY, 17 MARCH 2016
COMMENCING AT 10.00AM** **PAGE 1**

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: Manager Administration and Executive Assistant to the General Manager – Sally Morris (minutes) and Human Resources Officer - Leigh Ernest (minutes)

APOLOGIES: Nil

Forum

10.00am

David Maher – addressed Council regarding Coonabarabran Youth Club and a request to use the Community Care Bus.

10.13am

Jane Judd – addressed Council regarding the impact of mining on the economies of small country towns.

10.22am

Kevin Eastburn – addressed Council regarding contribution to Water Connection at the Corner of Pine Street and Namoi Street, Baradine.

10.31am

Bill Simson - addressed Council regarding recovery of infrastructure / public facilities at Timor Rock Park following the fire.

10.41am

Stewart Rodgers - addressed Council regarding the LEP, zoning and land release strategies.

10.51am

The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest
No declarations were made.

REPORTS

Item 1 Minutes of Ordinary Council Meeting – 18 February 2016

220/1516 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 18 February 2016 be endorsed.

Coe / Capel
The motion was put and carried

Business Arising

Cr Todd requested his objection to the amount the owner of the property has to contribute in Minute Number 201/1516 - Item 29 Request to Extend Water Main in Cypress Street Baradine, be recorded.

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**Item 2 Minutes of Traffic Advisory Committee Meeting – 25 February 2016
221/1516 RESOLVED**

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held on 25 February 2016 at Coonabarabran.
2. To approve the Road Closure as submitted and that a Heavy Vehicle Detour sign is to be erected at the Gardener Street detour, so as not to deter light vehicles from the north, coming through town (using Essex Street exit to avoid road closure in John Street.) The Traffic Control plan needs to be corrected to show manned positions at various detour intersection points FURTHER, a copy of this plan to be forwarded to Luke Hodges, Traffic Operations, Western Region (RMS).
3. That approval be given to close the following roads on Monday, 25 April 2016 for the purpose of conducting an ANZAC Day March and Ceremony, subject to compliance with guidelines and Road Closure Policy:
 - Coolah RSL Sub Branch - Binnia Street between Booyamurra Street and Campbell Street between 10.00 am and 12.30 pm.
 - Coonabarabran RSL Sub Branch – John Street between Edwards Street and Essex Street between 10.00 am and 1.00 pm.
 - Dunedoo/Leadville RSL Sub Branch – Bolaro Street between Wargundy Street and Merrygoen Street between 10.00 am and 12 noon.
 - Mendooran RSL Sub Branch – Bandulla Street between Pampoo Street and Napier Street between 9.00 am and 12 noon.
 - Binnaway RSL Sub Branch – Renshaw Street between Bullindah Street and Yarran Street between 9.30 am and 12 noon.
 - Baradine RSL Sub Branch – Wellington Street and Narran Street between 10.00 am and 12.30 pm.

FURTHER, a copy of each Traffic Control plan to be forwarded to Luke Hodges, Traffic Operations, Western Region (RMS).

4. To approve the proposed road closure in John Street at the intersection of Dalgarno Street and John Street on 25 April 2016 from 5.57 am to 6.20 am for the ANZAC Dawn Service, subject to compliance with RMS Guidelines and Council's Road Closure Policy FURTHER a copy of the Traffic Control plan be forwarded to Luke Hodges, Traffic Operations, Western Region (RMS).
5. That the request by the Coonabarabran Local Aboriginal Lands Council to close John Street between the Tennis Club entrance and the Town Hall on Thursday, 26 May 2016 for 15 minutes between 10.30 am and 10.45 am be approved subject to preparation of a Traffic Control Management Plan that involves the NSW Police Force implementing a 'rolling road closure' on the south bound lane between the bridge and the Town Hall and also submission of public liability insurance coverage for the event FURTHER that RMS be advised of the proposed road closure event.
6. That the request by North West Equestrian Expo to close Reservoir Street, Coonabarabran on Saturday, 4 June 2016 and Sunday, 5 June 2016 between 9.00 am and 2.30 pm to conduct the Annual Cross Country Event be approved subject to compliance with Council's Road Closure Policy.

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7. That the report on Timor Road School Bus Stops be noted and be used for input into the development of the Shire's Draft Bus Stop Policy FURTHER, that when the draft is completed, it be brought to this meeting prior to the community consultation process FURTHER that Council look at future strategic planning for Timor Road bus stops.
8. That the National Parks and Wildlife Service erect warning signs on No 1 Break Road and that the other issues in their letter be referred, by Council, to the RMS.
9. River Road B Double Route - Objection to conditions imposed in Council's Resolution 29/1516 - To further investigate this issue and a report be presented at the next meeting.
10. That members of the Police and Council's Road Safety Officer undertake an education campaign with the students of Dunedoo Schools, regarding the issues contained in the letter from St Michael's Primary School.
11. To write to Binnaway Rail Heritage and Preservation Group and Binnaway Progress Association asking for clarification of the location and type of the subject signs, as well as a location map and photographs, if possible.
12. That 'No Stopping' signs be erected at both ends of the Namoi Street weir entrances.

Capel / Schmidt
The motion was put and carried

Item 3 Minutes of Local Emergency Management Committee Meeting – 15 February 2016

222/1516 RESOLVED

1. That Council notes the minutes from the Local Emergency Management Committee held on 15 February 2016 at Coonabarabran.
2. That the committee endorse the NSW F&R Consequence Management Guide for Hazmat and Structural Fire subject to any objections or alterations received within 14 days after electronic distribution of the CMG's.

Capel / Clancy
The motion was put and carried

Item 4 Baradine Hall 355 Committee Meeting Minutes 3 March 2016

223/1516 RESOLVED that the minutes of the Baradine Hall Advisory Committee held on 3 March 2016 be accepted and endorsed by Council with the following recommendations;

1. That Council removed and replaces the trees at the front of the building with like and that an appropriate irrigation system be installed to stop the new trees from suffering from lack of water.
2. That Council endorse the application for the Clubs Grant for the funds to upgrade Stage Lighting, Stage Curtains (to help with acoustics), New PA System, upgrading the change rooms, Kitchen refurbishment to Commercial, painting throughout the building, installation of air conditioning, new gutters, repairs to the roof and rain water tanks to be utilized for the irrigation system to the gardens around the hall and that Warrumbungle Shire Council act as partner and project manager.

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3. That Warrumbungle Shire Council to supply the Baradine & District Progress Association a draft MOU/Licence for management of the hall.

Todd / Capel
The motion was put and carried

Item 5 Minutes of Warrumbungle Cobbora Transition Fund Committee – 8 March 2016

224/1516 RESOLVED that Council accept the minutes from the Warrumbungle Cobbora Transition Fund Committee Meeting held at Dunedoo Old Bank Building on 8 March 2016 and **FURTHERMORE** accept the following recommendations;

- A. To use Sir Walter buffalo only for back and front yards. No kikuyu to be used for house yards.
- B. Instead of a Kurrajong (*Brachychyiton populneus*) tree in the roundabout, to plant low shrubs or mass agapanthus given the proximity to the existing box tree (*E. melliodora*).
- C. Preference to not plant Kurrajong trees to minimise the mess created by leaf drop and heliothis attack on this species in the area. Existing kurrajongs to remain where proposed as per Landscape Plan - Site 11/01/2016.
- D. River Oaks (*Casuarina cunninghamiana*) to be planted as a screen along the Sullivan St boundary, and between unit 6 and the Education Area carpark. *C viminalis* Captain Cook, Hannah Ray, Little John and Kings Park Special to be the preferred bottle brushes for plantings on the site. *Strelitzia* to replace *Anigothanus* spp.
- E. Other tree species to be removed from the plan are *Angophora floribunda* (large and drops limbs), *Callitris glaucophylla* (now white cypress pines wanted), *Acacia implexa* (suckers), *Callistemon salignus* (requires damp conditions) , Round leaf mint bush *P rotundifolia* (species not known, *C brachyandrus* (do not want the prickly branches), Pink Kunzea *Kunzea capitata*, Kangaroo paw *Anigothanus* spp. (High maintenance and difficult to grow in Dunedoo), *acacia implexa* to be replaced with crepe myrtles below unit 26.
- F. Existing Poplars to be removed (located in southeast corner) to be replaced by Chinese pistacia *Pistacia chinensis*
- G. Lavender and rosemary to be included
- H. For autumn colour, *C glaucophylla* to be replaced with *fraxinus Raywoodi* (claret Ash), and to exclude a tree planting where *A floribunda* is located, replace proposed kurrajongs on western side of helipad with *Pyrus ussuriensis*.

Coe / C Sullivan
The motion was put and carried

Item 6 Mayoral Minute – ALGA 2016 National General Assembly of Local Government – Call for Motions – Disaster Impacted Asbestos Community Cost

225/1516 RESOLVED that Warrumbungle Shire Council presents a motion to the 2016 National Assembly of Local Government to call on the Australian Federal Government to establish an emergency fund to offset the cost of asbestos related impacts on the community. This fund would be accessible to the agency responsible for the clean-up and to assist with action required to make safe the asbestos threat **FURTHERMORE** that the fund is ongoing indexed to CPI and regularly topped up to a level relative to need.

Schmidt / Capel
The motion was put and carried

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Item 7 Warrumbungle Cobbora Transition Fund Projects Update

Received.

Item 8 Notice of Motion – Funding for the Establishment of a Recycling Facility

A motion was moved by Cr Schmidt that the Warrumbungle Shire Council seeks funding for the establishment of a major recycling facility to be located in the Coonabarabran Industrial Area.

The motion lapsed for want of a seconder

11.24am

226/1516 RESOLVED that standing orders be suspended to break for morning tea.

Coe / C Sullivan

The motion was put and carried

Presentation

The Mayor made a presentation to Mr Peter Wasley and unveiled the plaque to be placed at the Coonabarabran Recycling Centre in his honour.

Peter Wasley joined Coonabarabran Shire Council as a Street Sweeper and Gutter Cleaner with Urban Services in 1989.

Peter moved to Recycling and Landfill as Foreman in November 1995 and then as Supervisor Waste & Landfill when Warrumbungle Shire Council was created in 2004.

When recycling commenced in the Shire, Peter undertook a huge education of all ratepayers and school children throughout the Shire in an effort to instil the benefits to the environment and the Council in the simple act of recycling household rubbish.

Peter became the champion of recycling within the district with his knowledge and passion of the processes and is very well respected for his work throughout the years.

Peter Wasley retired from Warrumbungle Shire Council on 12 July 2013.

11.55am

227/1516 RESOLVED that standing orders be resumed.

C Sullivan / Capel

The motion was put and carried

Item 9 Rescission Motion - Item 29 Request to Extend Water Main in Cypress Street Baradine (February 2016)

A motion was moved by Councillor Todd seconded by Councillor Clancy and Councillor Andrews that the following resolution of Council be rescinded:

Minute number 206/1516

1. That a water main is installed in Cypress Street and Namoi Street, between Barwon Street and Worrigal Street, Baradine subject to the following conditions:
 - a. A contribution of \$3,500 is made by the owner of Lots 9 & 10, Section 16, DP758051, Baradine prior to commencement of the project.
2. The project to install a water main in Cypress Street and Namoi Street Baradine is funded through the following:
 - a. A supplementary budget expenditure allocation of \$32,000 is made for the project.
 - b. A reduction in the 2015/16 budget allocation for the clarifier project at the Baradine water treatment plant.
 - c. A supplementary budget income allocation of \$3,500 is made.

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And **FURTHER** that a water connection be provided to the property either by way of Barwon or Worrigal Street at the normal connection rate, that is no additional financial contribution be required from the resident.

The motion was withdrawn

228/1516 RESOLVED that the Minute Number **206/1516 Item 29 Request to Extend Water Main in Cypress Street Baradine (February 2016)** be rescinded and that the project to install a water main in Cypress Street and Namoi Street Baradine be constructed at cost.

Todd / Clancy
The motion was put and carried

Cr Clancy called for a spill and Councillors Todd, Clancy, Andrews, R Sullivan, Coe, Schmidt, C Sullivan, Capel and Shinton voted in favour of the motion unanimously.

229/1516 RESOLVED that water connection be provided to Lots 9 & 10, Section 16, DP758051, Baradine, either by way of Barwon or Worrigal Street at the normal connection rate, that is no additional financial contribution be required from the resident.

Todd / Clancy
The motion was put and carried

Item 10 Notice of Motion – Allocation of Financial Grants to Community Groups

A motion was moved by Cr Clancy seconded by Cr Todd and Councillor Andrews that Council revisit the August 2015 and February 2016 allocation of Financial Grants to Community Groups.

The motion was withdrawn

230/1516 A motion was moved by Cr Clancy seconded by Cr Andrews that an amount of \$500 be allocated to Inspector David Maher's program for the youth to attend rugby carnivals.

The motion was put and carried

231/1516 A motion was moved by Cr Schmidt seconded by Cr R Sullivan that Council waive the hire fees for the hire of the Community Care bus, in relation to use of the bus by Inspector David Maher for his youth project only, when available and subject to approval by the funding body.

The motion was put carried

1.01pm

232/1516 RESOLVED that standing orders be suspended to break for lunch.

C Sullivan / Todd
The motion was put and carried

1.54pm

233/1516 RESOLVED that standing orders be resumed.

Todd / Andrews
The motion was put and carried

Item 11 Coal Seam Gas Titles

234/1516 RESOLVED that Council write to the Minister expressing the concerns of some of the residents of Warrumbungle Shire Council as to the Coal Seam Gas Exploration in

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our Shire and request that the renewal applications for the expired Titles PEL 428, PEL 433, PEL 450 and PEL 462 not proceed, and that the respective Titles be cancelled. Council has also been requested to ask that Titles PEL 12 and PEL 238 not be renewed on their expiration date.

Schmidt / Capel

The motion was put and carried

Cr Andrews and Cr Todd recorded their vote against the motion.

Item 12 Approval by LGNSW Board of Legal Assistance for Cowra Shire Council
Received.

Item 13 Delegations of Authority to the General Manager

A motion was moved by Councillor R Sullivan seconded by Councillor Schmidt that Council delegate to the General Manager of Warrumbungle Shire Council, the Functions in accordance with the Acts and Regulations, Instruments of Delegation to Council and Policy Authorities as prescribed in this report as at 17 December 2015 (attachment 1) and to include the delegation of the new Act and policy as follows:

1. New Act – Surveillance Devices Act 2007
2. Council Policy – Use of council Corporate Credit Card to a maximum limit of \$15,000
Pursuant to Operational Policy 2.14 Corporate Credit/Purchase Card Policy- Version
3. Enter into a short term lease (under 5 years) or licence on behalf of Council, with the Council as lessee or licensee, of land not owned by Council required for operational purposes.
4. Grant a lease or licence of operational land for a period of less than 10 years.

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.

235/1516 An Amendment was moved by Councillor Andrews seconded by Councillor Todd that Council delegate to the General Manager of Warrumbungle Shire Council, the Functions in accordance with the Acts and Regulations, Instruments of Delegation to Council and Policy Authorities as prescribed in this report as at 17 December 2015 (attachment 1) and to include the delegation of the new Act and policy as follows:

1. New Act – Surveillance Devices Act 2007
2. Council Policy – Use of council Corporate Credit Card to a maximum limit of \$10,000
Pursuant to Operational Policy 2.14 Corporate Credit/Purchase Card Policy- Version
3. Enter into a short term lease (under 5 years) or licence on behalf of Council, with the Council as lessee or licensee, of land not owned by Council required for operational purposes.
4. Grant a lease or licence of operational land for a period of less than 10 years.

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.

Attachment 1

DRAFT DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

On Thursday, 17 December 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 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
To authorise MANEX training, travel and conference costs are approved subject to the Operational Plan budget, professional development opportunities and benefit to Council.

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Staff Time Sheets
To implement the decisions of Council
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.
Variations to Development Standards under Development Plan Control 2015 as per endorsed and adopted plan. Pursuant to resolution /1516
Authority to Dispose of Assets Authorise the disposal of assets of value less than \$100,000 (including GST), other than land or assets of potentially historical or cultural significance, and in any case not by donation, in accordance with Council’s Disposal of Assets Policy Version 2, 19 September 2013 Resolution 107/1314.
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
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.

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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

- Biosecurity Act 2015 (yet to be enacted)
- 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

- 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

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- 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

 - 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

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- 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

The amendment was put and carried

The amendment became the substantive motion and was put and carried

Item 14 Council Resolutions Report March 2016

Received.

Item 15 Progress Report Delivery Program 2015/16 – 2018/19

236/1516 RESOLVED that Council accepts the 2015/16-2018/19 Delivery Program six (6) month Progress Report to 31 December 2015.

Clancy / R Sullivan
The motion was put and carried

Item 16 Brick Bats and Bouquets

Received.

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Councillor Clancy acknowledged the diligent response and direction by the Director Technical Services in relation to addressing the issues with the footpath adjacent to Cooida.

Item 17 Monthly Report from Human Resources – March 2016

Received.

Item 18 Bank Reconciliation for the month ending 29 February 2016

237/1516 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 29 February 2016.

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

Item 19 Investments and Term Deposits for Month ending 29 February 2016

238/1516 RESOLVED that Council accept the Investments Report for the month ending 29 February 2016.

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

Item 20 Rates Report for Month Ending 29 February 2016

Received.

Item 21 Innovation Fund Submissions

239/1516 RESOLVED that Warrumbungle Shire Council lodge grant submissions for the following projects to the Innovation Fund:

1. Implementation of the Civica Authority Asset Management Module (grant application will be \$150,000 with an estimated 2016/2017 budget allocation co-contribution of \$58,000).
2. Private Datalink Infrastructure project in partnership with Tamworth Regional Council (grant application will be \$400,000 with a 2016/2017 budget allocation co-contribution across the two councils of \$165,000).
3. Stand alone Private Datalink Infrastructure project (grant allocation of \$150,000, with an estimated 2016/2017 budget allocation co-contribution of \$65,000) if unable to apply in conjunction with Tamworth Regional Council.

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

Item 22 Comprehensive Property Addressing System for Warrumbungle Shire

240/1516 RESOLVED that Council:

1. Place on public exhibition for 21 days the proposed merger of the localities of Teridgerie and Barwon within the Warrumbungle shire to the Locality of Baradine;
2. Place on public exhibition for 21 days the proposed merger of the south-eastern area of the Locality of Kenebri to the Locality of Baradine;
3. Initiate the gazettal of Mani Rd and Silo Rd;
4. Commence engagement with residents in the village of Cobbora as part of the second stage of the CPAS program.

**Clancy / Todd
The motion was put and carried**

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
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Item 23 Class Action to Recover Overpaid GST

241/1516 RESOLVED that Council join the Class Action.

Schmidt / Clancy
The motion was put and carried

Item 24 Regional Arts Board Review

Received.

Item 25 Request from the Owner of 'The Willows' regarding access off Oban Road

242/1516 RESOLVED that the 1.2 km section of Oban Road through the property 'The Willows' is added to Council's road maintenance program and the existing section of scour is rectified as soon as possible.

Clancy / C Sullivan
The motion was put and carried

Item 26 Applications to Close Unformed Council Roads

243/1516 RESOLVED that the following responses are made to Department of Primary Industries – Lands Business regarding proposals for closures of unformed Council roads due to the uncertainty of the future impact in closing unformed Council roads:

<i>Cluster No</i>	<i>Council approval to closure application</i>
543167	No
543201	No
553069	No
547998	No
555603	No
553663	No
548459	No
492142	No
552247	No
544836	No
545250	No
558679	No
551472	No

R Sullivan / Todd
The motion was put and carried

Item 27 Invitation to Submit Detailed Funding Submission for Sewerage Backlog Projects

244/1516 RESOLVED that Council lodge a detailed funding submission for each of the following projects, in order of priority, under the Restart NSW Water Security for Regions, Water and Wastewater Backlog program;

1. Dunedoo Sewerage Project
2. Coolah Sewage Treatment Plant Project
3. Coonabarabran Sewage Treatment Plant Augmentation Project

FURTHERMORE, that Council is prepared to contribute up to \$3,000,000 over the next 8 years towards preconstruction and construction costs associated with each of the projects.

Schmidt / C Sullivan
The motion was put and carried

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
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Item 28 Technical Options for Binnaway Sewerage

245/1516 RESOLVED that representations are made to State and Federal Governments through the Local Members for consideration of and funding assistance towards Binnaway Sewerage.

C Sullivan / Andrews
The motion was put and carried

Item 29 2015/16 Technical Services Works Program – Road Operations, Urban Services & Water Services

Received.

Item 30 Warrumbungle Shire Council Appoint Trustee Bomera Cemetery

Received.

Item 31 Solar Power Project Update

Received.

Item 32 Addendum to the Warrumbungle Shire Council – Land Use Strategy

246/1516 RESOLVED that Council prepares an Addendum to Warrumbungle Shire Council Land use Strategy to include rezoning of land within the Dunedoo/Cobbora area for large residential allotments of approximately 40 hectares, **FURTHERMORE** that Council proceeds to prepare a Planning Proposal for the rezoning of large lot residential land along Avonside West Road and Spring Ridge Road in accordance with the plan attached to this report.

C Sullivan / Coe
The motion was put and carried

Item 33 Development Applications

247/1516 RESOLVED that Council note the Applications and Certificates Approved, during February 2016, under Delegated Authority.

Capel / Schmidt
The motion was put and carried

Matters of Concern

Cr R Sullivan

- Drilling for water. Director Technical Services advised of the progress of the bore projects.

Cr Schmidt

- Request for Garbage bins in the main street in Coonabarabran to be maintained – need to be cleaned. Director Technical Services advised that he will follow up on this request.

C Todd

- Outcome of the Inland Rail Briefing Meeting. The General Manager provided feedback from the meeting with ARTC.
- Enquired as to what had happened to the old Council Meeting Table. The General Manager advised that the table was sold on eBay, and that items from the old Hospital in Dunedoo are also currently for sale on eBay.

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
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Cr Clancy

- Temporary fence still in place on Robertson Street, Coonabarabran property. The Director Development Services advised that she will follow up on the matter.
- High grass on the nature strip on the corner of Charles and Cassilis Streets, Coonabarabran.

Cr Coe

- Request for an on-site inspection at the intersection of Lockerbie Road and Digilah Road, Dunedoo.
- Request to have a budget allocation prepared for the next meeting, regarding the 2016/17 Budget for removal of dangerous trees along our roads. The Director of Technical Services advised he is in the process of getting quotations for the trimming of trees along segments of various roads.

Cr C Sullivan

- Nil

Cr Andrews

- Nil

Cr Capel

- Nil

Cr Shinton

- Nil

The Director Technical Services updated the meeting on the expression of interest for fixing country roads funding.

3.35 pm

248/1516 RESOLVED that:

- (a) Council go into closed committee to consider business relating to commercial information.
- (b) 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) as outlined above
- (c) 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.

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

4.44pm

249/1516 RESOLVED that Council move out of closed Committee.

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

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
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The following resolutions of Council while the meeting was closed to the public were reported to the meeting by the General Manager.

Item 1C Service NSW Agency Coonabarabran

250/1516 RESOLVED that Council enter into an Agency Agreement with the State Government to provide Service NSW services out of the Coonabarabran Council office.

Coe / Capel

The motion was put and carried

Cr Clancy, Andrews and Todd recorded their votes against the motion.

Item 2C Coonabarabran Youth Club

251/1516 RESOLVED that Council acknowledge the legal advice received and:

- Advise the Licensee that it has come to Council's attention that the License was not validly granted and is of no effect;
- Advise the Licensee that Council will consider a more appropriate management structure once it has prepared and adopted a Plan of Management for the Community Land, in accordance with the requirements of the Local Government Act;
- That Council convene a meeting with representatives of all the user groups of the Youth Centre to discuss the current situation and a way forward;
- That Council enter into an interim agreement until a plan of management has been adopted.

Coe / Schmidt

The motion was put and carried

There being no further business the meeting closed at 4.44pm.

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CHAIRMAN