

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 20 OCTOBER 2016 COMMENCING
AT 8.33AM**

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PRESENT: Cr 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 & 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 Corporate Services Administration Officer – Erin Player (minutes)

8.34am

The General Manager invited Councillor Clancy to come forward to take the Oath or make an Affirmation.

Councillor Fred Clancy came forward to take the Oath of office before a Justice of the Peace, Cr Anniello Iannuzzi.

8.45am

Forum

Mr Glenn Howgate discussed a business in town and his concerns he had for the community in relation to that business.

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

REPORTS

Item 1 Mayoral Minute – Monthly Mayoral Commitments

Received.

68/1617 A motion was moved by Councillor Todd and seconded by Councillor Clancy that the General Manager should also provide an activity report.

The motion was put and carried.

Item 2 Minutes of Special Council Meeting – 29 September 2016

69/1617 RESOLVED that the resolutions contained in the Minutes of the Special Council meeting held on 29 September 2016 be endorsed.

Capel / Lewis

The motion was put and carried

Item 3 Minutes of Ordinary Council Meeting – 29 September 2016

70/1617 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 29 September 2016 be endorsed.

Capel / Todd

The motion was put and carried

Item 4 Minutes Bushfire Appeal Advisory Panel – 4 October 2016

71/1617 RESOLVED:

1. That Council endorse the recommendations of the Warrumbungle Shire Mayors Bushfire Appeal Advisory Panel Meeting held on 4 October 2016.

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2. That the Warrumbungle Shire Council Mayors Bushfire Appeal fund status and allocation summary be accepted.
3. That the Mayors Bushfire Appeal Fund Advisory Panel approve the application received from 2WCR for the amount of \$20,000 and that this amount be funded from the Restart NSW Grant line item.
4. That \$20,000 be used to complete an economic study of the fire's effect on the Coonabarabran and surrounding district and that the remaining amount of unallocated funds amounting to a total of \$183,009 be distributed in the final windup of the fund.
5. That the remaining balance of the Mayors Bushfire Appeal Funds (being \$183,009) be distributed in full across the following funding categories based on the following percentages:
 - Home Dislocation 7.5%
 - Home Reestablishment 50.0%
 - Shed Rebuild 15.0%
 - Fencing Funding 25.0%
 - Recovery Contribution 2.5%

The amount allocated to each funding category is then split evenly across all recipients of funding from that funding category.

Shinton / Iannuzzi
The motion was put and carried

Item 5 Minutes of the Consultative Advisory Committee Meeting – 6 September 2016 Received.

Item 6 Councillor Representative for the Coonabarabran Sporting Complex Advisory Committee

72/1617 RESOLVED that Council endorse the nomination of Councillor Clancy as the second Councillor representative on the Coonabarabran Sporting Complex Advisory Committee.

Doolan / Todd
The motion was put and carried

Item 7 Delegations of Authority to the Mayor and Deputy Mayor

73/1617 RESOLVED that Council endorse the delegations to the positions of the Mayor and Deputy Mayor.

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Delegations Mayor

That subject to the requirements of the Local Government Act, 1993, regulations thereunder, any expressed policies of Council or requirements of any Public Authority and pursuant to Section 377 of the Local Government Act, 1993, the Mayor, be authorized to exercise or perform on behalf of the Warrumbungle Shire Council the functions, powers, authorities and duties set out in the schedule hereunder.

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Mayors Functions – Authority to exercise and/or perform the role of the Mayor
Under Legislation – Pursuant to section 226 of the Local Government Act 1993

Council Policies –

- To carry out any function conferred on and duty imposed on the Mayor under any act or regulation.
- To carry out the general supervision of the General Manager, except as otherwise provided by S335 of the Local Government Act 1993.
- Authority to approve Annual Leave for the General Manager.
- To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.
- Approve attendance by Elected Members at Conferences and Seminars etc, within New South Wales and the ACT to a maximum of three (3) days and within budget provisions.
- Authorise urgent works up to an amount of \$50,000 where budget funds are available and report that approval to the next Council meeting.
- Promote the area of Council through representations, functions and personal approaches.
- Use of a Council Corporate Credit Card to a maximum of \$5,000

WARRUMBUNGLE SHIRE COUNCIL

Delegations Deputy Mayor

Subject to the requirements of the Local Government Act 1993, and regulations thereunder and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the Deputy Mayor, be authorised to exercise on behalf of Warrumbungle Shire Council the following powers, authorities, duties and functions:

Council Policies –

- To carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out his/her duties.

Capel / Brady
The motion was put and carried

Item 8 Delegations of Authority to the General Manager

74/1617 A motion was moved by Councillor Capel seconded by Councillor Lewis that Council delegate to the General Manager the Acts and Regulations as prescribed in this report **FURTHERMORE** that any amendments to Acts and Legislation is automatically bestowed to the General Manager however any new Legislation is to be endorsed by Council.

An amendment was moved by Councillor Clancy seconded by Councillor Todd that the Requisition Authority Limit be reduced from \$150,000 to \$50,000.

The amendment was put and lost.

The motion was put and carried.

Councillor Iannuzzi abstained from voting.

Attachment 1

DELEGATIONS OF AUTHORITY 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
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;

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

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

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

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

Schedule 1: Limitations

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

Schedule 2: Instruments of Delegation to Council

Delegator	Instrument Name	Date of Instrument
Minister for Planning – EPA Act 1979	Environmental Planning and Assessment Act – Section 59	Wednesday, 21 November 2012
NSW Department of Fair Trading	Plumbing and Drainage Act under Section 21	Thursday, 20 December 2012
Roads and Maritime Services	RMS Delegation to Councils – Regulation of Traffic	Monday, 31 October 2011

Schedule 3: Policy Authorities

Policy Authority - Administrative
Use of Council Corporate Credit Card to a maximum limit of \$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.

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

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

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

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<p>action to be taken by Council or its employees.</p> <p>(ii) To appear and act for Council in the conduct of any action, suit or other legal or proceedings in all Courts.</p> <p>(iii) To instruct the Council's Solicitors in the conduct of any action, suit or other legal proceedings in all Courts.</p> <p>(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.</p>
<p>Recovery of Monies</p> <p>To authorise the recovery of monies owed to Council that constitute:</p> <p>a) any sum for damage sustained by it through the person's act or default, and</p> <p>b) the costs and expenses incurred by it in remedying that damage, and</p> <p>c) the value of anything wasted, misused or unlawfully consumed, diverted or taken by the person.</p>
<p>Variations to Development Standards under Development Plan Control 2015 as per endorsed and adopted plan.</p> <p>Pursuant to resolution /1516</p>
<p>Authority to Dispose of Assets</p> <p>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.</p>
<p>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.</p>
<p>Grant a lease or licence of operational land for a period of less than 10 years.</p>
<p>Policy Authority – Financial</p>
<p>To be a signatory to the bank accounts of Council.</p>
<p>Expenditure and authorisations – certify the prices and computations on all creditor payments.</p>
<p>Authority to sign as the authorising officer on Council's voucher payments for any costs.</p>
<p>Advances – Cash – To fix and vary the level of cash advances.</p>
<p>Cheques/Orders for Goods – Signing – to sign and or to specify the servants authorised</p>

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to sign cheques and orders for goods of Council.
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Accounts – Payments – Authority to pay all accounts as they fall due.

Authority to write off Rates and Charges up to \$10,000 and to write off debts to Council up to \$500 in accordance with Clause 131 of the Local Government (General) Regulation 2005.
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Policy Authority – Media

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

Attachment 2 - Acts

- 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

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- Fisheries Management Act 1994
 - Fluoridation Of Public Water Supplies Act 1957
 - Food Act 2003

 - Game & Feral Animal Control Act 2002
 - Gas Supply Act 1996
 - Geographical Names Act 1966
 - Government Information (Public Access) Act 2009
 - Graffiti Control Act 2008
 - Growth Centres (Development Corporations) Act 1974

 - Heavy Vehicle National Law (NSW) and Heavy Vehicle (Adoption of National Law) Act 2016
 - Heritage Act 1977
 - Holiday Parks (Long-Term Casual Occupation) Act 2002
 - Housing Act 2001

 - Impounding Act 1993
 - Inclosed Land Protection Act 1901
 - Independent Pricing & Regulatory Tribunal Act 1992

 - Land & Environment Court Act 1979
 - Land Acquisition (Just Terms Compensation) Act 1991
 - Library Act 1939
 - Library Regulation 2010
 - Liquor Act 2007 And Liquor Regulation 2008
 - Local Government Act 1993
 - Local Government (General) Regulation 2005
 - Local Government (Manufactured Home Estates, Caravan Parks, Camping Ground And Moveable Dwellings) Regulation 2005
 - Local Government And Other Authorities (Superannuation) Act 1927
 - Local Land Services Act 2013

 - Major Events Act 2009
 - Noxious Weeds Act 1993

 - Ombudsman Act 1974
 - Pesticides Act 1999
 - Pipelines Act 1967
 - Protection of the Environment Operations (Clean Air) Regulation 2010
 - Protection of the Environment Operations (Waste) Regulation 2005
 - Protection of the Environment Operations Act 1997
 - Privacy & Personal Information Protection Act 1998
 - Public Health Act 2010
 - Public Health Regulation 2012
 - Public Interest Disclosures Act 1994
 - Public Works Act 1912
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- 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
- 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

**Item 9 Delegations of Authority - Quarterly Acting General Manager Appointments
(with Reserve)**

75/1617 RESOLVED that Council make an annual resolution for the Acting General Manager using Annexure 1.

Annexure 1

**QUARTERLY ACTING GENERAL MANAGER APPOINTMENTS
(WITH RESERVE)**

1. That for the period 1 November 2016 to 31 January 2017, the Director of Corporate and Community Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of 5

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consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.

2. That if the person specified in paragraph 1 is unable or unwilling to act as General Manager at any time during the specified period, the Director of Development Services or Director of Technical Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of five (5) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
3. That for the period 1 February 2017 to 30 April 2017, the Director of Development Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of five (5) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
4. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager at any time during the specified period, the Director of Technical Services or the Director of Corporate and Community Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of five (5) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
5. That for the period 1 May 2017 to 31 July 2017, the Director of Technical Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of five (5) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
6. That if the person specified in paragraph 5 is unable or unwilling to act as General Manager at any time during the specified period, the Director of Corporate and Community Services or the Director of Development Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of 5 (five) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
7. That for the period 1 August 2017 to 31 October 2017, the Director of Corporate and Community Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of five (5) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.
8. That if the person specified in paragraph 7 is unable or unwilling to act as General Manager at any time during the specified period, the Director of Development Services

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or the Director Technical Services be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave for a period in excess of five (5) consecutive days, such appointment to cease upon the return to work of the General Manager or other resolution of the Council.

9. That any person acting as General Manager pursuant to this resolution has the functions, delegations, and sub-delegations given to the General Manager by the Council.

Capel / Brady
The motion was put and carried

9.52am

Item 10 Council Resolutions Report October 2016

Received.

Item 11 Australia Day 2017

76/1617 RESOLVED that Council supports and participates in Australia Day 2017 by:

1. Participating in the **NSW Local Citizen of the Year Awards** by administering and presents the *Warrumbungle Shire Council Australia Day Awards* in the following categories, as per the attached *Guidelines & Criteria* and *Nomination Forms*:
 - Citizen of the Year
 - Young Citizen of the Year
 - Sportsperson of the Year
 - Australia Day Award – Senior Citizen of the Year
 - Australia Day Award – Community Event of the Year
2. Council provides a contribution of \$500 each to the local Organising Committees in Baradine, Binnaway, Dunedoo, Coolah and Mendooran and \$600 to the Organising Committee in Coonabarabran.
3. Public swimming pools be opened free of charge throughout the Shire on Australia Day 2017.

Capel / Todd
The motion was put and carried

A motion was moved by Councillor Capel and seconded by Councillor Brady to change the Sportsperson of the Year award to Sports / Cultural of the Year.
The motion was withdrawn.

77/1617 A motion was moved by Councillor Todd and seconded by Councillor Capel to add another category to the Australia Day Awards and it be named the Cultural Achievement Award.
The motion was put and carried.

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Australia Day Awards 2017 Guidelines and Criteria

The *Warrumbungle Shire Council Australia Day Awards* are run in conjunction with the *NSW Local Citizen of the Year Awards*. Each year residents of Warrumbungle Shire are invited to nominate fellow citizens for the *Warrumbungle Shire Council Australia Day Awards*.

The *Warrumbungle Shire Council Australia Day Awards* are an opportunity to celebrate what's great about our local communities and recognize some for their outstanding achievement or contribution during the past 12 months.

In 2017, nominations are being called for the following categories:

- Citizen of the Year
- Young Citizen of the Year
- Sportsperson of the Year
- Cultural Achievement Award
- Australia Day Award – Senior Citizen of the Year
- Australia Day Award – Community Event of the Year

How to Nominate

Nominations can only be made by completing the official *Nomination Form*. Supporting documentation may also be provided. Please do not provide any originals with the *Nomination Form* as all documentation will be retained by Warrumbungle Shire Council.

Nominees are encouraged to provide as much information as possible on the *Nomination Form*. Not only will this assist the *Selection Committee* in making a decision but this information will form the basis of the citation which is provided with the award and any information provided to local media.

Nomination Deadlines

Nominations open on Friday 28 October, 2016. **Nominations close at 4:00pm on Friday 2 December, 2016.** Late nominations will not be accepted.

Nomination Forms submitted via mail must be postmarked on or before Friday 2 December, 2016, and addressed to:

Warrumbungle Shire Council
Australia Day Awards 2017
PO Box 191
Coonabarabran NSW 2357

Electronic submissions must be received no later than 4:00pm on Friday 2 December, 2016, at info@warrumbungle.nsw.gov.au or via fax on (02) 6842 1337.

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Nominations can also be delivered in person at Warrumbungle Shire Council offices in Coolah or Coonabarabran. Nominations delivered in person must be received no later than 4:00pm on Friday 2 December, 2016. Council Offices are located at 14 – 22 John Street, Coonabarabran, and 59 Binnia Street, Coolah.

Eligibility

- Nominees must be Australian citizens and be a resident of the Warrumbungle Shire at the time of nomination.
- Nominations must be made on the official *Nomination Form*.
- Self nominations will not be accepted.
- Awards will not be granted posthumously.
- Awards will be based on achievements and contributions in the last 12 months.
- A person cannot receive the same award more than once, but can be considered for recognition in another category. Information on previous recipients is available from Warrumbungle Shire Council.

Citizen of the Year: To be eligible for the *Citizen of the Year* award a person must be aged 24 years of age or older on 26 January, 2017.

Young Citizen of the Year: To be eligible for the *Young Citizen of the Year* award the person must be under 24 years of age on 26 January, 2017.

Sportsperson of the Year: To be eligible for the *Sportsperson of the Year* award the person must be 12 years of age or older on 26 January, 2017.

Cultural Achievement Award: Eligibility for this award is not age dependent.

Australia Day Award – Senior Citizen of the Year: To be eligible for the *Senior Citizen of the Year* award the person must be 60 years of age or older on 26 January, 2017.

Australia Day Award – Community Event of the Year: To be eligible for the *Community Event of the Year* award the event must have been held in Warrumbungle Shire in the last 12 months.

Selection Committee

The *Warrumbungle Shire Council Australia Day Awards* Selection Committee consists of Warrumbungle Shire Councillors. *Nomination Forms* received by closing date are presented to the Councillors at the December Council Meeting.

Selection is based on the information provided in the *Nomination Form*. The *Selection Committee* reserves the right to obtain more information about a *Nominee* from whatever source appropriate.

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

The decisions of the *Selection Committee* are final and no correspondence will be entered into in relation to the selection of award recipients.

Presentation of Awards

Award recipients will receive a formal letter advising them of their selection as an award recipient in the *Warrumbungle Shire Council Australia Day Awards*. Letters will be sent out following the selection of award recipients at the Warrumbungle Shire Council Meeting to be held on Thursday 15 December, 2016.

Award recipients will be invited to receive their award at the Australia Day celebrations in their local town. Awards will be presented by the Australia Day Ambassador and a representative from Warrumbungle Shire Council.

More Information

For more information please contact Louise Johnson, Manager Children's and Community Services, on Louise.Johnson@warrumbungle.nsw.gov.au or (02) 6849 2000.



**Australia Day Awards 2017
Nomination Form**

Name of Nominee: _____

Date of Birth: _____

Email: _____

Address: _____

Phone: _____

Mobile: _____

I would like to nominate the above mentioned person or event for a *Warrumbungle Shire Council Australia Day Award* in the following category:

☐ Citizen of the Year

24 years of age or older on 26 January, 2017

☐ Sportsperson of the Year

12 years of age or older on 26 January, 2017

☐ Senior Citizen of the Year

60 years of age or older on 26 January, 2017

☐ Young Citizen of the Year

Under 24 years of age on 26 January, 2017

☐ Cultural Achievement Award

Not age dependent

☐ Community Event of the Year

Event must have been held in

Warrumbungle Shire in the last 12 months

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 20 OCTOBER 2016 COMMENCING
AT 8.33AM**

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Name of Person Making the Nomination: _____

Email: _____

Address: _____

Phone: _____

Mobile: _____

Signature: _____

Date: _____

About the Nominee

Please tell us about the person or event you are nominating for a *Warrumbungle Shire Council Australia Day Award*. This information will be used by the *Selection Panel* to select the award recipients. Nomination information is to be no more than one (1) A4 page. Supporting documentation can be provided in addition to this.

Please keep in mind that not only will information provided on the *Nomination Form* assist the *Selection Committee* to make a decision but this information will also form the basis of the citation which is provided to the recipient with the award. Nomination information may also be provided to local media.

More Information

For more information please contact Louise Johnson, Manager Children's and Community Services, on Louise.Johnson@warrumbungle.nsw.gov.au or (02) 6849 2000.

About the Nominee

I am nominating _____ for a *Warrumbungle Shire Council Australia Day Award* in 2017 because of the following achievements and / or contributions:

Item 12 Monthly Report from Human Resources – October 2016

Received.

Item 13 Bank Reconciliation for the month ending 30 September 2016

78/1617 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 30 September 2016.

Capel / Hill
The motion was put and carried

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Item 14 Investments and Term Deposits for Month ending 30 September 2016

79/1617 RESOLVED that Council accept the Investments Report for the month ending 30 September 2016.

Capel / Hill

The motion was put and carried

Item 15 Rates Report for Month Ending 30 September 2016

Received.

Item 16 Proposed Adjustment to Locality boundaries for Bomera, Binnaway and Dunedoo

80/1617 RESOLVED that Council note progress of the Residential Property Addressing System program, and:

1. That Council proceeds with gazettal of the following:
 - a. Create a new Locality of Cobbora.
 - b. Adjust the locality boundaries of Weetaliba, Box Ridge and Ropers Road to be encompassed in the Localities of Binnaway, Ulamambri and Purlewaugh.
 - c. Adjust the locality boundaries of Bomera to Tambar Springs and Coolah.
 - d. Rename Merotherie Street and the section of Martin Street that aligns with Cobbora Road to Cobbora Road, so that Cobbora Road consistently traverses from the intersection with Golden Highway through to the Castlereagh Highway intersection in the north.
2. Confirm new road names for Tucklan, Yarrow and River Streets within the village of Cobbora from a selection of the following names: Curlew, Wren, Dove, Crane, Egret, Phalaris, Lucerne, Clover, Rhodes or Rye and for these new road names to be gazetted. Council nominated Curlew, Wren and Dove.
3. Write to all residents potentially affected by the proposed boundary changes to the localities of Tannabar, Wattle Springs, Dandry and Ulamambri.
4. Request gazettal of the unnamed road off Baradine Road, Coonabarabran, as Jermaine Road.

Clancy / Iannuzzi

The motion was put and carried

Item 17 Baradine Pool Shade Cover

81/1617 A motion was moved by Councillor Todd seconded by Councillor Brady that consideration of this matter be deferred until a later date.

The motion was put and carried.

Item 18 2016/17 Technical Services Works Program – Road Operations, Urban Services & Water Services

Received.

10.28am

82/1617 RESOLVED that standing orders be suspended to break for morning tea.

Capel / Hill

The motion was put and carried

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10.51am

83/1617 RESOLVED that standing orders be resumed.

Hill / Capel

The motion was put and carried

Item 19 Waste – Information Report

10.55am

84/1617 RESOLVED that:

- (a) that Council go into closed committee to consider business relating to a commercial matter
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(c) 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 / Brady

The motion was put and carried

10.55am

Corporate Services Administration Officer – Erin Player left the meeting

11.43am

85/1617 RESOLVED that Council move out of closed Committee.

Brady / Capel

The motion was put and carried

Corporate Services Administration Officer – Erin Player returned to the meeting.

The General Manager announced that Item 19 Waste – Information report was noted.

Item 20 Len Guy Park Boundary Adjustment

86/1617 RESOLVED that Council continues the process of finalising boundary adjustments, land transfers and fencing relating to Len Guy Park, Binnaway, as previously resolved via Resolution 83/1516.

Todd / Capel

The motion was put and carried

Item 21 Pump House Camping Ground Binnaway

87/1617 RESOLVED that Council continues the part road closure of Castlereagh Avenue, Binnaway, updating the licence agreement and submitting a Development Application for

the Pump House Camp Ground, Binnaway as resolved previously via Resolution 57/1415.

Capel / Brady

The motion was put and carried

Item 22 Local Heritage Fund Applications

88/1617 RESOLVED that Council grant \$1,000 from the Warrumbungle Shire Council Local Heritage Fund 2016-2017 with the remainder of the fund being allocated later in the year if more applications are received.

Lewis / Brady

The motion was put and carried

WARRUMBUNGLE SHIRE COUNCIL

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Item 23 Development Applications

89/1617 RESOLVED that Council note the Applications and Certificates Approved, during September 2016, under Delegated Authority.

Capel / Brady

The motion was put and carried

Matters of Concern

Cr Brady

- Hickeys Falls amenities. Advised this area is RMS jurisdiction not councils.
- Suggested that the access roads to Pilliga Pottery and Goanna Tracks be sealed as they are major tourist attractions. Advised that the slip lane southbound on the Newell Highway for turn off to Pilliga Pottery has been considered by RMS..
- Car parking out the front of Coonabarabran Primary School on the highway side. People are having to park on the other side, quite dangerous with small children. DTS responded - traffic management can be referred to Traffic Committee.
- Interagency meeting they spoke about White Ribbon Day. Suggested that Councillors to take an Oath on White Ribbon Day.
- River Road regarding rural addressing. Had to ring police one time and the road is known as Castlereagh Street not River Road.

Cr Capel

- Had a person approach her about Native Grove Cemetery. Last time they did an expansion out there they knocked down old trees that had birds nests. There has been talk about more expansion but please don't do it in birds season.
- Pot holes an issue but has bought it up with General Manager already.

Cr Clancy

Nil.

Cr Doolan

- Honour Councillor Sullivan for 28 years of service. Maybe a Ron Sullivan Civic Service Award. Councillor Capel commented, maybe we should have a special Honour Board in the chamber for service over 20 years.
- Ratepayer contacted him the other day. Can we let people know they are in the area doing work so they able to get some private works done on their property if they want it. Informed that the Communications Officer puts out media releases to let locals know where the graders are and see if anyone would want private works done.
- Quarry – property neighbours the quarry and is wondering is council expanding it again.

Cr Hill

- Apologise to GM for having a few words to say at Dunedoo meeting regarding old bank building.
- Asked who owns the land between the saleyards and showground in Dunedoo.
- School bus run – while work is being done on roads, eg Golden Highway East of Dunedoo, can the team be split in two so work is done quicker. GM responded – need to look at how more cost effective it would be two teams split up working separate hours.

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Cr Iannuzzi

- Coonabarabran Soccer Club, numbers of teams are growing and there is some concern it will get shifted to the dog track oval noting that there is no lighting there. cr Iannuzzi requested that if the soccer club have to be moved can they go to Number One Oval where there is lighting.

Cr Lewis

- Stormwater levy. Binnaway business owner wants to know why he is charged two stormwater levies and another in Coonabarabran is wondering why he is charged eight. DCS responded – get the details and will have someone to look it.
- What do people gain as being a commercial business? DCS responded – its how the rating system works.
- Someone from Warkton contacted him regarding what has happened to Warkton and Belar Creek and are they now part of Tannabar?

Cr Todd

- Munns Road, Milchomie Creek Crossing needs work to get Grain trucks through for harvest season.
- Informed meeting that a Newell Highway, Project Manager is to be appointed to investigate bypass planning.
- Inland Rail, received letter back. Suggests he should be on the management team and would like to attend meetings.

Cr Shinton

Nil.

12.15pm

90/1617 RESOLVED that:

- (a) that Council go into closed committee to consider business relating to an alleged contravention of a code of conduct and personnel matters
- (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) and (a) as outlined above
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Capel / Lewis
The motion was put and carried

12.17pm

Councillor Clancy asked that staff leave the room except for the minute taker. The General Manager advised that he would stay to represent staff.

Director Technical Services, Director Corporate & Community Services, Director Development Services and Corporate Services Administration Officer left the meeting.

WARRUMBUNGLE SHIRE COUNCIL

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12.31pm

Councillor Clancy left the room having made a statement to the meeting.

12.37pm

91/1617 RESOLVED that Council move out of closed Committee.

Brady / Capel

The motion was put and carried

Director Technical Services, Director Corporate & Community Services, Director Development Services and Corporate Services Administration Officer and Councillor Clancy returned to the meeting.

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

Item 1C Code of Conduct Investigation Report

92/1617 RESOLVED

- a) Councillor Clancy has breached Council's Code of Conduct in respect to Clause 3.1 a), b), c), d) and e), Clause 3.3, Clause 6.2 a) and Clause 6.7 e) & f).
- b) That in accordance with Section 440G of the Local Government Act, Councillor Clancy is formally censured for breaches of Council's Code of Conduct.
- c) That in accordance with Section 440H (2) (c) of the Local Government Act, Council request the Office of Local Government's Departmental Chief Officer to conduct an investigation into Councillor Clancy's misconduct and consider appropriate disciplinary action.

Iannuzzi / Brady

The motion was put and carried

Item 2C Social Media

93/1617 RESOLVED that the report provided to advise Council on the investigation being undertaken into posts made on Social Media alleging misconduct by Council and Council Officers be noted. Upon receipt of the report we wind it up immediately.

Iannuzzi / Lewis

The motion was put and carried

There being no further business the meeting closed at 12.41pm.

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CHAIRMAN