

**WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 May 2017 COMMENCING AT 8.30 AM** **PAGE 1**

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**PRESENT:** Cr Peter Shinton (Chairman), Cr Brady, Cr Capel, Cr Clancy, Cr Doolan, Cr Hill, Cr Iannuzzi, Cr Lewis and Cr Todd, General Manager (Steve Loane), Director Corporate and Community Services (Michael Jones), Director Technical Services (Kevin Tighe) and Director Development Services (Leeanne Ryan).

**In attendance:** Manager Administration and Executive Assistant to the General Manager – Glennis Mangan (minutes) and Administration Officer – Tracy Cain (minutes).

**APOLOGIES:**

Nil.

**The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest**  
Nil.

**FORUM**

**8.31 am**

Mr Quentin Hutchinson addressed the meeting regarding the Goddard Street Accessibility Project. Mr Hutchinson tabled a Petition.

**8.32 am**

Cr Iannuzzi joined the meeting.

**8.33 am**

Cr Brady joined the meeting.

**8.35 am**

Mr Steve Loane addressed the meeting in relation to a public apology.

**REPORTS**

**Item 1 Mayoral Minute – Records Management for Councillors**

**258/1617 RESOLVED** that Councillors comply with the State Records Act by creating and capturing full and accurate records of any business undertaken in the course of their official duties for Council and, commencing in June 2017, provide to each Ordinary monthly Council meeting a complete log of the following:

- providing advice, instructions or recommendations;
- drafts of documents for Council containing significant annotations or submitted for comment of approval by others;
- correspondence received and sent relating to their work undertaken for Council;
- correspondence, including emails, regarding building and development matters;
- a petition received from a community group;
- declarations concerning a Councillor's pecuniary interests;
- speech notes made for addresses given at official Council events, and
- complaints, suggestions or enquiries by rate payers about Council services.

**Moved Mayor Shinton**

**The motion was put and carried by majority**

**Cr Lewis recorded his vote against the motion.**

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**8.56 am**

Cr Doolan left the room.

**Item 2 Minutes of Ordinary Council Meeting – 20 April 2017**

**259/1617 RESOLVED** that the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 April 2017 be endorsed.

**Todd/Capel**

**The motion was put and carried by majority**

**8.58 am**

Cr Doolan returned to the meeting.

**BUSINESS ARISING**

**Councillor Lewis foreshadowed a motion.**

**260/1617 The foreshadowed motion was moved by Councillor Lewis seconded Councillor Todd** that the General Manager and staff immediately action Resolution No 238/1617 of 20 April 2017.

**The motion was put and carried by majority**

**Item 3 Minutes of Extraordinary Council Meeting – 2 May 2017**

**261/1617 RESOLVED** that the Minutes of the Extraordinary Council meeting held on 2 May 2017 be endorsed.

**Hill/Capel**

**The motion was put and lost**

***Note: The Minutes of the Extraordinary Council Meeting held on 2 May 2017 remain in suspense.***

**Item 4 Minutes of Traffic Advisory Committee Meeting – 27 April 2017**

**262/1617 RESOLVED:**

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 27 April 2017.
2. That application by the Baradine Junior Sports Club to close Darling Street, between Masman Street and Walker Street, and Masman Street near the Netball Courts on the following dates for the Club's Junior League and Netball Competition be approved subject to compliance with Council's Road Closure Policy.
  - 1 April 2017;
  - 22 July 2017;
  - 5 August 2017;
  - 26 August 2017.
3. That approval be given to the Australian Government to park its Mobile Service Centre in the following locations and dates, **FURTHER** that the applicant will need to assess the suitability of each site.
  - Bolaro Street, Dunedoo (opposite the Old Bank Building), 6 June 2017, 10.00 am to 4.00 pm;

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- Renshaw Street, Binnaway (near Len Guy Park), 7 June 2017, 9.30 am to 4.00 pm;
  - Binnia Street, Coolah (in front of Council Chambers), 8 June 2017, 9.00 am to 3.00 pm.
4. That application by the Coona-Can-Do Committee to conduct a fun run/walk, including closure of the Horseley Street Weir, on Sunday, 14 May 2017 is approved subject to the following conditions:
    - A Traffic Control Plan is prepared for the event;
    - The event is covered by public liability insurance;
    - Consultation/debrief is held with the Coona-Can-Do Committee after the event.
  5. That further investigation is undertaken on sight distance issues and signs at the intersection of Purlewaugh Road and Napier Lane.
  6. That no action is taken on a request by the Mendooran and District Development Group for Ambulance Pull Over Areas on the Forrest Road due to the general nature of the request.
  7. That Council engage with the Safety Around Schools Project Officer to develop a plan for line marking in Brambil Street in front of the Mendooran Central School.

**Shinton/Lewis**

**The motion was put and carried by majority**

**Item 5 Minutes of TRRRC 355 Advisory Committee Meeting – 5 April 2017**

**263/1617 RESOLVED:**

1. That Council accepts the Minutes of the TRRRC 355 Advisory Committee meeting held at Dunedoo on 5 April 2017.
2. Valuer to be engaged.

**Hill/Capel**

**The motion was put and carried by majority**

**Item 6 Minutes of Bushfire Appeal Advisory Panel Meeting – 12 April 2017**

**264/1617 RESOLVED:**

- 1) That Council endorse the recommendations of the Warrumbungle Shire Mayors Bushfire Appeal Advisory Panel Meeting held on 12 April 2017.
- 2) That the panel accept the Guiding Principles document.
- 3) That the panel accept the Terms of Reference document.
- 4) That the Public Fund Rules be amended.
- 5) That the funds allocated for potable water be paid to St Vincent de Paul and be dispensed and administered by St Vincent de Paul Coolah and Dunedoo.

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- 6) That \$15,000 is to be allocated each to St Vincent de Paul Coolah, St Vincent de Paul Dunedoo, Anglican Church Dunedoo and Dunedoo CWA to be used for emerging needs in the community such as infrastructure or other needs presented. In addition funds to be dispersed and administered by the relevant charity and an acquittal form to be supplied.

**Hill/Capel**

**The motion was put and carried by majority**

**Item 7 Minutes of Macquarie Regional Library Committee Meeting – 18 April 2017**  
**265/1617 RESOLVED** that the minutes, FY2018 Budget and Operational Plan of the Macquarie Regional Library Committee Meeting held on 18 April 2017 be noted.

**Iannuzzi/Hill**

**The motion was put and carried by majority**

**Item 8 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting –  
19 April 2017**  
**266/1617 RESOLVED:**

1. That Council accepts the Minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 19 April 2017.
2. That an investigation be held into options for utilising toilets inside the multi sports facility for use by the Netball Association.
3. That external access to a canteen facility at the Indoor Multi Sports Building is investigated.

**Clancy/Todd**

**The motion was put and carried by majority**

**Item 9 Minutes of TRRRC 355 Advisory Committee Meeting – 3 May 2017**

**A motion was moved by Councillor Hill seconded Councillor Capel:**

- 1) That Council accepts the Minutes of the TRRRC 355 Advisory Committee meeting held at Dunedoo on 3 May 2017.
- 2) That Council be approached to fund the intersection requirements put forward by RMS as per design.
- 3) That Council be approached for support towards a short term loan funding the difference in the cost to building and the grants.
- 4) That Council be approached to approve the lowest tender for the Three Rivers Regional Retirement Community being Boulus Constructions from Armidale.

**Councillor Iannuzzi foreshadowed a motion.**

**267/1617 The foreshadowed motion was moved by Councillor Iannuzzi seconded Councillor Doolan** that the TRRRC 355 Advisory Committee Meeting Minutes of 3 May 2017 be left on the table.

**The foreshadowed motion was put and carried by majority**

**The foreshadowed motion became the substantive motion and was put and carried by majority.**

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**Item 10 Minutes of Finance and Projects Committee Meeting – 8 May 2017  
268/1617 RESOLVED:**

1. That Council accepts the Minutes of the Finance and Projects Committee meeting held at Coonabarabran on 8 May 2017.
2. That the Third Quarter Business Review Statement (QBRs) be accepted.
3. That the draft budget for 2017/18 (Operational Plan and Delivery Program 2017/18 – 2021/22) be amended to include external budget submission totalling an additional amount of \$131,500 therefore creating a cash deficit of \$95,500 and an overall surplus of \$17,500.

**Brady/Hill**

**The motion was put and carried by majority**

**Item 11 Warrumbungle Quarry**

**269/1617 A motion was moved by Councillor Clancy seconded Councillor Lewis** that Councillors request Mayor Peter Shinton direct General Manager, Steve Loane, to report details of an event that occurred recently on site at Warrumbungle Quarry.

**The motion was put and carried by majority**

**Item 12 Rescission of 228/1617**

The Chair sought concurrence from the Councillors that Item 12 Rescission of 228/1617 be deferred for consideration later in the Agenda pending further advice.

**Item 13 Monthly Mayor's Report**

**270/1617 A motion was moved by Councillor Iannuzzi seconded Councillor Doolan:**

That the monthly report tabled by the Mayor for Council includes as a minimum the following information:

1. A log of all correspondence and meetings between the Mayor and the Office of Local Government;
2. A log of all correspondence and meetings between the Mayor and ICAC;
3. A log of all correspondence and meetings between the Mayor and the IPART;
4. A log of all correspondence and meetings between the Mayor and any elected Member of Parliament (State and Federal);
5. A log of all correspondence and meetings between the Mayor and the vice regals;
6. A log of all correspondence and meetings between the Mayor and the businesspersons that relate to matters of business with a value in excess of \$100,000;
7. A log of all correspondence and meetings between the Mayor and any senior public servants who work outside of local government.

**The motion was put and carried by majority**

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**Item 14 Monthly General Manager's Report**

**271/1617 A motion was moved by Councillor Iannuzzi seconded by Councillor Doolan:**

That from the June meeting of Council, the General Manager is to table a monthly report that includes as a minimum the following information:

1. A log of all correspondence and meetings between the General Manager and the Office of Local Government;
2. A log of all correspondence and meetings between the General Manager and ICAC;
3. A log of all correspondence and meetings between the General Manager and the IPART;
4. A log of all correspondence and meetings between the General Manager and any elected Member of Parliament (State and Federal);
5. A log of all correspondence and meetings between the General Manager and the vice regals;
6. A log of all correspondence and meetings between the General Manager and the businesspersons that relate to matters of business with a value in excess of \$50000
7. A log of all correspondence and meetings between the General Manager and Council's lawyers;
8. A log of all correspondence and meetings between the General Manager and any senior public servants who work outside of local government."

**The motion was put and carried by majority**

**Item 15 Coonabarabran to Mungindi Road**

**272/1617 A motion was moved by Councillor Todd seconded Councillor Clancy** that the Warrumbungle Shire Council seek a meeting with the Narrabri and Walgett Shire Councils regarding the upgrade of the Coonabarabran to Mungindi Road upgrade with a view to seek funding for the completion of this project.

**The motion was put and carried by majority**

**10.30 am**

Cr Brady left the room.

**10.32 am**

Cr Brady returned to the meeting.

**Item 16 Flag Flying Protocol**

**273/1617 A motion was moved by Councillor Doolan seconded Councillor Lewis** that Council flies all flags according to the protocols set by the Commonwealth Flag Officer, and that any variations from these protocols require the prior approval of a meeting of Council.

**The motion was put and carried by majority**

**10.33 am**

**274/1617 RESOLVED** that standing orders be suspended to break for morning tea.

**Brady/Hill**

**The motion was put and carried by majority**

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10.56 am

**275/1617 RESOLVED** that standing orders be resumed.

Brady/Hill

**The motion was put and carried by majority**

### **Item 12 Rescission of 228/1617**

#### **General Manager's Note**

At the March Ordinary Council meeting the Mayor informed Council that he had now received advice from ICAC, which allowed him to advise Council regarding the subject of Waste Contracts.

**276/1617 A rescission motion was moved by Councillor Iannuzzi seconded Councillor Doolan** that Council rescinds resolution 228/1617 (16 March 2017).  
**The motion was withdrawn.**

### **Item 17 Delegations of Authority to the General Manager**

**277/1617 RESOLVED** that Council delegate to the General Manager the Acts and Regulations as prescribed in this report noting the repeal of the Strata Schemes (Freehold Development) Act 1973 and Strata Schemes (Leasehold Development) Act 1986 and associated Regulations and the inclusion of the new legislation listed below.

- *Strata Schemes Development Act 2015*
- *Strata Schemes Development Regulation 2016*
- *Strata Schemes Management Act 2015*
- *Strata Schemes Management Regulation 2016*

**FURTHERMORE** that any amendments to Acts and Legislation is automatically bestowed to the General Manager however, any new Legislation is to be endorsed by Council.

## **WARRUMBUNGLE SHIRE COUNCIL**

### **INSTRUMENT OF DELEGATION TO THE GENERAL MANAGER**

On Thursday, 20 October 2016 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

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3. The General Manager be sub-delegated authority to exercise and/or perform on behalf of Council the Functions delegated to the Council under, and in accordance with, the instrument of delegation to the council set out in **Schedule 2, excluding** those Functions which pursuant to the terms of the delegation to the Council may not be sub-delegated.

4. The General Manager be conferred authority to carry out the Policy Authorities listed in **Schedule 3** and undertake any administrative actions necessary to carry out those Policy Authorities.

5. The General Manager be delegated and Function which is taken to be conferred or imposed on the Council pursuant to section 381(1) of the LG Act.

6. In the absence of the General Manager that a person appointed by resolution to act as General Manager assume all Functions, delegations, and sub-delegations of the General Manager for the period only of the absence of the General Manager unless otherwise resolved by the Council.

7. These delegations and authorities are subject to, and are to be exercised in accordance with:

- 7.1 the requirements of the relevant Legislation;
- 7.2 any conditions or limitations set out in **Schedule 1**; and
- 7.3 any resolution or policy, procedure or budget adopted from time to time by the Council.

8. These delegations and authorities are effective from thy date of the Resolution of the Council and remain in force until amended or revoked by a resolution of the Council.

9. In this delegation:

“**Acts**” includes legislation enacted by the parliaments of New South Wales and the Commonwealth of Australia;

“**Functions**” means powers, authorities, duties and functions and anything ancillary or related to the exercise or performance thereof.

“**Legislation**” includes an Act of the parliament of New South Wales or of the Commonwealth of Australia and a Regulation under the Act.

“**LG Act**” means the *Local Government Act 1993* as amended.

“**NW Act**” means *Noxious Weeds Act 1993* as amended.

**Schedule 1: Limitations**

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



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**Schedule 2: Instruments of Delegation to Council**

<b>Delegator</b>	<b>Instrument Name</b>	<b>Date of Instrument</b>
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**

<b>Policy Authority - Administrative</b>
Use of Council Corporate Credit Card to a maximum limit of \$15,000.
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.
To authorise Staff Time Sheets.
Complaints and Requests –To instruct staff to take any necessary action in connection with any complaints or requests received, subject to all major matters being reported to Council.
Correspondence of Council To 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

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Legal Documents General

To sign any contract, lease, licence, deed, or other legal document, where the execution of such document is necessary to meet legal or Council formalities when such relate to the Council's normal business activities.

Legal Proceedings – Institution of

- (i) To authorise the issue of Court attendance notices, application notices, subpoenas, the laying of any information or the making of any complaint for the recovery of any penalty or the making of any order for, or in respect of, any offence, nuisance or other matter or thing whatsoever under any Act or instrument which empowers such action to be taken by Council, or its employees and to issue such Court attendance notices, applications notices, subpoenas or to lay any such information or make any such complaint.
- (ii) To order the institution of proceedings for the recovery of any penalty or the making of any order for, or in respect of, any offence, nuisance or other matter or thin whatsoever under any Act or instrument which empowers such action to be taken by Council.
- (iii) To represent Council in all aspects in any proceedings arising out of (i) – (ii) above, before any Public Hearing, Tribunal, Court or Commissions of Inquiry.

Legal Proceedings – Instruction

- (i) To institute proceedings, issue court attendance notice, application notice, subpoenas, lay any information or make any complaint for the recovery of any penalty of the making of orders in respect of any offence, nuisance or other matter or thing whatsoever under any Act or Instrument which empowers such action to be taken by Council or its employees.
- (ii) To appear and act for Council in the conduct of any action, suit or other legal or proceedings in all Courts.
- (iii) To instruct the Council's Solicitors in the conduct of any action, suit or other legal proceedings in all Courts.
- (iv) To authorise legal and other representation of Council appeals to any Court, Public Hearings, Commissions of Inquiry, Tribunal and for legal proceedings initiated by Council.

Recovery of Monies

To authorise the recovery of monies owed to Council that constitute:

- a) any sum for damage sustained by it through the person's act or default, and
- b) the costs and expenses incurred by it in remedying that damage, and
- c) the value of anything wasted, misused or unlawfully consumed, diverted or taken by the person.

Variations to Development Standards under Development Plan Control 2015 as per endorsed and adopted plan.

Pursuant to resolution 127/1516

Authority to Dispose of Assets

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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.

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.

Grant a lease or licence of operational land for a period of less than 10 years.

**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.

**Policy Authority – Media**

To make media statements and issue press releases in respect of Council Resolutions and decisions.

**Policy Authority - Staff**

Salaries – To authorise the payment of the salaries and wages of the employees of Council within the sums voted by Council expenditure thereon.

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**LEGISLATION**

- Aviation Transport Security Act 2004 (Cth)
- 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
- Civil Aviation Act 1988 (Cth)
- 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
  
- 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

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- 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
- 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
- Surveillance Devices Act 2007

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- 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

**Doolan/Hill**

**The motion was put and carried by majority**

**Item 18 Council Resolutions Report May 2017**

Received.

**Item 19 Monthly Report from Human Resources – May 2017**

Received.

**Item 20 Stocktake April 2017**

**278/1617 RESOLVED** that Council note the result of the April 2017 Stores Stocktake and approve a Stock Write On of \$267.59.

**Todd/Hill**

**The motion was put and carried by majority**

**Item 21 Community Strategic Plan 2017-32**

**279/1617 RESOLVED** that Council endorse the Community Strategic Plan (CSP) 2017-32 as is and place on public exhibition for at least 28 days as per the legislative requirements.

**Capel/Todd**

**The motion was put and carried by majority**

**Item 22 Quarterly Budget Review Statement for the Quarter Ending 31 March 2017**

**280/1617 RESOLVED** that Council accept the Quarterly Budget Review Statement for the quarter ending 31 March 2017, and approve the requested supplementary votes for a net value of \$117k.

**Doolan/Capel**

**The motion was put and carried by majority**

**Item 23 Operational Plan and Delivery Program 2017/18 to 2020/21**

**281/1617 RESOLVED** that Council accept the 2017/18 Operational Plan and 2018/19-2020/21 Delivery Program as is and place on public exhibition for at least 28 days as per the legislative requirements.

**Lewis/Hill**

**The motion was put and carried by majority**

**WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD  
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**Item 24 Bank Reconciliation for the month ending 30 April 2017**

**282/1617 RESOLVED** that Council accept the Bank Reconciliation Report for the month ending 30 April 2017.

**Todd/Hill**

**The motion was put and carried by majority**

**Item 25 Investments and Term Deposits for Month ending 30 April 2017**

**283/1617 RESOLVED** that Council accept the Investments Report for the month ending 30 April 2017.

**Hill/Iannuzzi**

**The motion was put and carried by majority**

**284/1617 A motion was moved by Councillor Doolan seconded Councillor Capel that Council develop an Ethical Investment Policy.**

**The motion was put and carried by majority**

**Item 26 Rates Report for Month Ending 30 April 2017**

Received.

**Item 27 2016/17 Technical Services Works Program – Road Operations, Urban Services and Water Services**

Received.

**Item 28 Rural Subdivision Policy – Requirements for Electricity**

**285/1617 RESOLVED** that Council rescind the *Rural Subdivision Policy – Requirements for Electricity* as the requirements of electricity outlined in this policy are addressed in the *Warrumbungle Development Control Plan 2015*.

**Lewis/Doolan**

**The motion was put and carried by majority**

**11.37 am**


Director Technical Services left the room.

**11.39 am**

Director Technical Services returned to the meeting

**Item 29 Risk Management Policy Review**

**286/1617 RESOLVED** that Council adopts the modified Risk Management Policy and it be included in Council's Strategic Policy Register.

	<b>Risk Management Policy</b>
	<b>Strategic</b>

**Purpose**

Risk Management is about the systematic identification, analysis, evaluation, control and monitoring of risks associated with Council activities. It is the application of management policies, procedures and practices to minimise exposure to any losses, penalties or insurance claims. These losses can include but are not limited to public liability, workers compensation, professional responsibilities, property and motor vehicle.

**Objectives of the Policy**

The objectives of this policy are to minimise Council’s exposure to all categories of risks, in all areas of operation. This is to be achieved through an effective and pro-active approach to the management of risk and to ensure that all levels of management and staff are aware of and responsible for the management of risk.

**Policy Scope**

This policy applies to all areas of Council, all sites and all areas of work at all times.

**Background**

In December 2010 Council endorsed the previous policy in line with the general methodology specified in International Standard, ISO 31000:2009 – Risk Management – Principles and Guidelines. Councils are required by the Local Government Act, section 382 to have in place risk management to assist in insurance against liability.

**Definitions**

**Hazard** – A hazard is a source of potential harm or a situation with potential to cause harm

**Risk** – Risk is defined as the chance of something happening that will have an impact upon objectives. Risks are measured in terms of likelihood and consequence. The highest risk level (i.e. the most severe consequences and highest likelihood of occurring) should be controlled or minimised first.

**Policy Statement**

Council is committed to minimising or eliminating financial or other losses arising from:

- Personal injury to employees and the public;
- Loss or damage to assets of Council or the public;
- Damage to the environment;
- Damage to the reputation of Council.

This will be achieved by implementing a risk management program, but for this to be successful Council will need to ensure:

- Senior Management support of and commitment to the risk management plan
- Commitment of Management and Staff to risk management



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- Commitment of existing staff resources to the management of risk
- Appropriately trained personnel
- Consistently applied procedures to:-
  - Establish the context
  - Identify risks
  - Analyse risks
  - Evaluate risks
  - Treat risks
  - Monitor and review
  - Communicate and consult
  - Audit

### **Responsibilities and Accountabilities**

- **Council** will support this policy by: -
  - The allocation of appropriate resources for the effective implementation and ongoing review
  - Promptly communicating to the General Manager all risk matters identified by or to them.
- **The General Manager** has overall responsibility and accountability for the implementation of Risk Management across Council by ensuring appropriate resources are allocated to meet Council's Risk Management obligations
- **Directors, Managers and Supervisors** are required to create an environment where managing risk is accepted as the personal responsibility of each employee. They are accountable for the implementation and maintenance of sound Risk Management within their areas of responsibility.
- **All employees** are to be actively involved in the identification assessment and management of risk to the best of their ability. They are responsible for carrying out all activities in a safe manner and in accordance with procedures and to provide assistance in rectification of problems. In particular employees are to bring to the attention of the supervisor, as soon as practicable, any matter that could affect the effectiveness of an adopted risk management procedure.

### **Associated Documents**

- Risk Management Plan and Procedure
- Warrumbungle Shire's Risk Matrix
- ISO-31000:2009
- Local Government Act 1993 No 30

### **Getting Help**

Position: Manager Property and Risk  
Department: Development Services

### **Version Control**

This policy and related procedures shall be reviewed every two years by the Manager Property and Risk in consultation with MANEX. If any changes occur to work practices or legislation then a review of the Policy and Procedures shall take place.

**WARRUMBUNGLE SHIRE COUNCIL**

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<b>Policy Name</b>	<b>Version</b>	<b>Resolution No.</b>	<b>Date</b>
Risk Management Policy	1	208	16 December 2010
Risk Management Policy	2	77/1314	15 August 2013
Risk Management Policy	3		

**Lewis/lannuzzi**

**The motion was put and carried by majority**

**Item 30 Stocktake Visitor Information Centre – 25 November, 2016 to 28 April 2017**

**287/1617 RESOLVED** that Council notes the results of the November 2016 to April 2017 Stocktake at the Coonabarabran Visitor Information Centre and approves a nett stock write-off of \$66.95.

**lannuzzi/Hill**

**The motion was put and carried by majority**

**Item 31 Development Applications**

**288/1617 RESOLVED** that Council notes the Applications and Certificates Approved, during April 2017, under Delegated Authority.

**Doolan/Capel**

**The motion was put and carried by majority**

**Item 32 Questions for Next Meeting**

Received.

**11.42 am**

**289/1617 RESOLVED** that:

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

**Brady/Doolan**

**The motion was put and carried by majority**

**12.10 pm**

**290/1617 RESOLVED** that Council move out of closed Committee.

**Capel/Hill**

**The motion was put and carried by majority**

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

**WARRUMBUNGLE SHIRE COUNCIL**

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**Item 1C NSW Rural Fire Headquarters**

**291/1617 A motion was moved by Councillor Clancy seconded Councillor Lewis** that Councillors request Mayor Peter Shinton direct General Manager, Steve Loane, provide an account of a recent event occurring on site of the newly erected NSW Rural Fire Headquarters located in Coonabarabran.

**The motion was put and carried by majority**

***Note: The General Manager and the Director Technical Services gave a verbal report to the Council on this matter.***

**Item 2C Mayoral Report**

**292/1617 A motion was moved by Councillor Doolan seconded Councillor Iannuzzi** that by 4pm 25 May 2017 the Mayor provide a written report of his contacts with the Independent Commission Against Corruption, the Office of Local Government, legal counsel and Council staff during the period from 16 November 2016 to 2 May 2017 relating to the complaint by Todd Roberts and the referral of that complaint by Council to ICAC.

As a minimum, the report is to contain:

- Details of all such contacts between the Mayor and any officer of ICAC and/or the Office of Local Government and/or Council staff including telephone conversations, text messages, emails and meetings;
- The names of all such officers;
- The dates and times of any such phone calls, texts, emails or other contacts and meetings;
- Any advice given to the Mayor by officers of ICAC, the OLG, legal counsel or any Council staff in relation to same;
- Any documents, file notes, diary entries or any memoranda prepared by the Mayor or any member of Council staff relating to such contacts not tabled at the Extraordinary Meeting of Council held on 2 May 2017.

**The motion was put and carried by majority**

**Item 3C Waste Management**

Abandoned.

**12.02 pm**

Councillor Doolan left the room.

**12.04 pm**

Councillor Doolan returned to the meeting.

**Item 4C Aged Debtor Account Write Off**

**293/1617 A motion was moved by Councillor Iannuzzi seconded Councillor Capel** that Council writes off the bad debts listed totalling \$17,817.44.

**An amendment was moved by Councillor Iannuzzi seconded Councillor Capel** that the DVA related expenses be written off.

**The amendment was withdrawn**

**The motion was put and carried by majority**

**WARRUMBUNGL E SHIRE COUNCIL**

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**Item 5C Queen's Baton Relay – Selection of Council Selected Batonbearer**

**294/1617 RESOLVED** that the nominations for the Queen's Batonbearer Relay were determined and are embargoed until the release by the Queen's Baton Relay organisers.

**Todd/Brady**

**The motion was put and carried by majority**

There being no further business the meeting closed at 12.13 pm.

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**CHAIRMAN**