

**WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD  
AT THE COUNCIL CHAMBERS, COONABARABRAN ON THURSDAY, 16 JULY 2015  
COMMENCING AT 10.00AM** **PAGE 1**

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**PRESENT:** Cr Peter Shinton (Chairman), Cr Andrews, Cr Capel, Cr Clancy, Cr Schmidt, Cr R Sullivan, Cr Todd, General Manager (Steve Loane), Director Corporate & Community Services (Stefan Murru), Director Technical Services (Kevin Tighe) and Director Development Services (Leeanne Ryan).

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

**APOLOGIES:** Cr Coe and Cr C Sullivan

**01/1516 RESOLVED** that the apologies of Cr C Sullivan and Cr Coe be accepted (in accordance with Resolution 368/1415 and 369/1415 granting leave of absence to Cr C Sullivan and Cr Coe) and the apology of Cr R Sullivan be accepted.

**Todd / Capel**  
**The motion was carried**

**The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest**  
Councillor Todd declared a pecuniary interest in the confidential Item 1C Code of Conduct Investigation – Response from Office of Local Government

The Mayor, Councillor Shinton, addressed the meeting outlining his concerns regarding the supplying of confidential information to the public and the importance of adhering to the Code of Conduct.

**10.05am**

**REPORTS**

**Item 1 Minutes of Ordinary Council Meeting – 18 June 2015**

**02/1516 RESOLVED** that the resolutions contained in the Minutes of the Ordinary Council meeting held on 18 June 2015 be endorsed.

**Todd / Capel**  
**The motion was carried**

**Item 2 Minutes of Extraordinary Council Meeting – 26 June 2015**

**03/1516 RESOLVED** that the resolutions contained in the Minutes of the Extraordinary Council meeting held on 26 June 2015 be endorsed.

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

**Item 3 Minutes of Traffic Advisory Committee – 25 June 2015**

**04/1516 RESOLVED:**

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 25 June 2015.
2. That application by Warrumbungle Wheelers Inc. to conduct cycling events on Saturday, 12<sup>th</sup> and Sunday, 13<sup>th</sup> September 2015 be approved subject to the application being referred to RMS.
3. That application by Coonabarabran Pony Club to close John Street between Edwards Street and Dalgarno Street on Friday, 25 September 2015 between 3.00

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- pm and 3.30 pm, to conduct the annual horse parade be approved subject to compliance with Council's Road Closure Policy and referral to RMS.
4. That application by Coonabarabran Pony Club to close Reservoir Street between Higgins Street and Nelson Street on 13 December 2015 between 9.00 am and 3.00 pm, to conduct a horse event be approved subject to compliance with Council's Road Closure Policy.

**Todd / Schmidt  
The motion was carried**

**Item 4 Minutes of Warrumbungle Shire Local Emergency Management Committee  
– 18 May 2015**

**05/1516 RESOLVED** that Council notes the Minutes from the Warrumbungle Shire Local Emergency Management Committee held on 18 May 2015 at the Coolah RFS Building.

**Capel / Schmidt  
The motion was carried**

**Item 5 Minutes of Robertson Oval Advisory Committee Meeting – 1 July 2015**

**06/1516 RESOLVED:**

1. That Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 1 July 2015.
2. That Council prepare draft sketch plans for the proposed Robertson Oval Community Building that incorporates the following features:
  - Spectator viewing
  - At least four (4) separate storage bays, which are to be accessed by external roller door.
  - Five change rooms, two(2) male change rooms, two(2) female change rooms, Referees room.
  - Gymnasium
  - Canteen facilities (not kitchen)
  - Toilets
  - Meeting room
  - Separate BBQ area/room.

**Capel / Todd  
The motion was carried**

**Item 6 Baradine Hall Advisory Committee Minutes – 25 June 2015**

**07/1516 RESOLVED** that the minutes of the Baradine Advisory Committee held on 25 June 2015 be accepted and that the recommended plans be referred to Development Services and Technical Services for concurrence.

**Todd / Capel  
The motion was carried**

**Item 7 Warrumbungle Cobbora Transition Fund Committee**

**08/1516 RESOLVED** that Council note progress of the Cobbora Transition Fund projects.

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

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**Item 8 Notice of Motion – Naming of two Bridges**

**09/1516 A motion that moved by Councillor Todd seconded by Councillor Andrews** that the Warrumbungle Shire Council, in considering the naming of two bridges currently under construction within the Shire, give consideration to the following:

- That the bridge over the Baradine Creek at Kenebri be named the Wilbur Wangman Bridge
- That the bridge over Mow creek be named the Noel and Doug Kerr Bridge or alternatively the Kerr Brothers Bridge and **FURTHER** that a report be prepared and brought back for Council's consideration.

**The motion was put and carried.**

**Item 9 2015 Local Government NSW Annual Conference**

**10/1516 RESOLVED** that the Mayor, General Manager and two (2) Councillors being Councillor R Sullivan and Councillor Todd, accompanied by their partners, attend the 2015 LGNSW Conference and that all transport, transfers, accommodation and meals be provided as per the Payment of Expenses and Provision of Facilities to Elected Members Policy.

**Andrews / Schmidt  
The motion was carried**

**Item 10 Council Resolutions Report July 2015**

Received.

**Item 11 Report from Human Resources – July 2015**

Received.

**Item 12 Bank Reconciliation for the month ending 30 June 2015**

**11/1516 RESOLVED** that Council accept the Bank Reconciliation Report for the month ending 30 June 2015.

**Schmidt / Capel  
The motion was carried**

**Item 13 Investments and Term Deposits for Month ending 30 June 2015**

**12/1516 RESOLVED** that Council accept the Investments Report for the month ending 30 June 2015.

**Clancy / Andrews  
The motion was carried**

**Item 14 Rates Report for Month Ending 30 June 2015**

Received.

**Item 15 Aged Debtor Account Write Off**

**13/1516 RESOLVED** there are a number of debts that are considered beyond the point of recovery. It would be not be cost effective for Council to pursue these debtors through Council's recovery agents SR Law. These are noted with a recommendation of \$1,016.40 to be written off.

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

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**10.24am**

**14/1516 RESOLVED** that standing orders be suspended to break for morning tea.

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

**10.24am**

At this time the Mayor invited Ken Smith – Road Safety Officer – to make a presentation to Council of the ‘Free Cuppa For The Driver’ Award for participation in the program.

**10.46am**

**15/1516 RESOLVED** that standing orders be resumed.

**Capel / Schmidt  
The motion was carried**

**Item 16 Tender for Replacement of Roof on Water Reservoir in Bullinda Street  
Dunedoo.**

**16/1516 RESOLVED** that open tenders are invited for the project to replace the roof on the water reservoir in Bullinda Street Dunedoo and **FURTHER** that the need for a supplementary vote be considered at the first quarterly budget review.

**Clancy / Schmidt  
The motion was carried**

**Item 17 2015/16 Technical Services Works Program – Road Operations, Urban  
Services & Water Services**

Received.

**Item 18 Naming of Coonabarabran Recycling Centre**

**17/1516 RESOLVED** that Council places a commemorative plaque on the wall at the recycling centre (as per the Geographical Names Board guidelines) to commemorate Mr Peter Wasley’s achievements as opposed to renaming the Coonabarabran Recycling Centre the Peter Wasley Recycling Centre and **FURTHER** that a report outlining the words to be included on the plaque be submitted for Council consideration.

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

**Item 19 Draft Development Control Plan 2015**

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

**Capel / Schmidt  
The motion was carried**

**Item 20 Development Applications**

**19/1516 RESOLVED** that Council notes the Applications and Certificates Approved, during June 2015, under Delegated Authority

**Clancy / Capel  
The motion was carried**

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**Matters of Concern**

**Cr Clancy**

- Orana Bridge – question regarding tender and status
- Code of Conduct Staff Training – question regarding training for Councillors (LGNSW)
- Plant utilisation and retention of vehicles for higher kilometres. Best practice is followed.

**Cr Andrews**

- Night Rider Bus – question regarding the disposal of the vehicle – General Manager advised that the disposal was being organised, as per the Council resolution.

**Cr Capel**

- Community Building Partnership Program – question was to whether council would be making applications

**Cr Todd**

- Baradine Cemetery – clean up of eastern side for 150 year celebrations
- Men's Toilet in Baradine – Water still running
- Dog Audit – people need to be encouraged to participate in microchipping programs

**Cr Shinton**

- Coonabarabran Old Cemetery – status of erosion problem

**11.14am**

**20/1516 RESOLVED** that:

- (a) that Council go into closed committee to consider business relating to an alleged contravention of any code of conduct requirements applicable under Section 440
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(i) as outlined above
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

**Capel / Andrews  
The motion was carried**

**11.15am**

At this time Councillor Schmidt left the room.

**11.17am**

After addressing the meeting Councillor Todd left the room.

**12.09pm**

**21/1516 RESOLVED** that Council move out of closed Committee.

**Andrews / Capel  
The motion was carried**

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**12.10pm**

Councillors Schmidt and Todd returned to the meeting.

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

**Item 1C Code of Conduct Investigation – Response from Office of Local Government**  
**Cr Clancy moved a motion** that we as a Council body come together and consider the report from the investigator in its entirety and eliminate what is not agreed and refer back to the Office of Local Government and further that the General Manager investigate what evidence is available to Councillors for review.  
**The motion Lapsed for want of a seconder.**

**22/1516 Councillor R Sullivan foreshadowed a motion seconded by Council Andrews** that Council, having examined the investigation report and the letter from the Office of Local Government dated 19 March 2015 (OLG Reference No A386187), Council recommends:

- i. that Cr Todd be chastised for misuse of information on the I-pad;
- ii. that no further action be taken in regard to Cr Todd; and
- iii. that Council reinforce the provisions in dealing with confidential information.

**The motion was put and carried.**

There being no further business the meeting closed at 12.11pm.

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**CHAIRMAN**