

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 16 JUNE 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 Administration Officer – Erin Player (minutes)

The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest
Councillor Ron Sullivan declared a non pecuniary interest in the matter 2C Financial Tendering for Supply of Bulk Fuel.

10.01am

Deputy Surveyor General Paul Harcombe of the Geographical Names Board spoke about property addressing and the various meetings held around the Shire on this subject.

REPORTS

Item 1 Minutes of Ordinary Council Meeting – 19 May 2016

312/1516 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 19 May 2016 be endorsed.

Todd / C Sullivan
The motion was put and carried

Item 2 Minutes of Traffic Advisory Committee Meeting held on 26 May 2016

313/1516 RESOLVED

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 26 May 2016.
2. That Council undertakes an assessment of Speed Advisory Warning Signs on Observatory Road, Coonabarabran.
3. That application for the installation of Railway Barracks accommodation signage at the intersections of Warrumbungle Way / Newell Highway and Binnaway Road / Mollyan Road (MR334) be referred to RMS for consideration **FURTHER** that Council advise the Binnaway Rail Heritage & Preservation Society of the option to install signage on private property for proposed locations at the intersection of Coolah Road / Tambar Springs Road, Binnaway Road and Binnaway CBD.
4. That request by the Warrumbungle Wheelers to conduct the Annual Tour de Warrumbungles Bike Ride Event on Saturday, 27 August 2016 and Sunday, 28 August 2016 be approved subject to application being referred to RMS for approval of the State Road component and concurrence from RMS Network and Safety for the Regional Road component **FURTHER** that the Traffic Control Plan be prepared, signed and dated by a qualified person and that the riders be released intermittently from the various starting points.
5. That timed bus zone signs be erected in front of the Mendooran Preschool in Napier Street, Mendooran as per AS1742.11.

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6. That Council install posts to close off the access road to the property frontage of Bugaldie Store, which will allow the property owner to install their own driveway access at the agreed location between the trees on the island as per the attached map **FURTHER** that W6-3 Children Warning signage be installed on approaches to the bus stop area in accordance with AS1742.10.
7. That safety concerns in relation to the northbound and southbound approaches to Warkton Road turnoff via the Newell Highway be referred to the RMS and that Council undertakes a traffic count.
8. That safety concerns in relation to continuous broken lines on the Golden Highway, East of Dunedoo from the start of the 100 km Zone to the property 'Talbragar Park' be referred to RMS for consideration.
9. That Council prepare a sketch map and undertakes a full survey to determine sight distances at the intersections of Wallaroo and Digilah Streets and Wallaroo and Cobbora Streets, Dunedoo with a report to be brought back to the next Traffic Advisory Committee meeting.
10. That request for installation of an 80 km Speed Zone between the existing 100 km and 50 km Speed Zones on the Golden Highway heading west out of Dunedoo be referred to RMS for consideration **FURTHER** that, if needed, Council replace the current 50 kph ahead sign with a larger version and that Council advise the Dunedoo District Development Group that Buffer Zones are no longer included in the NSW Speed Zoning Guidelines.

Schmidt / C Sullivan
The motion was put and carried

Item 3 Minutes of Local Emergency Management Committee Meeting – 16 May 2016
314/1516 RESOLVED that Council notes the minutes from the Local Emergency Management Committee held on 16 May 2016 at Coolah.

Schmidt / Capel
The motion was put and carried

Item 4 Minutes Bushfire Appeal Advisory Panel – 20 May 2016
315/1516 RESOLVED

1. That Council endorse the recommendations of the Warrumbungle Shire Mayors Bushfire Appeal Advisory Panel Meeting held on 20 May 2016
2. That the Warrumbungle Shire Council Mayors Bushfire Appeal fund status and allocation summary be accepted.

Schmidt / Capel
The motion was put and carried

Item 5 Notice of Motion – Temporary Fencing not permitted along Council Road Reserves

A motion was moved by Councillor Todd and seconded by Councillor Clancy that Warrumbungle Council rule that temporary fencing is not permitted to be erected on Council Road Reserves.

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316/1516 An amendment was moved by Councillor Coe, seconded by Councillor Clancy that temporary fencing be removed after grazing permit rights have expired. The amendment was put and carried. The amendment became the substantive motion and was put and carried.

Item 6 Determination of the Local Government Remuneration Tribunal 2016

317/1516 RESOLVED that Warrumbungle Shire Council adopts the maximum annual fee of \$11,290 for Councillors and \$24,630 for the Mayor/Chairperson Additional Fee for the 2016/17 financial year effective from 1 July 2016, being in accordance with the determination of the Local Government Remuneration Tribunal under Sections 239 and 241 of the Local Government Act 1993.

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

Item 7 Legal Assistance Bathurst Regional Council

318/1516 RESOLVED that Council contribute \$701.85 to Local Government NSW to support Bathurst Regional Council towards the legal costs incurred in an appeal to the NSW Court of Appeal from the 2015/16 Donations budget.

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

Councillor Clancy recorded his vote against the motion.

Item 8 Adoption of 2016 Agency Information Guide

319/1516 RESOLVED that Council endorse and adopt the 2016 Agency Information Guide.

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

Item 9 Adoption of Draft Internal Reporting Policy

320/1516 RESOLVED that Council endorse and adopt the Internal Reporting Policy.

Public Interest Disclosures Act 1994 – Internal Reporting Policy

BACKGROUND

Under section 6D of the Public Interest Disclosures Act 1994 (PID Act), public authorities are required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures (PIDs). The definition of public authorities includes Councils. As prescribed by the PID Act, this policy was developed with due regard to the NSW Ombudsman's guidelines and the model internal reporting policies for local government.

OBJECTIVE

Council recognises that Councillors and staff have an important role in ensuring a high ethical standard and enhancing administrative and management practices, and strongly supports disclosures which expose:

- Corrupt conduct;
- Fraud;
- Maladministration;
- Serious and substantial waste of public money, or;
- Breaches of the Government Information (Public Access) Act 2009.

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The objective of this policy is therefore to encourage and facilitate public interest disclosures, to ensure that personnel who make such disclosure receive protection from reprisals, and to ensure that matters raised in the disclosures are properly investigated and acted upon.

POLICY STATEMENT

- 1 Council is committed to the aims and objectives of the Public Interest Disclosures Act 1994 (The PID Act).
- 2 The Mayor, General Manager and Council management acknowledge the value and importance of Councillor and staff contributions to high standards of administrative and management practices and strongly endorse reporting of corrupt conduct, fraud, maladministration, serious and substantial waste of public money or government information contravention.
- 3 Council is committed to an effective response to internal disclosures in a way that will protect the identity of the whistle blower, wherever possible and appropriate.
- 4 Council will not tolerate reprisals or retribution against those making legitimate public interest disclosures as prescribed by the PID Act.

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1. Purpose and context of the policy

The purpose of this policy is to establish an internal system for staff and Councillors to report wrongdoing without fear and reprisal. The policy sets out who you can report wrongdoing to in Warrumbungle Shire Council, what can be reported and how reports of wrongdoing will be dealt with by Warrumbungle Shire Council.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but also have the option of making a report about a public interest issue in accordance with this policy and the Public Interest Disclosures Act 1994 (PID Act).

The internal reporting system established under this policy is not intended to be used for staff grievances, which should be raised through the Grievance and Dispute Policy. If a staff member makes a report under this policy which is substantially a grievance, the matter will be referred to Human Resources to be dealt with in accordance with the Grievance and Dispute procedure.

The Act aims to encourage and facilitate the disclosure — in the public interest — of corrupt conduct, maladministration and serious and substantial waste in the public sector. This is achieved by:

- enhancing and augmenting established procedures for making disclosures concerning such matters;
- protecting persons from reprisals that might otherwise be inflicted on them because of these disclosures; and
- providing for those disclosures to be properly investigated and dealt with.

The Warrumbungle Shire Council does not tolerate corrupt conduct, maladministration or serious and substantial waste of public money.

This Policy establishes an internal reporting system for the reporting of disclosures of corrupt conduct, maladministration or serious and substantial waste of public money by Warrumbungle Shire Council its staff, and councillors. The system enables such internal disclosures to be made to the Disclosure Co-ordinator (the Human Resources Manager), Nominated Disclosure Officers (the Director Technical Services and Director Corporate and Community Services), the Mayor, and the General Manager.

2. Organisational commitment

Warrumbungle Shire Council is committed to:

- the aims and objectives of the Public Interest Disclosures Act;
- creating a climate of trust, where people are comfortable and confident about reporting wrongdoing;
- encouraging staff to come forward if they are aware of wrongdoing within the council;
- keeping the identity of the person disclosing wrongdoing confidential, where this is possible and appropriate;
- protecting staff who make disclosures from any adverse action motivated by their reports;
- dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it;
- keeping staff who make reports informed of their progress and the outcome;
- encouraging staff to report wrongdoing within the council, but respecting any decision to disclose wrongdoing outside the council - provided that disclosure out the council is made in accordance with the provisions of the PID Act;
- ensuring managers and supervisors at all levels in the council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing.
- review the policy periodically to ensure it is relevant and effective
- provide adequate resources, to:
 - encourage reports of wrongdoing
 - protect and support those who make them

- provide training about how to make reports and the benefits of internal reports to the council and the public interest generally
- properly investigate allegations
- properly manage any workplace issues that the allegations identify or that result from a report
- appropriately address any identified problems

This policy recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by staff, Councillors or independent contactors and volunteers, which disclose corrupt conduct, maladministration, serious and substantial waste, government information contravention or and local government pecuniary interest contravention.

Warrumbungle Shire Council will take all reasonable steps to provide protection to Councillors, staff and independent contractors who make such disclosures, from any detrimental action in reprisal for the making of the disclosure.

3. Roles and responsibilities of staff

This Internal Reporting Policy places responsibilities upon people at all levels within the Warrumbungle Shire Council.

3.1 Employees and independent contractors

Employees are encouraged to report known or suspected incidences of corrupt conduct, maladministration, serious and substantial waste, government information contravention or a local government pecuniary interest contravention in accordance with this Policy.

All employees of Warrumbungle Shire Council have an important role to play in supporting those who have made legitimate disclosures. They must abstain from any activity that is or could be perceived to be victimisation or harassment of persons who make disclosures. Further, they should protect/maintain the confidentiality of persons they know or suspect to have made disclosures.

Additionally, the behaviour of all Council Staff and Councillors, involved in the internal reporting process must adhere to the Warrumbungle Shire Council Code of Conduct. A breach of the code could result in disciplinary action.

3.2 Nominated Disclosure Officers

Nominated Disclosure Officers are responsible for receiving, forwarding and or acting upon disclosures in accordance with the Policy. Nominated Disclosure Officers will:

- clearly explain to persons making disclosures what will happen in relation to the information received;
- when requested, make arrangements to ensure that disclosures can be made privately and discreetly (if necessary away from the workplace);
- reduce to writing and date any disclosures received orally (and have the person making the disclosure sign the document);
- deal with disclosures impartially;
- forward disclosures to the Disclosure Co-ordinator or the General Manager, for assessment;

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- take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential; and
- support persons who make disclosures and protect them from victimisation, harassment or any other form of reprisal.

3.3 Disclosure Co-ordinator

The Disclosure Co-ordinator has a pivotal position in the internal reporting system and acts as a clearing house for disclosures. The Disclosure Co-ordinator will:

- provide an alternative internal reporting channel to Nominated Disclosure Officers and to the General Manager - Warrumbungle Shire Council;
- impartially assess each disclosure to determine:
 - whether the disclosure appears to be a public interest disclosure within the meaning of the Act; and
 - the appropriate action to be taken in relation to the disclosure, for example:
 - no action/decline;
 - the appropriate person to take responsibility for dealing with the disclosure;
 - preliminary or informal investigation;
 - formal investigation;
 - prosecution or disciplinary action;
 - referral to an investigating authority for investigation or other appropriate action; or
 - referral to the police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct).
- consult with the General Manager;
- be responsible for carrying out or co-ordinating any internal investigation arising out of a disclosure, subject to the direction of the General Manager in carrying out his/her functions;
- report to the General Manager on the findings of any investigation and recommended remedial action;
- take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and persons the subject of the disclosures, are kept confidential;
- support persons who make disclosures and actively protect them from victimisation, harassment or any other form of reprisal; and
- report actual or suspected corrupt conduct to the General Manager in a timely manner to enable that officer to comply with the ICAC Act.
- provide six-monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act.

3.4 General Manager

The General Manager of Warrumbungle Shire Council must ensure that Council has a public *interest disclosures policy, that the policy designates at least one officer of the Council as being* responsible for receiving disclosures on behalf of the Council, that staff are aware of the policy and the protections of the Act and that the authority complies with the policy and the Act.

Disclosures may be made direct to the General Manager, rather than by way of the Internal Reporting System established under this Policy. The General Manager will:

- impartially assess each disclosure to determine:
 - whether the disclosure appears to be a public interest disclosure within the meaning of the Act;
 - the appropriate action to be taken in relation to the disclosure, for example:
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- no action/decline;
- the appropriate person to take responsibility for dealing with the disclosure;
- preliminary or informal investigation;
- formal investigation;
- prosecution or disciplinary action;
- referral to an investigating authority for investigation or other appropriate action; or
- referral to the police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct);
- receive reports from the Disclosure Co-ordinator on the findings of any investigation and any recommendations for remedial action, and determine what action should be taken;
- conduct his/her own investigation if deemed necessary;
- take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential;
- have primary responsibility for protecting staff who make disclosures, or provide information to any internal or external investigation of a disclosure, from victimisation, harassment or any other form of reprisal;
- be responsible for implementing organisational reform identified as necessary following investigation of a disclosure; and
- report criminal offences to the Police and actual or suspected corrupt conduct to ICAC (unders.11 of the ICAC Act).

3.5 The Mayor

The Mayor may receive internal disclosures from any member of staff of the council, contracted staff or any councillor concerning the General Manager or a councillor. The Mayor will:

- impartially assess each disclosure made to him/her about the General Manager or a councillor to determine:
 - whether the disclosure appears to be a public interest disclosure within the meaning of the Act;
 - the appropriate course of action to be taken in relation to the disclosure (in consultation with the General Manager, if appropriate), for example:
 - no action/decline;
 - the appropriate person to take responsibility for dealing with the disclosure;
 - preliminary or informal investigation;
 - formal investigation;
 - prosecution or disciplinary action;
 - referral to an investigating authority for investigation or other appropriate action; or
 - referral to the police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct);
 - conduct his/her own investigation if the disclosure is in relation to the General Manager and if deemed necessary.
- refer disclosures to the General Manager for appropriate action if they concern the council's administration, within the day to day responsibilities of the General Manager;
- protect/maintain the confidentiality of:
 - the identity of persons who make disclosures (unless any of the criteria in s.22 of the Act apply); and
 - the identity of persons the subject of the disclosures (unless disclosure is required to enable the allegations to be investigated or otherwise appropriately dealt with).

Note: In making this assessment the Mayor may seek guidance from: the Disclosure Co-ordinator or General Manager (if appropriate); an investigating authority (i.e. the ICAC, or NSW Ombudsman); or the Director-General of the Division of Local Government (Department of Premier and Cabinet).

4. What should be reported?

You should report any suspected wrongdoing you see within the *Warrumbungle Shire Council*. Reports about the five categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, and local government pecuniary interest contravention – will be dealt with under the PID Act as public interest disclosures and according to this policy.

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, Warrumbungle Shire Council recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

a. Corrupt conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official. For example, this could include:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a council official using their position in a way that is dishonest, biased or breaches public trust.

For more information about corrupt conduct, see the NSW Ombudsman's guideline on [what can be reported](#).

b. Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives.

For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant an approval for reasons that are not related to the merits of their application.

For more information about maladministration, see the NSW Ombudsman's guideline on [what can be reported](#).

c. Serious and substantial waste in local government

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of local government money. This includes

all revenue, loans and other money collected, received or held by, for or on account of the council.

For example, this could include:

- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds.

For more information about serious and substantial waste, see the NSW Ombudsman's guideline on [what can be reported](#).

d. Government information contravention

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

For example, this could include:

- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the legislation
- directing another person to make a decision that is contrary to the legislation.

For more information about government information contravention, see the NSW Ombudsman's guideline on [what can be reported](#).

e. Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to fulfil certain functions under the *Local Government Act 1993* relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at council and council committee meetings. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. For example, this could include:

- a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a general manager holding an undisclosed shareholding in a company competing for a council contract
- A Councillors participating in consideration for a DA for a property they or their family have an interest in.

For more information about local government pecuniary interest contravention, see the NSW Ombudsman's guideline on [what can be reported](#).

f. Other wrongdoing

Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong.

For example, these could include:

- harassment or unlawful discrimination
- reprisal action against a person who has reported wrongdoing
- practices that endanger the health or safety of staff or the public.

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These types of issues should be reported to a supervisor, in line with the *Warrumbungle Shire Council's* policies:

- Code of Conduct
- Grievance Policy
- Harassment Policy
- Fraud and Corruption Policy
- GIPA Agency Information Guide

Even if these reports are not dealt with as public interest disclosures, *Council* will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal.

Staff should contact Council's Manager Human Resources or access the Council Intranet to obtain a copy of the staff Grievance Policy, Work Harassment Policy, Code of conduct and other relevant staff policies.

When will a report be protected?

Warrumbungle Shire Council will support any staff who report wrongdoing. For a report to be considered a public interest disclosure, it has to meet all of the requirements under the PID Act.

These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing.
- The report has to be made to a position nominated in this policy (see section 9) or an investigating authority (see section 10).

Reports by staff and councillors will not be considered to be public interest disclosures if they:

- mostly question the merits of government policy, including the policy of the governing body of the council.
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

5. How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The individual making the report should keep a copy of this record.

If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

6. Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report.

Although these reports will still be dealt with by the *Warrumbungle Shire Council*, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified. If we do not know who made the report, it is very difficult for us to prevent any reprisal action.

7. Maintaining confidentiality

The *Warrumbungle Shire Council* realises many staff will want their report to remain confidential.

This can help to prevent any action being taken against you for reporting wrongdoing.

We are committed to keeping your identity, and the fact you have reported wrongdoing, confidential. However there may be situations where this may not be possible or appropriate. We will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under the council's code of conduct, as this may mean certain information will have to be tabled at a council meeting.

If you report wrongdoing, it is important that you only discuss your report with those dealing with it.

This will include the disclosures coordinator and the General Manager. In the case of a report about the General Manager, you should only discuss your report with the disclosures coordinator and the Mayor.

Where your complaint is made under the council's Code of Conduct and relates to the General Manager or a Councillor, you may be required to discuss it with a conduct reviewer.

8. Who can receive a report within the *Warrumbungle Shire Council*?

You are encouraged to report general wrongdoing to your supervisor. However the PID Act requires that for a report to be a public interest disclosure, it must be made to a public official in accordance with the council's disclosure procedures. For *Warrumbungle Shire Council*, this means this policy and any supporting procedures.

Any supervisor who receives a report that they believe may be a public interest disclosure must refer the staff member making the report to one of the positions listed below.

If your report involves a Councillor, you should make it to the General Manager. If your report relates to the General Manager, you should make it to the Mayor.

The following positions are the only staff within the *Warrumbungle Shire Council* who can receive a public interest disclosure.

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a. General manager

You can report wrongdoing directly to the General Manager. The General Manager is responsible for:

- deciding if a report is a public interest disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.
- ensuring there are systems in place in to support and protect people who report wrongdoing
- dealing with disclosures made under the council's code of conduct in accordance with the council's adopted code of conduct procedures
- referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Steve Loane
General Manager
Warrumbungle Shire Council
Phone 02 6849 2000
Fax 02 6842 1337
Mob 0418 848 593
Email: steve.loane@warrumbungle.nsw.gov.au
Postal address: P O Box 191, Coonabarabran NSW 2357

b. Mayor

If you are making a report about the general manager, you should make your report to the Mayor.

They are responsible for:

- deciding if a report is a public interest disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.
- dealing with disclosures made under the council's code of conduct in accordance with the council's adopted code of conduct procedures

The Mayor must make sure there are systems in place in the *Warrumbungle Shire Council* to support and protect people who report wrongdoing.

If the report is about the General Manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Councillor Peter Shinton
Mayor
Warrumbungle Shire Council
Phone 026842 2055
Fax 026842 2169
Mob 0428 255 420
Email: Peter.Shinton@warrumbungle.nsw.gov.au
Postal address: P O Box 191, Coonabarabran NSW 2357

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c. Disclosures coordinator

The disclosures coordinator has a central role in dealing with reports made by staff, councillors, contractors and volunteers.

They receive them, assess them, and refer them to the people within or contracted by the council to be dealt with appropriately.

Council's Disclosures Coordinator is:

Val Kearnes

Manager Human Resources

Phone 02 6849 2000

Fax 02 6842 1337

Mob 0429 928 597

Email: Val.Kearnes@warrumbungle.nsw.gov.au

Postal address: P O Box 191, Coonabarabran NSW 2357

d. Disclosures officers

Disclosures officers are responsible for receiving, forwarding and/or dealing with reports made in accordance with this policy.

Council's Disclosures Officers are:

Stefan Murru

Director Corporate Services and Community Services

Phone 02 6849 2000

Fax 02 6842 1337

Mob 0401 229 225

Email: Stefan.Murru@warrumbungle.nsw.gov.au

Postal address: P O Box 191, Coonabarabran NSW 2357

Kevin Tighe

Director Technical Services

Phone 02 6849 2000

Fax 02 6842 1337

Mob 0417 464 438

Email: Kevin.Tighe@warrumbungle.nsw.gov.au

Postal address: P O Box 191, Coonabarabran NSW 2357

9. Who can receive a report outside of the *Warrumbungle Shire Council*

Staff and councillors are encouraged to report wrongdoing within the *Warrumbungle Shire Council*, but internal reporting is not your only option. If you follow the guidance below, you can make a public interest disclosure to:

- an investigating authority. If your report is about both the General Manager and the Mayor, you may wish to consider making the report to an investigating authority.
- a Member of Parliament or a journalist, but only in limited circumstances outlined below.

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a. Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff and councillors can report wrongdoing to and the categories of wrongdoing each authority can deal with. In relation to council, these authorities are:

- the Independent Commission Against Corruption (ICAC) — for corrupt conduct
- the Ombudsman — for maladministration
- the Director-General of the Division of Local Government, Department of Premier and Cabinet — for disclosures about local government agencies
- the Information Commissioner — for disclosures about a government information contravention.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is very likely the investigating authority will discuss the case with the *Warrumbungle Shire Council*. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to individuals who report wrongdoing to an investigating authority.

b. Members of Parliament or journalists

To have the protections of the PID Act, a person reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- the General Manager
- a person nominated in this policy
- an investigating authority in accordance with the PID Act.

Also, the *Warrumbungle Shire Council* or investigating authority that received the report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly – to be protected under the PID Act – if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or our code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the *Warrumbungle Shire Council*, contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this policy.

10. Feedback to the individual who reported wrongdoing

The individual who reported wrongdoing will be told what is happening in response to their report.

When you make a report, you will be given:

- an acknowledgement that your disclosure has been received
- the timeframe for when you will receive further updates
- the name and contact details of the people who can tell you what is happening.

The PID Act requires that you are provided with an acknowledgement letter and a copy of this policy within 45 days after you have made your report. We will attempt to get this information to you within two working days from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- information about the action that will be taken in response to your report
- likely timeframes for any investigation
- information about the resources available within *Warrumbungle Shire Council* to handle any concerns you may have
- information about external agencies and services you can access for support.

This information will be given to you within 10 working days from the date you make your report.

During any investigation, you will be given:

- information on the ongoing nature of the investigation
- information about the progress of the investigation and reasons for any delay
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

Behaviour of all people involved in the PID process needs to adhere to council's code of conduct. A breach of the code of conduct could result in disciplinary action.

11. Protection against reprisals

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the public interest disclosure. It may also be a breach of the council's code of conduct.

The *Warrumbungle Shire Council* will not tolerate any reprisal action against a person who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who

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take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

a. Responding to reprisals

The *Warrumbungle Shire Council* will act to protect those who report wrongdoing from reprisals.

When a report is received, we will ensure that a thorough risk assessment is conducted. This will identify any risks to the member of staff or councillor who reported the wrongdoing, as well as strategies to deal with those risks.

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor, the disclosures coordinator or the general manager immediately, or in the case of an allegation of reprisal action by the General Manager, the Mayor.

All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the disclosures coordinator or the general manager, or in the case of an allegation of reprisal by the General Manager, to the Mayor.

If the disclosures coordinator becomes aware of or reasonably suspects that reprisal action is or has been taken against a person who has made a disclosure, they will ensure that the matter is reported under the council's code of conduct and dealt with in accordance with the council's code of conduct procedures.

If you report reprisal action, you will be kept informed of the progress of any investigation and the outcome.

The General Manager may issue specific directions to help protect against reprisals, including:

- issuing warnings to those alleged to have taken reprisal action against the individual who made the disclosure
- relocating the member of staff who made the disclosure or an officer the subject of the allegations within the current workplace
- transferring the member of staff who made the disclosure or the staff member who is the subject of the allegations to another position for which they are qualified
- granting the member of staff who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.

In relation to staff who make reports, such directions will only be made if the member of staff agrees to it. The disclosures coordinator will make it clear to other staff that this action was taken in consultation with the staff member and with management support – and it is not a punishment.

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Ombudsman, the ICAC, or the Chief Executive of the Division of

Local Government – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

b. Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

12. Support for those reporting wrongdoing

The *Warrumbungle Shire Council* will make sure that staff who have reported wrongdoing, regardless of whether they have made a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

Our Disclosure Officers will provide support for those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.

Council also has in place an Employee Assistance Program (EAP) to provide independent confidential Counselling to employees or members of their families. This program is provided to assist employees deal with personal, family and or/work issues that may or could affect employees' quality of life. Your Council's HR Department is able to provide you with contact details for this service. Details about the service are also available on the Council Intranet.

All supervisors must notify the disclosures coordinator if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing.

13. Sanctions for making false or misleading disclosures

It is important that all staff and councillors are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. It may also be a breach of the council's code of conduct and may result in disciplinary action. In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

14. Support for the subject of a report

Warrumbungle Shire Council is committed to ensuring people who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where it is practical and appropriate. If you are the subject of a report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

- treated fairly and impartially
- advised of the details of the allegation
- advised of your rights and obligations under our policies and procedures
- kept informed during any investigation
- given the opportunity to respond to any allegation made against you
- told the result of any investigation

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Where the reported allegations against the subject officer are clearly wrong, or have been investigated and unsubstantiated, the subject officer will be supported by Warrumbungle Shire Council. The fact of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject officer.

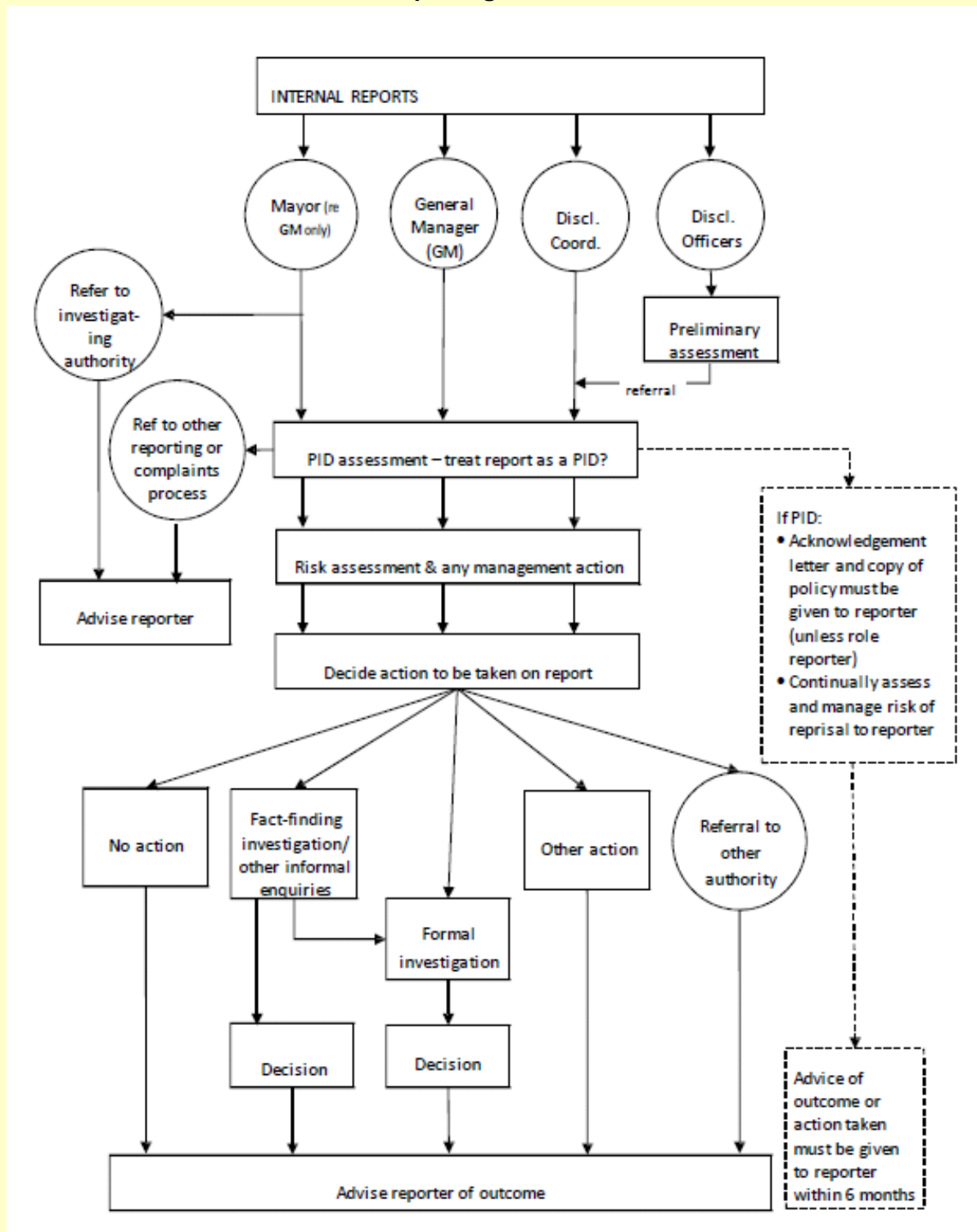
15. Review

This policy will be reviewed by council every two years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

16. More information

More information around public interest disclosures is available on our intranet. Staff and councillors can also access advice and guidance from the disclosures coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

17. Flow Chart of Internal Reporting Process



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19. Resources

The contact details for external investigating authorities that staff and councillors can make a public interest disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against
Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Tel. typewriter (TTY): 02 8281 5773
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: Level 21, 133 Castlereagh Street,
Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451
524
Tel. typewriter (TTY): 02 9264 8050
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street,
Sydney NSW 2000

**For disclosures about breaches of the
GIPA Act:**

Information Commissioner
Toll free: 1800 472 679

Facsimile: 02 8114 3756
Email: oiinfo@oic.nsw.gov.au
Web: www.oic.nsw.gov.au
Address: Level 11, 1 Castlereagh Street,
Sydney NSW 2000

For disclosures about council:

Director-General, Division of Local
Government in the Department of Premier
and Cabinet
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: dlg@dlg.nsw.gov.au
Web: www.dlg.nsw.gov.au
Address: 5 O'Keefe Avenue, Nowra, NSW
2541

**For disclosures about police
misconduct:**

Police Integrity Commission (PIC)
Phone: 02 9321 6700
Toll free: 1800 657 079
Facsimile: 02 9321 6799
Email: contactus@pic.nsw.gov.au
Web: www.pic.nsw.gov.au
Address: Level 3, 111 Elizabeth Street,
Sydney NSW 2000

Schmidt / C Sullivan
The motion was put and carried

Item 10 Council Resolutions Report June 2016

Received.

Item 11 Monthly Report from Human Resources – June 2016

Received.

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Item 12 Stocktake May 2016

321/1516 RESOLVED that Council note the result of the May 2016 Stores Stocktake and approve a stock Write On of \$327.15.

C Sullivan / Capel
The motion was put and carried

Item 13 Fit for the Future Financial Criteria Reassessment Update

Received.

Item 14 Long Term Financial Plan 2016/17 – 2025/26

322/1516 RESOLVED that Council endorse the 2016/17 Long Term Financial Plan.

Schmidt / Capel
The motion was put and carried

Item 15 Operational Plan and Delivery Program 2016/17 to 2019/20

323/1516 RESOLVED:

That subject to further significant submissions Council adopts the Warrumbungle Shire Council Operational Plan and Delivery Program 2016/17 to 2019/20 **FURTHERMORE:**

1. In accordance with s514 of the Local Government Act 1993, Council has declared the category of each parcel of rateable land within its area within one or other of the following categories:
 - Residential
 - Farmland
 - Business
 - Mining
2. In accordance with s535 of the Local Government Act 1993 that Council make and levy the following ordinary rates and annual charges for the 2016/2017 financial year.

Residential Rate (sub category Baradine) ad valorem amount be set at two point four five one cents (\$0.02451) in the dollar plus a base rate amount of one hundred and seventy nine dollars (\$179.00). The amount raised via base amount is equal to 42% of the total levy.

Residential Rate (sub category Binnaway) ad valorem amount be set at one point two four six cents (\$0.01246) in the dollar plus a base rate amount of one hundred and thirty one dollars (\$131.00). The amount raised via base amount is equal to 48% of the total levy.

Residential Rate (sub category Coolah) ad valorem amount be set at one point three seven three cents (\$0.01373) in the dollar plus a base rate amount of two hundred and twenty eight dollars (\$228.00). The amount raised via base amount is equal to 37% of the total levy

Residential Rate (sub category Coonabarabran) ad valorem amount be set at zero point nine three nine two cents (\$0.009392) in the dollar plus a base rate amount of two hundred and sixty four dollars (\$264.00). The amount raised via base amount is equal to 43% of the total levy.

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Residential Rate (sub category Dunedoo) ad valorem amount be set at zero point seven zero seven cents (\$0.00707) in the dollar plus a base rate amount of two hundred and seventy seven dollars (\$277.00). The amount raised via base amount is equal to 49% of the total levy.

Residential Rate (sub category Mendooran) ad valorem amount be set at one point eight nine five cents (\$0.01895) in the dollar plus a base rate amount of one hundred and ninety six dollars (\$196.00). The amount raised via base amount is equal to 43% of the total levy.

Residential Rate (sub category Cobbora) ad valorem amount be set at zero point four eight five cents (\$0.00485) in the dollar plus a base rate amount of one hundred and twenty four dollars (\$124.00). The amount raised via base amount is equal to 45% of the total levy.

Residential Rate (sub category Coolabah Estate) ad valorem amount be set at zero point four four four cents (\$0.00444) in the dollar plus a base rate amount of one hundred and forty two dollars (\$142.00). The amount raised via base amount is equal to 47% of the total levy.

Residential Rate (sub-category Rural) ad valorem amount be set at zero point seven six three cents (\$0.00763) in the dollar plus a base rate amount of two hundred and thirty two dollars (\$232.00). The amount raised via base amount is equal to 32% of the total levy.

Residential Rate (sub category – Village One – Kenebri, Ulamambri, Neilrex, Bugaldie, Rocky Glen, Purlewaugh) ad valorem amount be set at two point two five four cents (\$0.02254) in the dollar plus a base rate amount of one hundred and nineteen dollars (\$119.00). The amount raised via base amount is equal to 44% of the total levy.

Residential Rate (sub category Village Two – Leadville, Merrygoen, Uarbry) ad valorem amount be set at one point four four three cents (\$0.01443) in the dollar plus a base rate amount of ninety nine dollars (\$99.00). The amount raised via base amount is equal to 46% of the total levy.

Farmland Rate ad valorem amount be set at zero point four four two six cents (\$0.004426) in the dollar plus a base rate amount of five hundred and fifty five dollars (\$555.00). The amount raised via base amount is equal to 20% of the total levy.

Business Rate (sub category Baradine) ad valorem amount be set at three point four two seven cents (\$0.03427) in the dollar plus a base rate amount of two hundred and sixty four dollars (\$264.00). The amount raised via base rate amount is equal to 42% of the total levy.

Business Rate (sub category Binnaway) ad valorem amount be set at two point two eight two cents (\$0.02282) in the dollar plus a base rate amount of two hundred and five dollars (\$205.00). The amount raised via base rate amount is equal to 42% of the total levy.

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Business Rate (sub category Coolah) ad valorem amount be set at two point seven five zero cents (\$0.02750) in the dollar plus a base rate amount of three hundred and sixty four dollars (\$364.00). The amount raised via base amount is equal to 40% of the total levy.

Business Rate (sub category Coonabarabran) ad valorem amount be set at three point zero five five cents (\$0.03055) in the dollar plus a base rate amount of four hundred and thirty six dollars (\$436.00). The amount raised via base amount is equal to 18% of the total levy.

Business Rate (sub category Dunedoo) ad valorem amount be set at one point one four zero cents (\$0.01140) in the dollar plus a base rate amount of three hundred and thirty one dollars (\$331.00). The amount raised via base amount is equal to 47% of the total levy.

Business Rate (sub category Mendooran) ad valorem amount be set at one point seven two six cents (\$0.01726) in the dollar plus a base rate amount of two hundred dollars (\$200.00). The amount raised via base amount is equal to 38% of the total levy.

Business Rate (sub category General) ad valorem amount be set at two point four six two cents (\$0.02462) in the dollar plus a base rate amount of two hundred and ninety three dollars (\$293.00). The amount raised via base amount is equal to 22% of the total levy.

Business Rate (sub category Village One – Kenebri, Ulamambri, Neilrex, Bugaldie, Rocky Glen, Purlewaugh) ad valorem amount be set at six point one nine six cents (\$0.06196) in the dollar plus a base rate amount of one hundred and fifty one dollars (\$151.00). The amount raised via base amount is equal to 21% of the total levy.

Business Rate (sub category Village Two – Leadville, Merrygoen, Uarbry) ad valorem amount be set at seven point one zero seven cents (\$0.07107) in the dollar plus a base rate amount of one hundred and seventeen dollars (\$117.00). The amount raised via base amount is equal to 24% of the total levy.

Mining Rate ad valorem amount be set at twenty cents (\$0.2000) in the dollar plus a base rate amount of ten thousand dollars (\$10,000.00).

Water Access Charges

Mendooran Water Access charge be set at eight hundred and sixteen dollars (\$816.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Mendooran Water supply and further any other properties outside the town boundary that are connected to or able to be connected to the water supply.

Coonabarabran Water Access charge be set at three hundred and seventy five dollars (\$375.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Coonabarabran Water supply and further any other properties outside the town boundary that are connected to or able to be connected to the water supply.

Timor Gravity Main Water access charge be set at three hundred and seventy five dollars (\$375.00) for all properties connected to the Timor Dam Gravity Main outside of the town boundary.

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Baradine Water access charge be set at three hundred and seventy five dollars (\$375.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Baradine Water supply and all rural properties not within the town boundary that are connected to or able to be connected to the Baradine Water supply.

Binnaway Water access charge be set at three hundred and seventy five dollars (\$375.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Binnaway Water supply and all rural properties not within the town boundary that are connected to or able to be connected to the Binnaway Water supply

Village Water access charge be set at three hundred and seventy five dollars (\$375.00) for all properties in the villages of Kenebri, Bugaldie and Merrygoen that are connected to the village water supplies.

Coolah Water Access charge be set at three hundred and seventy five dollars (\$375.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Coolah Water supply and further any other properties outside the town boundary that are connected to or able to be connected to the water supply.

Dunedoo Water Access charge be set at three hundred and seventy five dollars (\$375.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Dunedoo Water supply and further any other properties outside the town boundary that are connected to or able to be connected to the water supply.

Water Usage Charges

Water Usage Charge in all areas be set at one dollar and ninety five cents (\$1.95) per kilolitre.

Sewerage Charges

User Pay Sewerage Charges Residential Properties - Connected be set at four hundred and ninety eight dollars (\$498.00)

User Pay Sewerage Charges Residential Properties – Not Connected be set at three hundred and nineteen dollars (\$319.00)

User Pay Sewerage Charges Non-Residential Properties - minimum charge be set at four hundred and eighty six dollars (\$486.00)

User Pay Sewerage Charges Non-Residential Properties - Access Charge 20mm water meter size be set at three hundred and twelve dollars (\$312.00)

User Pay Sewerage Charges Non-Residential Properties - Access Charge 25mm water meter size be set at four hundred and eighty seven dollars (\$487.00)

User Pay Sewerage Charges Non-Residential Properties - Access Charge 32mm water meter size be set at seven hundred and ninety eight (\$798.00)

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User Pay Sewerage Charges Non-Residential Properties - Access Charge 40mm water meter size be set at one thousand two hundred and forty six dollars (\$1,246.00)

User Pay Sewerage Charges Non-Residential Properties - Access Charge 50mm water meter size be set at one thousand nine hundred and forty seven dollars (\$1,947.00)

User Pay Sewerage Charges Non-Residential Properties - Access Charge 80mm water meter size be set at four thousand nine hundred and eighty four dollars (\$4,984.00)

User Pay Sewerage Charges Non-Residential Properties- Access Charge 100mm water meter size be set at seven thousand seven hundred and eighty eight dollars (\$7,788.00)

User Pay Sewerage Charges Non-Residential Properties – Not Connected be set at three hundred and twelve dollars (\$312.00)

User Pay Sewerage Charges Non-Residential Properties - consumption charge be set at eighty five cents per kL (\$0.85/kL)

Liquid Trade Waste Charges

Details of Councils Liquid Trade Waste Fees and Charges can be found in the following table.

Liquid Trade Waste Classifications and Categories	Proposed 2016/17 Charges
Application for Approval to Discharge Trade Waste to Sewer	
- Concurrence Classification A	\$150.00
- Concurrence Classification B	\$150.00
- Concurrence Classification C	\$270.00
- Concurrence Classification S	\$270.00
Annual Trade Waste Fee	
Category 1 Discharger - per year	\$90.00
Category 2 2S Discharger - per year	\$90.00
Category 3 Discharger - per year	\$205.00
Re-Inspection Fee	
- per re-inspection	\$85.00
Trade Waste Usage Charge	
Category 1 Discharger with appropriate pre-treatment	Nil
Category 1 Discharger without appropriate pre-treatment - per kilolitre	\$2.00
Category 2 Discharger with appropriate pre-treatment - per kilolitre	\$2.00
Category 2 Discharger without appropriate pre-treatment - per kilolitre	\$15.00

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Liquid Trade Waste Classifications and Categories	Proposed 2016/17 Charges
Trade Waste Usage Charge	
Category 2S - see Tankered Trade Waste Charges below	
Category 3 - see Excess Mass Charges per kilogram below	
Food Waste Disposal Charge	
Based on \$23/bed in 2007/08, indexed. For existing dischargers only.	
- Food Waste Disposal Charge - per bed	\$25.00
Excess Mass Charges per kilogram	
Charges apply for large/industrial dischargers (Charging Category 3) for all wastes that exceed concentration of pollutants in domestic sewage. Formula applies with pollutant rates of charges per kilogram (kg).	
-Aluminium	\$0.73
- Ammonia (as N)	\$2.17
- Arsenic	\$72.00
- Barium	\$36.00
- Biochemical Oxygen Demand (BOD)	\$0.73
- Boron	\$0.73
- Bromine	\$14.50
- Cadmium	\$335.00
- Chlorinated Hydrocarbons	\$36.60
- Chlorinated Phenolics	\$1,450.00
- Chlorine	\$1.50
- Chromium	\$24.50
- Cobalt	\$14.80
- Copper	\$14.80
- Cyanide	\$72.00
- Fluoride	\$3.65
- Formaldehyde	\$1.48
- Oil & Grease (Total O&G)	\$1.32
- Herbicides/defoliant	\$718.00
- Iron	\$1.50
- Lead	\$35.00
- Lithium	\$7.30
- Manganese	\$7.30
- Mercaptans	\$72.50
- Mercury	\$2,395.00
- Methylene Blue Active Substances (MBAS	\$0.73
- Molybdenum	\$0.73
- Nickel	\$24.00
- Nitrogen* (Total Kjeldahl Nitrogen - Ammonia) as N	\$0.20
- Organoarsenic Compounds	\$718.00
- Pesticides general (excludes organochlorines and organophosphates)	\$718.00

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Liquid Trade Waste Classifications and Categories	Proposed 2016/17 Charges
- Petroleum Hydrocarbons (non-flammable)	\$2.40
- Phenolic Compounds (non-Chlorinated)	\$7.30
- Phosphorus (Total P)	\$1.50
- Polynuclear Aromatic Hydrocarbons	\$14.60
- Selenium	\$50.50
- Silver	\$1.35
- Sulphate (SO4)	\$0.16
- Sulphide	\$1.50
- Sulphite	\$1.62
- Suspended Solids (SS)	\$0.95
- Thiosulphate	\$0.30
- Tin	\$7.20
- Total Dissolved Solids	\$0.06
- Uranium	\$7.20
- Zinc	\$14.60
Non Compliance Charges	
- Non-compliance pH charge	
Value of coefficient K in equation 3 of Trade Waste Policy	\$0.38
Non Compliance Excess Mass Charges - per kilogram (kg)	
Applied where a discharge quality fails to comply with approved concentration limits of substances specified in approval conditions. Formula applies with pollutant rates of charges per kg.	
Tankered Waste Charges (Charging Category 2S) – per kilolitre (kL)	
- Chemical Toilet	\$18.00
- Septic Tank and Pan Waste Disposal Charge	
- Effluent	\$3.00
- Septage	\$25.00

3. In accordance with s496 of the Local Government Act, 1993 that Council make and levy the following annual charges for the provision of domestic and non domestic waste management services, and recycling charge for each parcel of rateable land for which the service is available for the year 2016/17.

Base Charge

Waste Management Charge on all rateable properties be set at one hundred dollars (\$100.00).

Additional Usage Charges – Domestic

Domestic Waste Charge (Urban – Occupied) be set at three hundred and twenty five dollars (\$325.00) for the rendering of one (1) weekly service.

Domestic Waste Charge (Urban – Vacant) be set at zero dollars (\$0.00)

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Domestic Waste Charge (Rural Run – Used) be set at three hundred and twenty five dollars (\$325.00) for the rendering of one (1) weekly service.

Domestic Waste Charge (Rural Run – Not Used) be set at zero dollars (\$0.00)

Additional Usage Charge – Non Domestic

Non Domestic Waste Service charge be set at three hundred and twenty five dollars (\$325.00) for the rendering of one (1) weekly service.

Non Domestic Waste – Recycling Charge be set at two hundred and ten dollars (\$210.00) for the rendering of one (1) weekly service.

4. In accordance with s566 (3) of the Local Government Act 1993, the Council adopt the maximum allowable interest rate of 8.0% as determined by the Minister to apply to all overdue Rates and Charges for the financial year 2016/17.
5. That the schedule of Fees and Charges contained within the Operational Plan and Delivery Program for the financial year 2016-2017 be adopted.

6. *Storm Water Levy*

In accordance with s.496A of the Local Government Act 1993, and Sections 125A and 125AA of the Local Government (General) Regulation 2005 that Council make and levy the following annual charges for stormwater management for the 2016/17 financial year for each parcel of rateable land for which the service is available:

Stormwater Levy Residential – be set at twenty five dollars (\$25) to be charged against each eligible residential assessment;

Stormwater Levy Business – be set at twenty five dollars (\$25) plus an additional twenty five dollars (\$25) for each 350m² or part of 350m² by which the area of the parcel of land exceeds 350m² for eligible business assessments.

R Sullivan / Capel
The motion was put and carried

Item 16 Mendooran Service Point and Dunedoo Branch Library

324/1516 A motion was moved by Councillor Schmidt seconded by Councillor Capel that consideration of this matter be deferred and the item placed on the agenda for consideration at the November round of the Community Consultation Meetings to be held at Mendooran and Dunedoo.

The motion was put and carried.

Item 17 Bank Reconciliation for the month ending 31 May 2016

325/1516 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 31 May 2016.

Capel / Schmidt
The motion was put and carried

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Item 18 Investments and Term Deposits for Month ending 31 May 2016

326/1516 RESOLVED that Council accept the Investments Report for the month ending 31 May 2016.

Capel / Schmidt
The motion was put and carried

Item 19 Rates Report for Month Ending 31 May 2016

Received.

11.35am

327/1516 RESOLVED that standing orders be suspended to break for morning tea.

Capel / Schmidt
The motion was put and carried

11.57am

328/1516 RESOLVED that standing orders be resumed.

Capel / Schmidt
The motion was put and carried

Item 20 Montague Bridge on Lewis Lane

329/1516 RESOLVED:

1. That application is made for funding to upgrade Lewis Lane and Montague Bridge under the next round of Fixing Country Roads program.
2. That existing debris built up against Montague Bridge on Lewis Lane is removed subject to approval from Department of Primary Industries Fisheries section.
3. That repair is done to the deck to provide up to a 20 tonne load limit.
4. That Council approve a supplementary vote of \$80,000 for this project.

Schmidt / R Sullivan
The motion was put and carried

Item 21 Crown Road adjoining the properties Glenshea & Pinehurst

330/1516 RESOLVED that Council take no further action in relation to the Crown Road that adjoins the properties Glenshea and Pinehurst and intersects with Cobbora Road.

Todd / Andrews
The motion was put and carried

Item 22 2015/16 Technical Services Works Program – Road Operations, Urban Services & Water Services

Received.

Item 23 Stocktake Visitor Information Centre - November 2015 – May 2016

331/1516 RESOLVED that Council notes the results of the November 2015-May 2016 Stocktake at the Coonabarabran Visitor Information Centre and approves a nett stock write-off of \$122.15.

C Sullivan / Capel
The motion was put and carried

Item 24 Addendum to Land Use Strategy and Planning Proposal

332/1516 RESOLVED that Council resolve to prepare an addendum to the Warrumbungle Shire Council Land Use Strategy to investigate land around Dunedoo for rural small lot living opportunities, and **FURTHERMORE**, that Council proceeds to prepare a Planning

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Proposal for the rezoning of large lot residential land in accordance with the review of the Land Use Strategy Addendum.

C Sullivan / Coe
The motion was put and carried

**Item 25 Compulsory Acquisition of Crown Road adjoining Lot 102 DP 1201929
333/1516 RESOLVED:**

1. Council acquires the section of Crown Road adjacent to Lot 102 in DP 1201959 pursuant to the provisions of sections 186 and 187 of the Local Government Act 1993.
2. Once acquired the land be classified as Operational Land under the Local Government Act 1993.
3. Authority be granted to the General Manager to make the necessary application to the Minister for Local Government and to pay any compensation in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
4. Authority be granted to affix the Common Seal of the Council to any documentation required to effect acquisition of the land.

Coe / R Sullivan
The motion was put and carried

Item 26 Development Applications

334/1516 RESOLVED that Council note the Applications and Certificates Approved during May 2016, under Delegated Authority.

Capel / C Sullivan
The motion was put and carried

Matters of Concern

Cr R Sullivan

Nil

Cr C Sullivan

- Hiring of public halls for functions, look at booking charges, price for bond. The General Manager responded that the bond is for Councils security, majority receive all the money back.
- We should have instructions for using the kitchen, lights etc. when hiring halls.

Cr Capel

Nil

Cr Coe

Nil

Cr Shinton

Nil

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Cr Schmidt

- 2357 Committee – asked if the Minutes from their meeting were available.

Cr Andrews

Nil

Cr Clancy

- Advised that he had information on the RV Friendly status for Coonabarabran. To be RV friendly, Coonabarabran needs to provide a free open park area for RVs. The General Manager responded he will look into it.
- Laneway naming near Brains Garage. Director Technical Services responded that the matter is on to do list.
- Youth Club netball courts. Soil being tested. Director Technical Services responded currently consulting with Design Engineer on foundation options.
- Is Ulamambri tip closing? Meeting advised there is no change to its status.

Cr Todd

- Dead Kangaroos on the road who is responsible for removing them. Director Technical Services responded yes Council workers remove if they are in a dangerous position.
- Lands Protection Board say we have a wild dog problem coming out of the National Parks.
- Community Care car in Baradine. Why does it have to be serviced in Coonabarabran? Should be cleaned and fuelled in Baradine. Director Corporate and Community Services took the question on notice.
- Wangmanns sign is spelt wrong. It should two N's at the end instead on one.
- On 1st June there was an Inland Rail meeting in Gilgandra. He is a delegate so why wasn't he informed. The General Manager responded, it was only for technical people.

1.09pm

335/1516 RESOLVED that standing orders be suspended to break for lunch.

Capel / C Sullivan
The motion was put and carried

1.51pm

336/1516 RESOLVED that standing orders be resumed.

Capel / C Sullivan
The motion was put and carried

1.51pm

Erin Player left the meeting.

1.51pm

337/1516 RESOLVED that:

- (a) that Council go into closed committee to consider business relating to personnel matters and 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

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- considered is classified confidential under the provisions of Section 10A(2) (a) and (c) 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.

Todd / Capel
The motion was put and carried

2.05pm

Cr Ron Sullivan declared a non pecuniary interest in item 2C and left the room.

2.25pm

Cr Ron Sullivan returned to the meeting.

The General Manager and Council staff left the room prior to consideration of Item 3C.

2.40pm

338/1516 RESOLVED that Council move out of closed Committee.

R Sullivan / Capel
The motion was put and carried

The following resolutions of Council while the meeting was closed to the public were reported to the meeting by the General Manager.

Item 1C Waste Review Savings to Date

Received.

Item 2C Financial Tendering for Supply of Bulk Fuel

339/1516 RESOLVED that Council awards Tender T051617OROC for the Supply and Delivery of Bulk Fuel to Warrumbungle Shire Council to Coona Fuel and Gas for the period 1 July 2016 to 30 June 2018 at the rates in the attached table **FURTHERMORE** that a provision be allowed for a 12 month extension based on a satisfactory supplier performance which may take the tender through to 30 June 2019.

Andrews / Capel
The motion was put and carried

Item 3C General Manager Annual Performance Review Report

340/1516 RESOLVED that Council accept and endorse;

1. The summary report provided by Mark Anderson Manager, Local Government Management Solutions
2. That the Council award the General Manager a 2.5% increase in his remuneration based on his performance being assessed as 'Exceeding Expectations'; the increase to take effect from 2 May 2016 being the 12 month anniversary of the General Managers contract.

Schmidt / Coe
The motion was put and carried

There being no further business the meeting closed at 2.43pm.

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CHAIRMAN
