



Warrumbungle Shire Council

Council meeting

Thursday, 21 September 2017

**to be held at the Council Chambers,
Binnia Street, Coolah**

commencing at 8.30 am

Mayor

Councillor Peter Shinton

Deputy Mayor

Councillor Denis Todd

COUNCILLORS

Councillor Kodi Brady

Councillor Anne-Louise Capel

Councillor Fred Clancy

Councillor Ambrose Doolan

Councillor Wendy Hill

Councillor Aniello Iannuzzi

Councillor Ray Lewis

MANAGEMENT TEAM

Leeanne Ryan (Acting General Manager)

Michael Jones (Director Corporate & Community
Services)

Kevin Tighe (Director Technical Services)

Leeanne Ryan (Director Development Services)

Warrumbungle Shire Council

Vision

Excellence in Local Government

Mission

We will provide:

- Quality, cost effective services that will enhance our community's lifestyle, environment, opportunity and prosperity.
- Infrastructure and services which meet the social and economic needs and aspirations of the community now and in the future.
- Effective leadership and good governance, by encouraging teamwork, through a dedicated responsible well trained workforce.

We Value

Honesty

Frank and open discussion, taking responsibility for our actions

Integrity

Behaving in accordance with our values

Fairness

Consideration of the facts and a commitment to two way communication

Compassion

Working for the benefit and care of our community and the natural environment

Respect

To ourselves, colleagues, the organisation and the community listening actively and responding truthfully

Transparency

Open and honest interactions with each other and our community

Passion

Achievement of activities with energy, enthusiasm and pride

Trust

Striving to be dependable, reliable and delivering outcomes in a spirit of goodwill

Opportunity

To be an enviable workplace creating pathways for staff development

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

NOTICE is hereby given that the **ORDINARY MEETING** of Council will be held on Thursday, 21 September 2017 at the Council Chambers, Binnia Street, Coolah commencing at 8.30 am

AGENDA

Welcome

Turn Off Mobile Phones

Order of Business

Forum

Apologies

Disclosure of Interest

 Pecuniary Interest

 Non Pecuniary Conflict of Interest

Mayoral Minute

Reports

Questions for the Next Meeting

Reports to be considered in Closed Council

Item 1C Binnaway Saleyards

Item 2C Proposals for the Recruitment of a General Manager

Item 3C Request for Hardship Rate Relief - Assessment No 10017390

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LEEANNE RYAN
ACTING GENERAL MANAGER

WARRUMBUNGLE SHIRE COUNCIL

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Matter to be dealt with “in committee”

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

The items relate to personnel matters and commercial information and are classified **CONFIDENTIAL** under Section 10A(2)(a) and (c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors);
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

FURTHER that Council resolve:

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

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LEEANNE RYAN
ACTING GENERAL MANAGER

WARRUMBUNGLE SHIRE COUNCIL

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Item 1 Election of Deputy Mayor

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Government and Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

Reason for Report

To set out the process for election of the Deputy Mayor by Councillors.

Background

Whilst not a requirement under the NSW Local Government Act (1993) s231, Warrumbungle Shire Council has traditionally elected a Deputy Mayor.

The Section 231 of the Act states:

231 Deputy mayor

- (1) The councillors may elect a person from among their number to be the deputy mayor.*
- (2) The person may be elected for the mayoral term or a shorter term.*
- (3) The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

The election of the Mayor or Deputy Mayor by the Councillors of an area is to be in accordance with Schedule 7 of the Local Government (General) Regulation 2005.

The result of the election is to be declared to the Councillors at the Council meeting at which the election is held by the Returning Officer, and to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales (now known as LGNSW).

Councillors have been sent under separate cover a nomination sheet for the Deputy Mayor position.

Council will need to determine the term for the position of Deputy Mayor.

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Issues

As per Schedule 7 of the Local Government Regulations (2005) Parts 1-13 the General Manager (or a person appointed by the General Manager) is the Returning Officer.

A Councillor may be nominated without notice for election as Mayor or Deputy Mayor.

The nomination is to be made in writing by two (2) or more Councillors (one of who may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The nomination is to be delivered to or sent to the Returning Officer. The Returning Officer is to announce the names of the nominees at the Council meeting at which the election is to be held.

Options

If only one Councillor is nominated, that Councillor is elected.

If more than one Councillor is nominated, Council is to resolve whether the election is to proceed by Ballot (which under the Regulations means Secret Ballot), or Open Voting, which means voting by a show of hands or similar means. In addition, Council also needs to determine if the method of voting is by Preferential Ballot or Ordinary Ballot.

The election is to be held at the Council meeting at which the Council resolves on the method of voting.

Financial Considerations

In past practice, the Deputy Mayor has been paid an allowance of five hundred dollars (\$500), being part of the Mayoral allowance, which is provided annually by monthly payments in arrears.

RECOMMENDATION

For Council's determination.

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Item 2 Mayoral Minute – Mayors Activity from 10 August to 13 September 2017

Division:	Executive Services
Management Area:	Governance
Author:	Councillor Peter Shinton - Mayor
CSP Key Focus Area:	Local Government and Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance

MAYOR MINUTE - MAYORS ACTIVITY 10th August - 13 September 2017

<u>Date</u>	<u>Type</u>	<u>Activity</u>
10.08.17	e-mail	from LG NSW legal issues re motions
	e-mail	from Minister Roberts office re meeting
	e-mail	from resident re showground development
	Meeting	AMRC Executive meeting in Sydney
11.08.17	Meeting	AMRC meeting
	e-mail	from Clr Clancy request for names and position of the attendees for Extraordinary meeting
	e-mail	from CMCC meeting notice
	e-mail	to Councillors re Extraordinary meeting
12.08.17	e-mail	from Clr Lewis re meeting
13.08.17	e-mail	from General manager to Councillors
	e-mail	from Clr Iannuzzi to Councillors
14.08.17	Meeting	Extraordinary meeting
	phone call	to Steve Loane re meeting outcome
15.08.17	Meeting	Coonabarabran Chamber of Commerce
17.08.17	Meeting	Council Meeting in Coonabarabran
	Meeting	with Acting General manager and Executive Assistant
18.08.17	e-mail	invitation Regional Australia Bank presentations
21.08.17	Meeting	CMCC in Walgett
	phone call	from OLG re Council meeting motions
	Meeting	with Acting General manager and Executive Assistant
22.08.17	Meeting	BFMC and ZLC in Coonabarabran
	Phone Call	from OLG re investigation 734a
	e-mail	from Blackadder and Assocs
	e-mail	from BlazeAid re electricity account
	phone call	from Kevin Humphries
23.08.17	volunteer	Meals on Wheels with Breakthru
	e-mail	invitation to Australian Mineral Council Dinner
	e-mail	Creative Collectives complaint
24.08.17	Meeting	Traffic Committee
25.08.17	phone call	Mark Anderson re ALMA Chairmanship
	e-mail	Clr Doolan re update
26.08.17	e-mail	Confidential - Vice Regal visit

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28.08.17	attended	Regional Growth Fund workshop in Dubbo
	e-mail	NPWS re RAC meeting
	e-mail	AMRC presentations
	e-mail	AMRC VPA report
	e-mail	OROC re Tour de OROC
	e-mail	from resident re naming Water Plant Mendooran
29.08.17	e-mail	from OROC re concerns Regional Growth Fund
	e-mail	from WRI re Annual Dinner - Dubbo
30.08.17	phone call	from ICAC re OLG investigation
	e-mail	from Clr Doolan re update
	e-mail	from Central West Lifestyle - invitation
	e-mail	from Acting General manager re OLG enquiry
31.08.17	letter	from OLG re awarding of tender preliminary enquiry
	e-mail	to Councillors re enquiry
	e-mail	NPWS re RAC meeting
	e-mail	LLS re Weeds Conference.
01.09.17	e-mail	AMRC submission to Dept Planning
	phone call	from OLG re file notes
	e-mail	from Geological Survey re exploratory work
	e-mail	from LLS re weeds strategy document
04.09.17	e-mail	from DPI re anonymous letter Coolah and Dunedoo
	e-mail	BlazeAid invitation
	e-mail	Local Health District Board meeting
	e-mail	Geopark invitation to become a Sister Park with Chinese Park
05.09.17	e-mail	invitation from RFS to Fire Control Centre opening
	e-mail	Confidential Vice Regal visit
06.09.17	dinner	AustralianMinerals Industry Parliamentary dinner Great Hall Parliament House Canberra
	e-mail	invitation opening of Gathering Place at Coonabrabran High School with Governor
	e-mail	invitation to inspect VIC in National Park with Governor
	letter	from OLG Tim Hurst (e-mail)
07.09.17	flights	returned from Canberra
	e-mail	disclosures for NSW Electoral Office
	e-mail	Geopark letter for signing
	e-mail	from Clr Todd re Binnaway Saleyards and Dunedoo Hospital
	e-mail	AMRC VPA working party
	e-mail	from Minerals Council re VPA
08.09.17	Meeting	NPWS meeting in Narrabri
	phone call	OLG Confidential
	Meeting	Acting General Manager
	e-mail	from LLS re WAP 1520 funding
	e-mail	from economics and tourism re enquiry
	e-mail	orders from Safework NSW
	interview	Castlereagh BFMC media release
	e-mail	invitation to AMRC in Singleton
	e-mail	from GM Singleton re AMRC meeting

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09.09.17	attended Meeting	Opening of RFS Control Centre in Coonabarabran (speech) presentation of medals and tankers with Kevin Humphries
11.09.17	attended e-mail	Opening of Gathering Place Coonabarabran High School with Governor NPWS re new regional divisions
	attended	Viewing of the Visitors Information Centre in Warrumbungle National Park with Governor
12.09.17	e-mail	Clr Iannuzzi re Vice Regal visit and investigations
	e-mail	from OLG
	e-mail	to Clr Iannuzzi re Vic Regal visit and investigations
	e-mail	from concerned citizen re grant funding
13.09.17	e-mail	invitation to WACCI
	e-mail	invitation to Bushfire Co-ordinating Committee
	Meeting	with EA in Coonabarabran
	e-mail	from NPWS invitation to celebrate 50th Anniversary

RECOMMENDATION

That the report be noted.

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Item 3 Minutes of Confidential Extraordinary Council Meeting – 14 August 2017

Division: Executive Services

Management Area: Governance

Author: Manager Administration and Executive Assistant to the General Manager – Glennis Mangan (minutes) and Administration Officer – Tracy Cain (minutes)

CSP Key Focus Area: Local Governance and Finance

Priority: GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

PRESENT: Cr Peter Shinton (Chairman), Cr Capel, Cr Clancy, Cr Doolan, Cr Hill, Cr Iannuzzi, Cr Lewis, Cr Todd, Ross Nassif (LGNSW)

In attendance: Manager Human Resources, Mrs Val Kearnes (Minutes)

APOLOGIES: Cr Kodi Brady

38/1718 RESOLVED that the apologies of Councillor Kodi Brady be accepted.

Capel/Iannuzzi

The motion was put and carried by majority

2.00 pm

The following resolutions of Council were determined during the Confidential Extraordinary Council meeting.

Item 1C Personnel matters relating to the General Manager's Contract of Employment

41/1718 A motion was moved by Councillor Iannuzzi seconded by Councillor Clancy that the motions passed in closed session remain confidential. Council give effect to the motions passed in closed session relating to the General Manager's Contract of Employment.
The motion was put and carried by majority

There being no further business the meeting closed at 3.15 pm.

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CHAIRMAN

RECOMMENDATION

That the resolutions contained in the Minutes of the Confidential Extraordinary Council meeting held on 14 August 2017 be endorsed.

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Item 4 Minutes of Ordinary Council Meeting – 17 August 2017

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and Executive Assistant to the General Manager – Glennis Mangan (minutes) and Administration Officer – Tracy Cain (minutes)
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

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

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
Councillor Doolan stated that he may have a non pecuniary interest with an item in the Confidential Business Paper.

**8.32 am
Forum**

Mr Craig Featherstone provided Council with a personal introduction as a new resident to the Coonabarabran community.

REPORTS

Item 1 Mayoral Minute – Mayors Activity from 13 July 2017 to 9 August 2017

Noted.

Item 2 Minutes of Ordinary Council Meeting – 20 July 2017

42/1718 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 July 2017 be endorsed.

Hill/Brady

The motion was put and carried by majority

Item 3 Minutes of Traffic Advisory Committee Meeting – 27 July 2017

43/1718 RESOLVED:

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 27 July 2017.
2. That in principle agreement is given to drafting a checklist for organisations seeking to close a public road for an event and publishing the checklist on Council's website.

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3. That double barrier lines be installed on the Dandry Road approach to the Newell Highway intersection as per the plan presented to the Traffic Advisory Committee.
4. That in principle support is given for one way traffic flow at Native Grove Cemetery in Coonabarabran and further, that further design for one way traffic at Native Grove Cemetery is required.

Shinton/Lewis

The motion was put and carried by majority

Item 4 Minutes of Bushfire Appeal Advisory Panel – 26 June 2017 (Re-presented)

Received.

Item 5 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 26 July 2017

44/1718 RESOLVED that Council accepts the Minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 26 July 2017.

Clancy/Brady

The motion was put and carried by majority

Item 6 Minutes of Bushfire Appeal Advisory Panel – 31 July 2017

Received.

Item 7 Minutes of Finance and Projects Committee Meeting – 1 August 2017

45/1718 RESOLVED:

1. That Council accepts the Minutes of the Finance and Projects Committee meeting held at Coolah on 1 August 2017.
2. That the Fourth Quarter Business Review Statement (QBRs) be accepted.
3. That the revotes in full totalling the amount of \$13,203,796 be included in the 2017/18 budget.

Doolan/Capel

The motion was put and carried by majority

Item 8 Minutes of Economic Development and Tourism Advisory Committee Meeting – 3 August 2017

46/1718 RESOLVED:

1. That Council accepts the Minutes of the Economic Development and Tourism Advisory Committee meeting held at Coonabarabran on 3 August 2017.
2. That the financial report be accepted.
3. That an invitation be extended to Ashley Watt to present a workshop findings and the in depth findings on shopping locally and **FURTHERMORE** EDT Funds be used to subsidise the presentation of workshops and to assist communities to move forward on their own Shop Locally campaigns.
4. That Council endorses the actions to have Warrumbungle Shire participate in the Collectors Edition at the cost of \$1940.
5. That Council endorses the actions of the EDT Manager in the purchase of advertising in the Winter Edition of Caravanning Australia at \$950.
6. That WSC through EDT budget contribute \$2500 to the EDO Network projects for preparation of a Plan for the Love the Life We Live Project.

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7. That an invitation be extended to Stewart Webster to present to the community on the Regional Economic Plans to be produced.
8. That WSC purchase ¼ page in the 2017-18 publication of CCIA magazine at cost of \$1970 and operators be invited to contribute \$100 each top off set costs.
9. That the Manager EDT to meet with Jenny Rand to discuss and scope out the needs for a new plan when she is in the region later in August.
10. That Council endorses the purchase of advertising on Radio 2UE at cost of \$1390.
11. That the EDT unit purchase the Database of Coach Tour Operators at cost of \$250 and “onsell” to operators at \$25 each.

Capel/Brady

The motion was put and carried by majority

Item 9 All Meetings of Warrumbungle Shire Council - Location

47/1718 A motion was moved by Councillor Iannuzzi seconded Councillor Hill that effective immediately, all meetings of Warrumbungle Shire Council be held at the Coonabarabran Council premises.

The motion was put and lost

Item 10 All Meetings of Warrumbungle Shire Council – Commencement Time

A motion was moved by Councillor Iannuzzi seconded Councillor Brady that effective immediately, all meetings of Warrumbungle Shire commence no earlier than 5.45 pm.

The motion was withdrawn.

Item 11 Progress Report

48/1718 A motion was moved by Councillor Lewis seconded Councillor Todd that a progress report be made available to Councillors regarding notices of motions raised by Councillor Lewis at the July Ordinary Council meeting.

The motion was put and carried by majority

Item 12 General Manager Log of Activities Report

49/1718 RESOLVED that Council accepts the General Manager's monthly report

Todd/Hill

The motion was put and carried by majority

Councillor Iannuzzi and Councillor Clancy recorded their objection against the information contained in Item 12 General Manager Log of Activities Report.

Item 13 2017 Local Government NSW Annual Conference (Re-presented)

50/1718 RESOLVED that the Mayor and General Manager be accompanied by Councillor Clancy and Councillor Todd to attend the 2017 LGNSW Conference to be held in Sydney on 4-6 December 2017 and that all transport, transfers, accommodation and meals be provided as per the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors.

Todd/Lewis

The motion was put and carried by majority

Item 14 Councillors' Monthly Travel Claims

Received.

Item 15 Progress Report Delivery Program 2016/17 – 2019/20

51/1718 RESOLVED that Council accepts the 2016/17-2019/20 Delivery Program six (6) month Progress Report to 30 June 2017.

Capel/Brady

The motion was put and carried by majority

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Item 16 Rail Futures Conference – Melbourne 2017 (Re-presented)

RESOLVED that Council approve Councillor Denis Todd to attend the Rail Futures Conference in Melbourne in September 2017. **FURTHER** that all travel, meals and accommodation be provided as per the Policy.

The motion was withdrawn

Item 17 Strategic Policy – Public Interest Disclosures Act 1994 Internal Reporting Policy

52/1718 RESOLVED that Council endorses the following Public Interest Disclosures Act 1994 Internal Reporting Policy to be included in the Strategic Policy Register.

	Internal Reporting Policy – Public Interest Disclosures Act 1994
	Strategic

Background

Under section 6D of the Public Interest Disclosures Act 1994 (PID Act), public authorities are required to have a policy and procedures for receiving, assessing and dealing with public interest disclosures (PIDs).

The definition of public authorities includes Councils. As prescribed by the PID Act, this policy was developed with due regard to the NSW Ombudsman's guidelines and the model internal reporting policies for local government.

Objective

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

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

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

Policy Statement

- 1 Council is committed to the aims and objectives of the Public Interest Disclosures Act 1994 (The PID Act).
- 2 The Mayor, General Manager and Council management acknowledge the value and importance of Councillor and staff contributions to high standards of administrative and management practices and strongly endorse reporting of corrupt conduct, fraud, maladministration, serious and substantial waste of public money or government information contravention.
- 3 Council is committed to an effective response to internal disclosures in a way that will protect the identity of the whistle blower, wherever possible and appropriate.

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- 4 Council will not tolerate reprisals or retribution against those making legitimate public interest disclosures as prescribed by the PID Act.

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1. Purpose and Context of the Policy

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

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

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

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

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

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

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

2. Organisational Commitment

Warrumbungle Shire Council is committed to:

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

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

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

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

3. Roles and Responsibilities of Staff

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

3.1 Employees and Independent Contractors

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

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

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

3.2 Nominated Disclosure Officers

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

- clearly explain to persons making disclosures what will happen in relation to the information received;
- when requested, make arrangements to ensure that disclosures can be made privately and discreetly (if necessary away from the workplace);
- reduce to writing and date any disclosures received orally (and have the person making the disclosure sign the document);
- deal with disclosures impartially;
- forward disclosures to the Disclosure Co-ordinator or the General Manager, for assessment;
- take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential; and
- support persons who make disclosures and protect them from victimisation, harassment or any other form of reprisal.

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3.3 Disclosure Co-ordinator

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

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

3.4 General Manager

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

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

- impartially assess each disclosure to determine:
 - whether the disclosure appears to be a public interest disclosure within the meaning of the Act;
 - the appropriate action to be taken in relation to the disclosure, for example:
 - no action/decline;
 - the appropriate person to take responsibility for dealing with the disclosure;
 - preliminary or informal investigation;
 - formal investigation;
 - prosecution or disciplinary action;
 - referral to an investigating authority for investigation or other appropriate action; or

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- referral to the police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct);
- receive reports from the Disclosure Co-ordinator on the findings of any investigation and any recommendations for remedial action, and determine what action should be taken;
- conduct his/her own investigation if deemed necessary;
- take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential;
- have primary responsibility for protecting staff who make disclosures, or provide information to any internal or external investigation of a disclosure, from victimisation, harassment or any other form of reprisal;
- be responsible for implementing organisational reform identified as necessary following investigation of a disclosure; and
- report criminal offences to the Police and actual or suspected corrupt conduct to ICAC (unders.11 of the ICAC Act).

3.5 The Mayor

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

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

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

4. What Should be Reported?

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

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

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

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

a. Corrupt Conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official.

For example, this could include:

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

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

b. Maladministration

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

For example, this could include:

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

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

c. Serious and Substantial Waste in Local Government

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in the loss or wastage of local government money. This includes all revenue, loans and other money collected, received or held by, for or on account of the council.

For example, this could include:

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

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

d. Government Information Contravention

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

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For example, this could include:

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

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

e. Local Government Pecuniary Interest Contravention

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

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

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

f. Other Wrongdoing

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

For example, these could include:

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

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

- Code of Conduct
- Grievance and Dispute Policy
- Workplace Bullying and Harassment Policy
- GIPA Agency Information Guide

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

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

5. When Will a Report be Protected?

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

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These requirements are:

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

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

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

6. How to Make a Report

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

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

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

7. Can a Report be Anonymous?

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

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

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

8. Maintaining Confidentiality

The Warrumbungle Shire Council realises many staff will want their report to remain confidential. This can help to prevent any action being taken against you for reporting wrongdoing.

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

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan.

You will also be told if your report will be dealt with under the council's code of conduct, as this may mean certain information will have to be tabled at a council meeting.

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

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

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

9. Who Can Receive a Report Within the Warrumbungle Shire Council?

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

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

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

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

a. General Manager

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

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

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

b. Mayor

If you are making a report about the General Manager, you should make your report to the Mayor.

They are responsible for:

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

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

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

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

c. Disclosures coordinator

The Disclosures Coordinator has a central role in dealing with reports made by staff, Councillors, contractors and volunteers.

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

Council's Disclosures Coordinator is:

Val Kearnes
Manager Human Resources
Phone 02 6849 2000
Fax 02 6842 1337
Mob 0429 928 597
Email: Val.Kearnes@warrumbungle.nsw.gov.au
Postal address: P O Box 191, Coonabarabran NSW 2357

d. Disclosures Officers

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

Council's Disclosures Officers are:

Michael Jones
Director Corporate Services and Community Services
Phone 02 6849 2000
Fax 02 6842 1337
Mob 0417 489 678
Email: Michael.Jones@warrumbungle.nsw.gov.au
Postal address: P O Box 191, Coonabarabran NSW 2357

Kevin Tighe
Director Technical Services
Phone 02 6849 2000
Fax 02 6842 1337
Mob 0417 464 438
Email: Kevin.Tighe@warrumbungle.nsw.gov.au
Postal address: P O Box 191, Coonabarabran NSW 2357

10. Who Can Receive a Report Outside of the Warrumbungle Shire Council

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

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

a. Investigating Authorities

The PID Act lists a number of investigating authorities in NSW that staff and Councillors can report wrongdoing to and the categories of wrongdoing each authority can deal with.

In relation to Council, these authorities are:

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

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

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

b. Members of Parliament or Journalists

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

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

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

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

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

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

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

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11. Feedback to the Individual Who Reported Wrongdoing

The individual who reported wrongdoing will be told what is happening in response to their report. When you make a report, you will be given:

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

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

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

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

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

During any investigation, you will be given:

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

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

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

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

12. Protection Against Reprisals

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

The Warrumbungle Shire Council will not tolerate any reprisal action against a person who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

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

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

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a. Responding to Reprisals

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

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

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

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

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

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

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

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

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

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Ombudsman, the ICAC, or the Chief Executive of the Office of Local Government – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

b. Protection Against Legal Action

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

13. Support for Those Reporting Wrongdoing

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

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

Council also has in place an Employee Assistance Program (EAP) to provide independent confidential Counselling to employees or members of their families. This program is provided to assist employees deal with personal, family and or/work issues that may or could affect employees' quality of life.

Your Council's HR Department is able to provide you with contact details for this service. Details about the service are also available on the Council Intranet.

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

14. Sanctions for making false or misleading disclosures

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

15. Support for the Subject of a Report

Warrumbungle Shire Council is committed to ensuring people who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential, where it is practical and appropriate.

If you are the subject of a report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

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

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

16. Review

This policy will be reviewed by Council on the 15 August 2019. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.

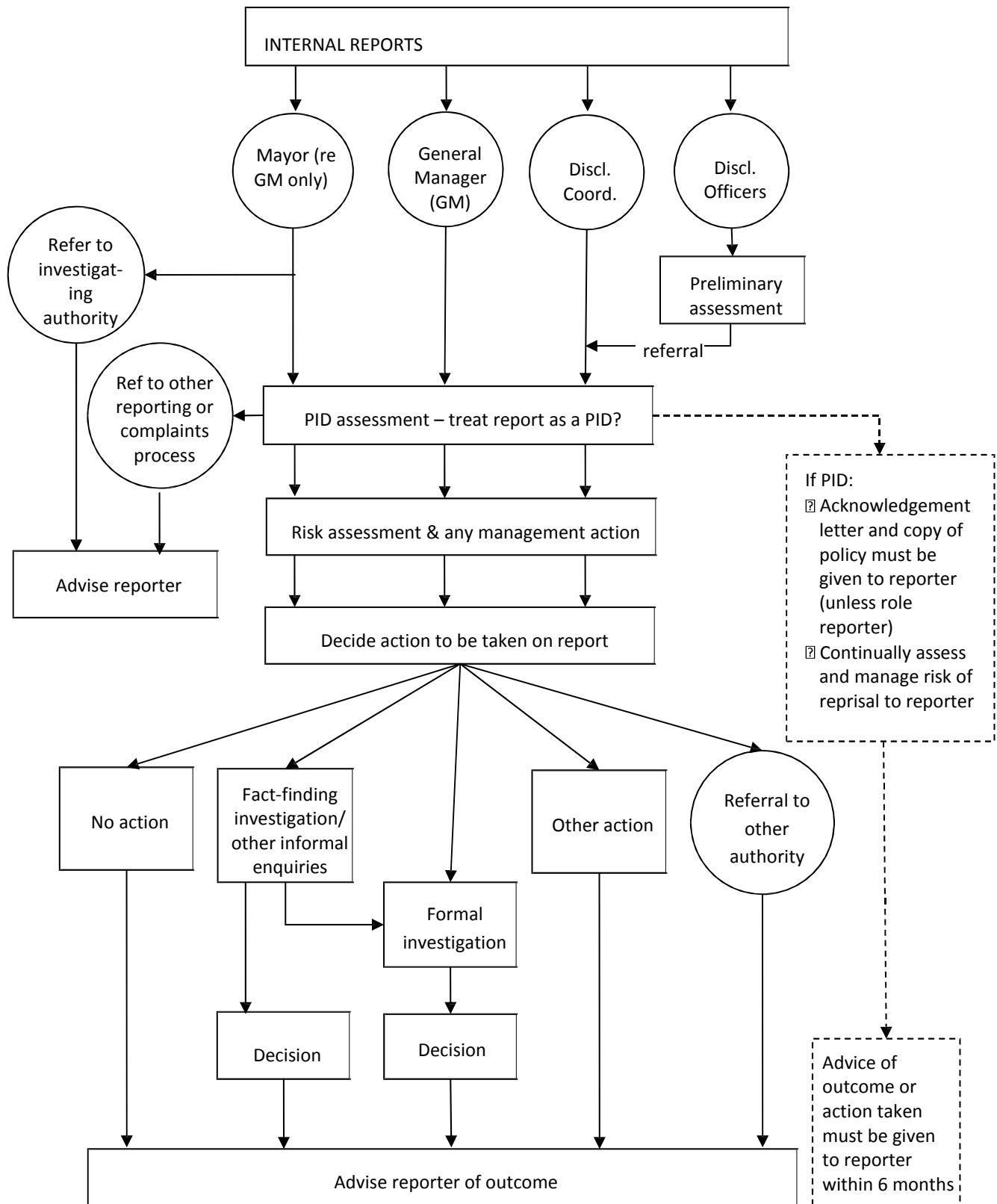
17. More Information

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

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18. Flow Chart of Internal Reporting Process



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19. Resources

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

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)

Phone: 02 8281 5999

Toll free: 1800 463 909

Tel. typewriter (TTY): 02 8281 5773

Facsimile: 02 9264 5364

Email: icac@icac.nsw.gov.au

Web: www.icac.nsw.gov.au

Address: 7/255 Elizabeth Street,
Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Tel. typewriter (TTY): 02 9264 8050

Facsimile: 02 9283 2911

Email: nswombo@ombo.nsw.gov.au

Web: www.ombo.nsw.gov.au

Address: Level 24, 580 George Street, Sydney
NSW 2000

For disclosures about breaches of the GIPA Act:

Information and Privacy Commissioner

Toll free: 1800 472 679

Facsimile: 02 8114 3756

Email: ipcinfo@ipc.nsw.gov.au

Web: www.ipc.nsw.gov.au

Address: Level 11, 1 Castlereagh Street,
Sydney NSW 2000

For disclosures about Council:

Director-General, Office of Local Government in
the Department of Premier and Cabinet

Phone: 02 4428 4100

Tel. typewriter (TTY): 02 4428 4209

Facsimile: 02 4428 4199

Email: olg@olg.nsw.gov.au

Web: www.olg.nsw.gov.au

Address: 5 O'Keefe Avenue, Nowra, NSW 2541

For disclosures about police misconduct:

Police Integrity Commission (PIC)

Phone: 02 9321 6700

Toll free: 1800 657 079

Facsimile: 02 9321 6799

Email: contactus@pic.nsw.gov.au

Web: www.oipic.nsw.gov.au

Address: Level 3, 111 Elizabeth Street, Sydney
NSW 2000

Policy Document Control:

Policy		Resolution	Date
Public Interest Disclosures Act 1994 – Internal Reporting Policy	Endorsed	320/1516	16 June 2016
Public Interest Disclosures Act 1994 – Internal Reporting Policy			17 August 2017

Clancy/Capel


The motion was put and carried by majority

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Item 18 Strategic Policy – Vision, Mission and Values

53/1718 RESOLVED that Council endorses the following Vision, Mission and Values Policy to be included in the Strategic Policy Register.

	Vision, Mission and Values
	Strategic

Purpose

Council resolved to develop a vision for the future of Warrumbungle Shire Council that would include the generation of an agreed set of values, principles and goals, by which the future direction and strategies of council would be guided and governed.

Objectives of the Policy

A shared vision developed by Council, staff and the community should form the foundation of Council's strategic approach and guide long term policy and decision making to sustain the community. Council's mission is a statement about the organisation's reason for existence. The Mission Statement should be unique to Warrumbungle Shire Council and one that is recognised by everybody in the organisation.

Corporate values define the acceptable standards which govern the behaviour of individual employees within the organisation.

Policy Scope

The policy applies to Warrumbungle Shire Council.

Legislative Requirements

Nil.

Policy Statement

Vision

Excellence in Local Government.

Mission

We will provide:

Quality, cost effective services that will enhance our community's lifestyle, environment, opportunity and prosperity.

Infrastructure and services which meet the social and economic needs and aspirations of the community now and in the future.

Effective leadership and good governance, by encouraging teamwork, through a dedicated responsible well trained workforce.

We Value

Honesty

Frank and open discussion, taking responsibility for our actions.

Integrity

Behaving in accordance with our values.

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Fairness

Consideration of the facts and a commitment to two way communication.

Compassion

Working for the benefit and care of our community and the natural environment.

Respect

To ourselves, colleagues, the organisation and the community listening actively and responding truthfully.

Transparency

Open and honest interactions with each other and our community.

Passion

Achievement of activities with energy, enthusiasm and pride.

Trust

Striving to be dependable, reliable and delivering outcomes in a spirit of goodwill.

Opportunity

To be an enviable workplace creating pathways for staff development.

Associated Documents

Statement of Business Ethics

Reviews and Version Control

Review Date: As needed

Staff Member Responsible for Review: Manager Administration and EA to General Manager

Policy	Version	Resolution	Date
Vision Mission and Values	Version 1	246/1112	19 January 2012
Vision Mission and Values	Version 2	32/1314	18 July 2013
Vision Mission and Values	Version 3		17 August 2017

Hill/Brady

The motion was put and carried by majority

Item 19 Three Rivers Regional Retirement Community

54/1718 RESOLVED that Council note the progress of the Three Rivers Regional Retirement Community project.

Capel/Hill

The motion was put and carried by majority

Item 20 Council Resolutions Report August 2017

Received.

Item 21 Monthly Report from Human Resources – August 2017

Received.

Item 22 Third Quarter Excellence in Achievement Award

55/1718 RESOLVED that Council approve MANEX's nomination of Kerry Clunies-Ross as winner of the 3rd Individual Excellence in Achievement Award to be presented at this meeting.

Clancy/Hill

The motion was put and carried by majority

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Item 23 Community Financial Assistance Donations 2017/18 (Round One)

56/1718 RESOLVED that all of the following Round One 2017/18 Community Financial Assistance grant applications be approved.

Ref	Applicant	Amount Provided (\$)
1	Des O'Callaghan	500
2	Creatives Collective	167
3	Mendooran Showground Trust	210
4	Baradine RSL Sub Branch	156
5	Coonabarabran Veteran Golfers	500
6	Goolhi Hall Committee	500
7	Mendooran Rodeo Association	500
8	Coonabarabran Amateur Dramatic Society	500
9	Bullinda Bike Busters Inc.	500
10	Mendooran Tennis Club	500
11	Coolah Preschool Kindergarten Inc.	500
12	Dunedoo and District Development Group	500
13	Dunedoo and District Development Group	500
14	Dunedoo Preschool and Kindergarten	500
15	Coonabarabran Business Centre and Computer Hospital	500
16	St Lawrence's Primary School	380
18	Binnaway Preschool Inc.	500
19	Coonabarabran CWA Evening Branch	500
20	Warrumbungle Arts and Crafts Inc.	500
21	Mendooran Volunteer Rescue Association	500
22	Coolah District Development Group	500
23	Coolah Presbyterian Church Hall	500
24	Dunedoo Amateur Swimming Club	500
25	Baradine Golf Club	500
26	Binnaway Boxing Gym	500
27	Binnaway Progress Association	500
28	Lions Club Binnaway	500
29	Coolah Youth and Community Centre	500
Total		\$12,913

Clancy/Todd

The motion was put and carried by majority

Item 24 Cost Analysis of Coolah Showground

Received.

Item 25 Mendooran Water Augmentation Scheme Loan Options Referred to IPART

57/1718 A motion was moved by Councillor Capel and seconded by Councillor Hill that Council adopts Option 1 regarding the Mendooran Water Augmentation Scheme repayment time frame.

Option 1, being to spread the existing charge over an additional 2 years (7 remaining years in total) thereby reducing the annual charge on Mendooran residents.

This would decrease water access charges for Mendooran users from approximately \$431 to \$295 per annum.

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An amendment was moved by Councillor Todd seconded by Councillor Clancy that Council adopts Option 3 regarding the Mendooran Water Augmentation Scheme repayment time frame.

Option 3, being to spread the existing charge over the entire Shire for a 7 year period.

This would increase water access charges by approximately \$24 per annum per rate payer for the next 7 years.

The amendment was put and lost

58/1718 Councillor Lewis moved a spill on the amendment

The amendment was put and lost with Councillors Todd and Lewis each recording their vote for the amendment and Councillors Iannuzzi, Clancy, Capel, Brady, Doolan, Hill and Shinton each recording their vote against the amendment.

The motion was put and carried by majority

Item 26 Quarterly Budget Review Statement for the Year Ending 30 June 2017

59/1718 RESOLVED that Council endorses the Quarterly Budget Review Statement for the year ending 30 June 2017, and that the revotes in full totalling \$13,203,796 be added to the 2017/2018 Budget.

Clancy/Capel

The motion was put and carried by majority

60/1718 Councillor Iannuzzi moved a motion seconded by Councillor Lewis that a full investigation be undertaken by Council into the ownership of Binnaway Saleyards with a report to be brought back to the September Ordinary Council meeting.

The motion was put and carried by majority

Item 27 Bank Reconciliation for the Month Ending 31 July 2017

61/1718 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 31 July 2017.

Clancy/Capel

The motion was put and carried by majority

9.57 am

Cr Brady left the room.

Item 28 Investments and Term Deposits for Month Ending 31 July 2017

62/1718 RESOLVED that Council accept the Investments Report for the month ending 31 July 2017.

Clancy/Lewis

The motion was put and carried by majority

Item 29 Rates Report for Month Ending 31 July 2017

Received.

9.58 am

Cr Brady re-joined the meeting.

Item 30 Nominations for Baradine Floodplain Management Advisory Committee

63/1718 RESOLVED that the following nominations be accepted for membership of the Baradine Floodplain Management Advisory Committee:

Mr Peter Munns

Mr Richard Crawley

Mr Bob Cosgrove.

Todd/Hill

The motion was put and carried by majority

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Item 31 2017/18 Technical Services Works Program – Road Operations, Urban Services & Water Services

Noted.

Item 32 Enforcement Policy Review

64/1718 RESOLVED that Council adopts the modified Enforcement Policy and it be included in Council's Strategic Policy Review.

	Enforcement Policy
	Strategic

1. Purpose

The purpose of this policy is to outline enforcement activities and actions undertaken by Council within the Warrumbungle Shire Local Government Area.

2. Objectives of the Policy

The objective of this policy is to:

- Ensure that Council exercises its regulatory functions consistently and without bias in accordance with its obligations under Section 8 of the Local Government Act 1993;
- Assist those employed by Council in responding promptly, consistently and effectively in relation to allegations of unlawful activity whilst ensuring that principles of natural justice are respected;
- Provide information to all stakeholders about the Council's position in relation to the enforcement of compliance with legislation, including the circumstances which will be taken into account when assessing different enforcement actions.

3. Policy Scope

This policy applies to investigations by Council, about unlawful activity (as defined) or failure to comply with the terms or conditions of approvals and orders and to any enforcement action taken in relation to such breaches.

This policy is applicable to development activity, contamination and pollution control, regulation of parking, control over animals, unauthorised development, food safety, public health safety issues and other regulatory functions for which the Council is the responsible authority.

4. Background

Warrumbungle Shire Council (Council) has a broad range of regulatory and compliance obligations under many pieces of legislation. This includes responsibilities related to public safety, protection of the environment and to exercise control over activities within its Local Government Area.

In recognition of the regulatory responsibilities of all Councils, the NSW Ombudsman in June 2002 published "Enforcement Guidelines for Councils" which included a model enforcement policy. On 22 October 2009 Council adopted the Warrumbungle Shire Enforcement Policy based on these guidelines. Subsequent changes in the duties and function of Council and amendment to legislation have resulted in a review of the previous Enforcement Policy.

This Enforcement Policy reflects the need for the decision making processes of Council's authorised officers to be carried out in a transparent, efficient, fair and consistent manner while having regard to all the circumstances in each case.

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5. Definitions

“Unlawful activity” is defined as any activity or work that has been or is being carried out:

- Contrary to the terms or conditions of a development consent, approval, permit or other written authorisation from the Council;
- Contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;
- Contrary to a legislative provision regulating a particular work activity or work; Without a required development consent, approval, permit or the like;
- Contrary to legislation for which the Council is the appropriate regulatory authority.

Unlawful activity also includes any activity, place or structure which is a risk to public health and safety.

6. Policy Statement

This policy aims to establish clear guidelines for the exercise of the Council’s discretion in the context of proactive regulatory action taken and the investigation and pursuit of complaints about unlawful activity. It provides workable guidelines on:

- How to assess whether complaints alleging unlawful activity require investigation;
- Options available to Council for dealing with unlawful activity; and
- How to decide whether enforcement action is warranted and what type of enforcement action is appropriate in the particular circumstances.

6.1 Enforcement Principles

Warrumbungle Shire Council is committed to:

- Acting in the best interests of protecting public health, safety and the environment;
- Ensuring all actions are consistent, fair and impartial;
- Ensuring all actions are without unlawful discrimination;
- Ensuring all enforcement action is in keeping with the relative severity of the offence;
- Ensuring enforcement action is taken against the right person for the correct offence;
- Ensuring that any actual or potential conflict of interest situations are managed in a fair, consistent and impartial manner;
- Disclosing all evidence relevant to the alleged offence, including assisting the Court by providing all necessary information whether or not that information is in favour of Council’s case;
- Issuing cautions to the alleged offenders where necessary and appropriate;
- Making cost effective decisions concerning enforcement action having regard to the likely outcome at court;
- Ensuring action is instigated within any relevant specified time frames.

6.2 Responsibility

All Council staff who deal with written and verbal action requests or complaints alleging unlawful activity and those officers who are involved in the enforcement of relevant legislation are responsible for implementing this policy.

All notifications of alleged unlawful activity should be appropriately recorded by the Council’s electronic records system as soon as possible upon receipt. Council officers responsible for the investigation of a matter are responsible for keeping a full and complete record of their actions, including reasons for all decisions made in relation to an investigation.

6.3 Unlawful Activity and Enforcement Action

6.3.1 Responding to Complaints

Council will make every effort to ensure that all Customer Service Requests or complaints about alleged unlawful activity are recorded and actioned in a timely manner by the appropriate staff.

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Confidentiality of information will be dealt with in accordance with Council's Privacy Management Plan and all relevant legislation including the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*.

6.3.2 Investigating Unlawful Activities

All matters regarding alleged unlawful activity will be reviewed to determine whether the matter requires enquiry or investigation.

Further enquiries or investigation will not be undertaken where:

- The matter has already been investigated and resolved or it has been determined that no further action will be taken in the absence of new information;
- The Council has no jurisdiction in relation to the matter. In relation to such matters it may be appropriate for Council to bring the matter to the attention of the appropriate regulatory authority. For example SafeWork NSW in relation to workplace safety issues on building sites or the Department of Environment and Heritage in relation to environmental offences;
- The activity is identified as being lawful without the need for an investigation;
- The Council is not the appropriate regulatory authority.

When considering whether a complaint will warrant enquiry or investigation Council will consider a range of factors including:

- Is the complaint premature? Does it relate to some unfinished aspect of work still in progress?;
- On the basis of the information available, is the activity permissible without consent or approval?
- If the activity is permissible with consent, is there a consent in place and have all conditions been complied with?
- Has a development application, building certificate application or other appropriate application been lodged in relation to the activity?
- Is the complaint trivial, frivolous or vexatious?
- What is the extent of the delay between events referred to by the complainant and their notification to Council and reasons given for such delay?
- Is the activity having a significant detrimental effect on the environment or does it constitute a risk to public health, safety and amenity?
- Have there been previous complaints about the subject premises or this person or organisation?
- Does the complaint have special significance in relation to the priorities of Council?
- Given the particular circumstances of the complaint, are there significant resource implications in relation to any investigation and any subsequent enforcement action?
- Overall, is it in the public interest to investigate the complaint?
- Where a decision is made not to investigate a complaint, this decision should be recorded along with the reasons for that decision. The complainant should be advised of the decision and the reasons for making that decision unless such notification is impossible, for example an anonymous complaint.

6.3.3 Taking Enforcement Action

When determining whether to take enforcement action and the level of enforcement action that is appropriate, in relation to a particular case of verified unlawful activity, officers should consider all the circumstances of the case including:

- The seriousness of the breach, including whether the breach is merely technical or "trivial" in nature;
- When the unlawful activity was carried out and for how long, including whether the breach is continuing;

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- The harm or potential harm to the environment or public health, safety or amenity caused by the unlawful activity;
- Would consent have been given if it had been sought;
- The need for general and specific deterrence;
- Whether the breach can be easily remedied;
- Any particular circumstances of hardship affecting the complainant or the person the subject of the complaint;
- Any mitigating or aggravating circumstances;
- Any prior warnings that have been issued to the person or previous enforcement action taken against the person;
- The degree of culpability of the alleged offender;
- Whether an educative approach would be more appropriate than a coercive approach;
- The costs and benefits of taking formal enforcement action as opposed to taking informal or no action;
- The prospects of success if the proposed enforcement action were challenged in court;
- What action would be proportionate and reasonable;
- If a criminal prosecution is contemplated that there is the existence of a *prima facie* case
- What would be in the public interest;
- Any precedent which may be set by not taking enforcement action.

Prior to taking enforcement action, officers should always consider the criteria outlined above in undertaking an objective consideration of the evidence that has been gathered during the course of their investigation. Officers must never allow their actions to be used purely to pursue the agendas of external parties or interest groups and enforcement action must never be undertaken purely as a means of appeasing a virulent complainant in circumstances where that application of the criteria in the Enforcement Policy would otherwise indicate that enforcement action should not be taken.

Where there is sufficient evidence to issue a penalty notice, the officer may instead elect to issue a formal caution if such an approach is considered appropriate under the Caution Guidelines issued by the NSW Attorney General under the *Fines Act 1996*.

6.3.4 Options for Dealing with Unlawful Activity

Where an investigation has been undertaken and that investigation has confirmed an instance of unlawful activity there are a number of options Council can take including but not limited to the following:

- Taking no action on the basis of a lack of evidence or because it is appropriate having regard to the matters set out in this policy;
- Warning or counselling the person the subject of the investigation to educate them as to the relevant legal requirements;
- Obtaining undertakings from the appropriate person that steps will be taken to address the concerns, for example, the lodging of a development application, within a reasonable period;
- Issue a warning letter indicating that unless certain action is taken, for example certain work is done or activities cease, more formal enforcement action will be taken by Council;
- Serving a notice of intention, followed by an order where appropriate, under relevant legislation requiring works to be done or for a use to cease or to otherwise address the unlawful activity;
- Issue a formal caution in relation to a penalty notice offence under s19A of the *Fines Act 1996* and in accordance with the Caution Guidelines;
- Issue a Penalty Infringement Notice, where available;
- Issue a Court Attendance Notice alleging that an offence has been committed against nominated legislation for determination in the Local Court
- Commence proceedings in the Land and Environment Court to remedy or restrain a

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breach of legislation, including enforcement action seeking compliance with a statutory order or the commencement of injunctive proceedings where necessary;

- Commence proceedings in the Land and Environment Court for the prosecution of a criminal offence in Class 5 of the court's jurisdiction;
- Carrying out the works specified in an order under the *Local Government Act 1993* or the *Environmental Planning and Assessment Act 1979* at the cost of the person served with the order.

The options outlined above are not mutually exclusive. The approach adopted will be entirely dependant on the individual circumstances of the particular matter, with public safety being the primary concern at all times.

6.3.5 Enforcement Priorities

From time to time different functions of Council will be identified as having the need for enforcement or regulatory action to be focussed on that area. Where a Director in consultation with relevant stakeholders, considers it necessary to identify particular enforcement priorities for their department, he or she may develop a list of proposed enforcement priorities and/or guidelines for enforcement action in relation to particular types of unlawful activity.

7. Legislative Requirements

7.1 Delegations

Council staff may be delegated to initiate various levels of enforcement action under the following Acts and associated Regulations made under these Acts:

- Environmental Planning and Assessment Act 1979
- Local Government Act 1993
- Protection of the Environment Operations Act 1997
- Impounding Act 1993
- Companion Animals Act 1998
- Roads Act 1993
- Food Act 2003
- Public Health Act 2010
- Swimming Pools Act 1992
- Contaminated Land Management Act 1997
- Biodiversity Conservation Act 2016

8. Responsibilities

The Manager Regulatory Services will hold responsibility over this policy.

9. Associated Documents

Warrumbungle Shire Council - Privacy Management Plan
NSW Attorney General – Caution Guidelines
Environmental Planning and Assessment Act 1979
Local Government Act 1993
Protection of the Environment Operations Act 1997
Impounding Act 1993
Companion Animals Act 1998
Roads Act 1993
Food Act 2003
Public Health Act 2010
Swimming Pools Act 1992
Contaminated Land Management Act 1997
Biodiversity Conservation Act 2016

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10. Getting Help

The staff member/s that can assist with enquiries about the policy.

Position: Manager Regulatory Services.

11. Version Control

Policy	Version	Resolution	Date
Enforcement Policy	1	132	22 October 2009
Enforcement Policy	2	417/1213	20 June 2013
Enforcement Policy	3		

Clancy/Iannuzzi

The motion was put and carried by majority

Councillor Lewis declared a pecuniary interest in the next item to be considered by Council due to a financial interest.

Item 33 Local Heritage Places Grants

65/1718 RESOLVED that Council grant \$6,000 from the Warrumbungle Shire Council Local Heritage Fund 2017-2018 as per the following:


Cobbora Courthouse, Cobbora - \$1,000
Coonabarabran Club, Coonabarabran - \$1,000
38 Dalgarno Street, Coonabarabran - \$1,500
Oban, Coolah - \$1,000
Birriwa Homestead - \$500
Royal Hotel, Binnaway - \$1,000.

Clancy/Todd

The motion was put and carried by majority

Item 34 Street Stalls Policy Review

66/1718 RESOLVED that Council adopts the modified Street Stalls Policy and it be included in Council's Strategic Policy Review.

	Street Stall Policy
	Strategic

1. Purpose

The purpose of this policy is to give clear guidelines as to Council's requirements and expectations for the use of public footpath areas for activities such as street stalls and raffle ticket selling.

2. Objectives of the Policy

This policy will ensure that street stall activities do not adversely impact on residents or business operators, whilst at the same time provides an equitable opportunity for fundraising for all appropriate organisations.

3. Policy Scope

This policy applies to all street stalls and raffle ticket selling conducted within the Warrumbungle Shire.

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4. Policy Statement

- i) All applications for a street stall shall be made with Council's application form and submitted at least 14 days prior to the proposed date of the activity and must indicate the times required.
- ii) Any organisation using a public footpath must keep effective public liability insurance cover for a minimum of \$20 million which indemnifies the organisation conducting the fundraising activity and Warrumbungle Shire Council against any claims for injury to person, or damage to property as a result of the fundraising activity.
- iii) Evidence of the public liability insurance cover must be provided with every application.
- iv) Consideration for street stalls will only be given to those located within the central business district of each town and village within the Shire.
- v) Consideration of street stall applications shall include affected shop owners, safety, pedestrian access and amenity.

5. Responsibilities

The policy will be enforced by staff within the Regulatory Services Division.

6. Associated Documents

Application to Place Articles & Items on the Footpath.

7. Getting Help

The staff member who can assist with enquiries about the policy;

Position: Development Services Administration Officer
Compliance Officer

8. Version Control

Staff Member Responsible for Review: Manager of Regulatory Services

This policy is subject to regular review at a maximum interval of two years.


Policy Name	Version	Resolution No.	Date
Local Approvals Policy	Adopted	210	17 November 2005
Street Stalls Policy	Revised	155	17 October 2013
Street Stalls Policy	Revised		

Clancy/Brady

The motion was put and carried by majority

Item 35 Temporary Grazing Policy Review

67/1718 RESOLVED that Council adopts the modified Temporary Grazing Policy and it be included in Council's Strategic Policy Register.

	Temporary Grazing Permit Policy
	Strategic

1. Purpose

The purpose of this policy is to outline management of Temporary Grazing Permits within the Warrumbungle Shire Local Government Area.

2. Objectives of the Policy

The objective of this policy is:

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- to provide guidelines for the grazing of livestock on Council roads in consultation with Local Land Services
- to outline the provision under which the grazing of livestock will be permitted along Council road reserves.

3. Policy Scope

This policy applies to all temporary grazing applications seeking permits from Local Land Services to graze livestock on local and classified roads within Warrumbungle Shire Council.

4. Background

This policy will replace the previous policy entitled Temporary Grazing Policy (endorsed by Council 20 February 2014).

The policy is required to be updated to align with legislation changes.

5. Definitions

LLS - the Central West Local Land Services (LLS) a district constituted under the Local Lands Services Act 2013;

Classified Road – as defined in the Roads Act 1993;

Council – the Warrumbungle Shire Council;

LLS Act 2013 - Local Land Services Act 2013;

LG Act 1993 - the Local Government Act 1993;

Local Road – any formed road not a Classified Road within the Warrumbungle Shire Council local government area;

Permit - a road side grazing permit issued pursuant to Section 78, Local Land Services Act 2013;

MR – main road;

SR – state road.

6. Policy Statement

The following conditions will apply to any temporary grazing permits issued to utilise local or classified roads within Warrumbungle Shire Council:

6.1 General Conditions

- a) The issue of a permit for temporary grazing on a road is the responsibility of the LLS.
- b) Council is not authorised to issue temporary grazing permits
- c) A permit may only be issued by LLS:
 - i. For those parts of the road not normally used by road vehicles; and
 - ii. With the prior concurrence of Council.
- d) Council will not unreasonably refuse to grant concurrence for a permit. In particular, but without limiting the generality of this provision, Council will, subject to its obligations as the roads authority, provide as much assistance as possible in times of drought or other natural difficulty or disaster.
- e) Council may charge a fee, pursuant to Section 608 LG Act 1993, for the granting of concurrence, but that fee shall be related to the actual cost to the Council of processing an application for the concurrence.
- f) A permit is subject to the conditions prescribed in Section 78 of the LLS Act 2013.
- g) A permit shall be subject to such other conditions as the LLS prescribes, including:
 - i. a requirement for the display of stock warning signs in accordance with Section 78 of the LLS Act 2013; and
 - ii. any conditions stipulated by the Council subject to its concurrence.

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- h) Council will stipulate as a condition of its concurrence that the permit holder shall indemnify it from all claims arising as a result of the presence of the stock on the road reserve - the subject of the permit - meaning that Warrumbungle Shire Council must be shown as an Interested Party on the Public Liability Certificate of Currency (to the value of \$20,000,000).
- i) The provisions of Section 78 of the LLS Act 2013 are to be observed strictly.
- j) The LLS will notify, by way of confirmation to Council of the issue of every permit, the name and address of the permit holder, the duration of the permit and the conditions to which the permit is subject.
- k) The LLS will not issue a permit in cases where the Council does not grant concurrence to the issue of the permit.
- l) Concurrence for the issue of a permit will not be given to any landowner unless the permit sought is to land adjacent to the applicant's property.
- m) That the grazing permit be issued for a maximum of 30 days.
- n) That the owner of the stock is to comply with all conditions and requirements of the LLS roadside grazing permit.
- o) The Council is the authorising authority to grant concurrence for temporary grazing permits on classified roads and will only provide concurrence if there is a drought declaration for the region.

6.2 Signage and Fencing Requirements

The following requirements must be followed when a permit has been issued;

- a) That stock warning signs as described in the LLS Act 2013 indicating the presence of stock on the road shall be prominently displayed 200 metres before and after the section of road being used.
- b) Stock signs must be displayed at all times when stock are on or adjacent to a roadway, and remove when stock are no longer present.
- c) That the distance over which stock are being grazed does not exceed 2 kilometres at any one time.
- d) When stock are being moved along the road, warning signs shall be no further than 5km apart.
- e) That at least one person shall be attending the stock at all times.
- f) That the stock may only be present on a public road during daylight hours.
- g) "Stock Ahead" signs – whatever sign is deemed appropriate by the LLS is to be displayed on one side of the road formation on the oncoming side to the occupied area; monitoring of signs during the day is required to ensure that they give a timely warning and clear display to approaching traffic.
- h) Stock must be under constant surveillance at all times.
- i) Stock are to be kept off the road formation at all times.
- j) At night, stock are to be removed from the road reserve and securely fenced to prevent any livestock from straying onto the road.
- k) In the event of wet weather, all stock are to be removed from the road reserve.
- l) The holder of the permit is to indemnify Council from all claims arising as a result of the presence in the road reserve of the stock subject to the permit – this means that Warrumbungle Shire Council must be shown as an Interested Party on the Public Liability Certificate of Currency.
- m) Temporary fencing must be erected at least 5m from edge of travel lane on local roads and at least 6m on classified roads. This distance is measured between the road edge and any temporary fencing.
- n) At the end of the grazing period, any temporary fencing materials including posts, wires and electric tapes are to be removed from the road reserve. Failure to do this will mean that Council will carry out these works at cost to the person who made application for grazing rights.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

6.3 Listing of Classified Roads with Warrumbungle Shire

The classified roads subject to the requirements of this policy are:

MR 129 Purllewaugh Road, Baradine Road
MR 329 Gwabegar Road
MR 4053 Timor Road
MR 396 Warrumbungles Way
MR 55 Black Stump Way
MR 618 Vinegaroy Road
MR 7519 Forest Road
MR 334 Mendooran Road
SR 17 Newell Highway
SR 11 Oxley Highway
SR27 Golden Highway
SR18 Castlereagh Highway

7. Responsibilities

The Manager Property and Risk will hold responsibility over this policy.

8. Associated Documents

WSC Operational Plan and Delivery Program
Local Land Services Act 2013
Local Land Services Regulations 2013
Local Government Act 1993

9. Getting Help

The staff member/s that can assist with enquiries about the policy.
Position: Manager Property and Risk.

10. Version Control

Review Date: September 2021 or when relevant legislation changes.
Staff Member Responsible for Review: Manager Property and Risk.

Policy Name	Action	Resolution No.	Date
Temporary Grazing Permit Policy	Endorsed	235	16 June 2005
Temporary Grazing Permit Policy	Endorsed	19/1314	19 September 2013
Temporary Grazing Permit Policy	Endorsed		20 February 2014
Temporary Grazing Permit Policy			

Todd/Lewis

The motion was put and carried by majority

Item 36 Warrumbungle Shire Community Heritage Working Group

68/1718 RESOLVED that Council nominate Councillor Lewis and Councillor Brady to represent Council on the Community Heritage Working Group and **FURTHERMORE**, that the following Community nominations be accepted.

Name	Location
Peter Morrissey	Coonabarabran
David Rayner	Coonabarabran
Roslyn Kildey	Baradine
Troy Rosenberg	Baradine
Marg Haley	Binnaway
John Mercer	Binnaway
Roy Cameron	Coolah
Ernest Fetch	Coolah
Noel Gilbert	Coolah

WARRUMBUNGLE SHIRE COUNCIL

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Name	Location
Helen Naef	Mendooran
John Horne	Dunedoo

Iannuzzi/Clancy

The motion was put and carried by majority

Item 37 Development Applications

69/1718 RESOLVED that Council notes the Applications and Certificates approved during July 2017 under Delegated Authority.

Hill/Clancy

The motion was put and carried by majority

Item 38 Questions for the Next Meeting – Councillor Todd

Received.

Item 39 Questions for the Next Meeting – Councillor Lewis

Received.

10.17 am

Presentation of Warrumbungle Shire Council's 3rd Individual Excellence in Achievement Award to Mr Kerry Clunies-Ross of Service NSW

10.20 am

70/1718 RESOLVED that standing orders be suspended to break for morning tea.

Lewis/Clancy

The motion was put and carried by majority

10.49 am

71/1718 RESOLVED that standing orders be resumed.

Capel/Clancy

The motion was put and carried by majority

10.49 am

72/1718 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.

Hill/Clancy

The motion was put and carried by majority

12.46 pm

73/1718 RESOLVED that Council move out of closed Committee.

Lewis/Brady

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 Acting General Manager.

WARRUMBUNGLE SHIRE COUNCIL

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Item 1C Organisational Structure Review Report – August 2017

74/1718 RESOLVED that Council accept the Draft Organisational Structure and the General Manager be authorised to enter into consultation with the Consultative Committee and relevant Unions to progress the implementation of the new Warrumbungle Shire Council Organisational Structure for 2017.

Lewis/Brady

The motion was put and carried by majority

Councillor Doolan discussed a possible non pecuniary interest in the next item to be considered by Council due to his relationship with one of the tenderers. He advised that he had contacted ICAC on this matter.

Item 2C Tender for the Supply of Skip Bin Services and the Transfer of Waste

A motion was moved by Councillor Capel and seconded by Councillor Brady that Council awards the contract for the supply of skip bin services and the transfer of waste to Warrumbungle Waste (WSC) for \$89,491.48 (ex GST) per annum.

75/1718 An amendment was moved by Councillor Lewis seconded by Councillor Clancy that Council awards the contract for the supply of skip bin services and the transfer of waste to Warrumbungle Plant Hire t/as Coona Waste Disposal for \$125,320.00 (ex GST) per annum.

The amendment was put and carried by majority

The amendment became the substantive motion and was put and carried by majority

76/1718 Councillor Todd moved a spill on the amendment

The amendment was put and carried with Councillors Iannuzzi, Clancy, Doolan, Lewis and Todd each recording their vote for the amendment and Councillors Capel, Brady, Hill and Shinton each recording their vote against the amendment.

11.38 am

The Mayor requested Staff to leave the room for Council to discuss urgent business.

Rescission Motion

77/1718 A rescission motion was moved by Councillor Capel seconded by Councillor Brady that Resolution Number 39/1718 of the 14 August 2017 be rescinded.

The rescission motion was put and lost

78/1718 Councillors Capel and Brady moved a spill on the rescission motion

The rescission motion was put and lost with Councillors Iannuzzi, Clancy, Lewis, Doolan and Todd each recording their vote against the motion and Councillors Capel, Brady, Hill and Shinton each recording their vote for the motion.

79/1718 A motion was moved Councillor Iannuzzi and seconded by Councillor Clancy that Council authorise the Mayor and a suitably qualified industrial or legal representative from Local Government NSW to negotiate in relation to the General Manager's Contract of Employment.

The motion was put and carried by majority

There being no further business the meeting closed at 12.47 pm.

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CHAIRMAN

RECOMMENDATION

That the resolutions contained in the Minutes of the Ordinary Council meeting held on 17 August 2017 be endorsed.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 5 Minutes of Traffic Advisory Committee Meeting – 24 August 2017

Division:	Technical Services
Management Area :	Technical Services Management
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area :	Public Infrastructure and Services
Priority:	P13 – Road networks throughout the shire need to be safe, well maintained, and adequately funded.

PRESENT: Cr Peter Shinton (Chair), Ms Jackie Barry (RMS), Senior Constable Steven Chaplin (NSW Police Force), Mr Colin Harper (Minister's Representative), Mr Kevin Tighe (Director Technical Services), Mr Bikram Joshi (Manager Asset & Design), and Ms Cheyenne O'Brien (Road Safety Officer).

APOLOGIES: Nil

IN ATTENDANCE: Ms Jennifer Maundrell (Minute Taker)

CONFIRMATION OF MINUTES

5/1718 RECOMMENDED that the Minutes of the Traffic Advisory Committee meeting held on Thursday, 27 July 2017 be confirmed.

Shinton/Chaplin

BUSINESS ARISING FROM THE MINUTES

The following matters were noted as outstanding:

- Further investigations and site visit to be undertaken of sight distance concerns at the intersection of Digilah Street and Wallaroo Street.
- Council to investigate the preparation of a Rural Bus Stop Policy.
- Black Stump Way – Council request to NHVR that any road in the Warrumbungle Shire that is a 25 metre B Double Route be converted to a 26 metre B Double Route.
- No 1 Break Road – response received from RMS re NPWS request for signage on No 1 Break Road. Responsibility for the road, including installation of warning signs advising of variable road conditions is with NPWS. Furthermore, NPWS are requested to provide details of vehicle types so that enforcement options may be considered.
- Pavement Markings – Council to renew 'Look' pavement markings at the roundabout in John Street and in Little Timor Street next to the Coonabarabran Bakery.
- Assessment of advisory warnings signs on Observatory Road.
- Installation of bollards in front of Bugaldie Store.
- Installation of 'Bus Route' signs on Toorawenah Road from Mendooran to Yarragrin Bridge.
- Trimming of trees on Newell Highway opposite Dows Lane.
- Installation of warning signs on Purlough Road either side of Napier Lane.
- Line Marking outside Mendooran Central School.
- Installation of cyclist warning signs on Ropers Road and Mollyan Road.
- Removal of 'No Parking' signs and installation of 'No Stopping' signs in Tucklan Street, Dunedoo near St Michael's School.
- Installation of double barrier lines on the Dandry Road approach to the Newell Highway.
- Design of one way traffic flow at the Native Grove Cemetery, Coonabarabran.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

AGENDA ITEMS

a) Request for 'No Parking' Zones in Little Timor Street, Coonabarabran

6/1718 RECOMMENDED that 'No Stopping' signs be installed between the two driveway entrances into the carpark in Little Timor Street, Coonabarabran **FURTHER** that 'No Stopping' signs be reinstated in Little Timor Street adjacent the gated entrance to the hardware store.

Chaplin/Barry

b) Plans for the Installation of Warning Signs in Cobbora Village

7/1718 RECOMMENDED that four (4) warning signs, being two (2) 'Bus Stop Ahead' signs and two (2) 'Intersection Ahead' signs be installed in Merotherie Street, Cobbora as an interim measure until investigations into sight distances are complete.

Harper/Barry

c) Plans for the Installation of Timed 'No Stopping' Signs Northbound on the Newell Highway Within the School Zone, and for 'Entry' and 'Exit' Signs to be Marked on Layback at Coonabarabran High School

8/1718 RECOMMENDED that timed 'No Stopping' signs be installed northbound on the Newell Highway in the vicinity of the Coonabarabran High School car parks on a trial basis **FURTHER** that traffic flow be monitored to determine the necessity of extending the 'No Stopping' area.

Chaplin/Harper

d) RSO Monthly Report – August 2017

The RSO Monthly Report was received and noted and in particular the following road safety projects were discussed:

- Workshops for supervisors of learner drivers to be conducted in Coonabarabran on 11 September 2017 commencing 5.00 pm, and in Dunedoo on a date to be advised.
- Bike Week 16-23 September 2017.
- Free Cuppa for the Driver Campaign.
- 2017/18 financial year projects.
- Media and social media activity.
- Speed trailer data for Mendooran and Dunedoo.

GENERAL BUSINESS

Speed Advisory Sign on Cobbora Road in Cobbora Village

9/1718 RECOMMENDED that speed advice for Cobbora Road in Cobbora Village be assessed and speed advisory signs be updated.

Barry/Harper

Request to Lower Speed Limit in Cobbora Village

Discussion was held and RMS advised Council to action the request to RMS for speed zone review.

There being no further business the meeting closed at 11.07 am.

The next meeting is to be held on Thursday, 28 September 2017 in the Gallery Meeting Room, Coonabarabran commencing 10.00 am.

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CHAIR

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

RECOMMENDATION

1. That Council accepts the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 24 August 2017.
2. That 'No Stopping' signs be installed between two driveway entrances into the car park in Little Timor Street, Coonabarabran and, further, that 'No Stopping' signs be reinstated in Little Timor Street adjacent the gated entrance to the hardware store.
3. That four (4) warning signs, being two (2) 'Bus Stop Ahead' signs and two (2) 'Intersection Ahead' signs, be installed in Merotherie Street, Cobbora as an interim measure until investigations into sight distances are complete.
4. That timed 'No Stopping' signs be installed northbound on the Newell Highway in the vicinity of the Coonabarabran High School car parks on a trial basis and, **FURTHER**, that traffic flow be monitored to determine the necessity of extending the 'No Stopping' area.
5. That speed advice for Cobbora Road in Cobbora Village be assessed and speed advisory signs updated.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 6 Minutes of TRRRC 355 Advisory Committee Meeting – 2 August 2017

Division:	Development Services
Management Area:	Property and Risk
Author:	Manager Property and Risk – Jennifer Parker
CSP Key Focus Area:	Local Economy
Priority:	LE4 There are diverse products and services locally available and minimal economic leakage to larger regional areas

MEETING OPENED: 4 .30 pm

PRESENT: Cr Anne- Louise Capel (Chair), Sally Dent, Cr Wendy Hill, John Horne, Neville Stanford, Sue Stoddart and Mary Warren.

ATTENDING: Jennifer Parker (Manager Property and Risk WSC) Aaron Parker (Manager Projects WSC) and Michael Jones (Director Corporate and Community Services WSC).

APOLOGIES: Mayor Peter Shinton; Maree Hensley, Peter Campbell and Steve Loane.

1. **CONFIRMATION OF MINUTES**

18/1 RECOMMENDATION: that minutes of the Three Rivers Regional Retirement Community S355 committee meeting on 5 July 2017 be accepted

WARREN/STODDART

2. **BUSINESS ARISING**

The position held by Maree Hensley has been declared vacant as per section B of part 3 of the 355 Committee Terms of Reference;

A Committee member absent from three (3) consecutive Committee meetings without approval of the Committee shall forfeit his/her place on the Committee.

18/2 RECOMMENDED: that the vacancy on the Three Rivers Regional Retirement Community S355 Committee be advertised.

WARREN/STODDART

3. **CAPITAL WORKS UPDATE – Manager Projects**

Contact has been made with the Federal and State funding bodies to update them about the resolutions of Council regarding support funding. The builder has been contacted and signing of the contract is scheduled either Tuesday 8th or Thursday 10th August 2017.

They will be signing a GC21 Contract (Government Contract). The contractor then has 21 days to take possession of the site. The first payment is due within 7 to 14 days and is set at \$200,000 for site set up costs. The contract sets out that the builder will put in a bill at the last business day every month for works undertaken and products delivered on site. The project manager then has 7 days to confirm what is billed is correct and then arrange payment.

The committee was advised that the initial works to be completed would be civil works and there may not be any visible construction on site for a few months as surveying, plumbing, electrical and water will be installed first.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

4. ADVERTISING AND MARKETING – Manager Property and Risk

The Committee was presented a draft flyer to advertise expressions of interest to formulate a list of names of interested persons seeking to enter a licence to reside at the Three Rivers Regional Retirement Community. This draft flyer and an information sheet with the history of the project are to be available to the public at the Dunedoo Farmers Market on the 12th August 2017.

Marketing will commence with a web page being set up and advertising placed in all local papers, and in magazines such as Motor Home, Camping Home, Rolling Always and on the Dunedoo electronic display sign. Signage was to be investigated on the construction fencing with the builder.

18/3 RECOMMENDATION: that the domain name for the website be Three Rivers Retirement Community.

WARREN/HORNE

18/4 RECOMMENDATION: that Council undertakes advertising and marketing in-house.

WARREN/STODDART

5. CONTRACTS AND REAL ESTATE EOI – Manager Property and Risk

Residential contract agreements are being prepared and will reflect the legislation requirements in the Retirement Villages Act 1999 No. 81, Retirement Villages Regulations 2009 and the Retirement Villages Amendment (Standard Contract) Regulations 2013.

It was discussed that the expressions of interest in real estate support to sell off the plan and initial sales of the units not be Dunedoo exclusive and that the extended region be given the opportunity to put forward their interest in the project.

18/5 RECOMMENDATION: that an Expression of Interest for Real Estate support to sell off the plan and initial sale of the units be sought through the local government area and surrounding regions.

6. GENERAL BUSINESS

The committee raised the issue of management of the retirement village after completion. The committee were reminded that the management of the village will be undertaken by a management committee as set out in the legislation. Reference was made to Gilgandra Shire Council and their structure - being that the Council own the facilities and undertake property management and ground maintenance; but the management committee (made up of community members, one resident and members from the elected council) manages the site as per retirement village legislation.

7. NEXT MEETING: 1st Wednesday of each month – 6 September 2017, 4:30 pm at the Old Bank Building Meeting Room.

MEETING CLOSED: 6:15pm

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CHAIRPERSON

RECOMMENDATION

1. That Council accepts the Minutes of the Three Rivers Regional Retirement Community S355 Committee Meeting held at Dunedoo on 2 August 2017.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

2. That the vacancy in the Three Rivers Regional Retirement Community S355 Committee be advertised.
3. That the domain name for the website be Three Rivers Retirement Community.
4. That Council undertakes advertising and marketing in-house.
5. That an Expression of Interest for Real Estate support to selling off the plan and initial sale of the units be sought through the local government area and surrounding regions.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 7 Minutes of Macquarie Regional Library Committee Meeting – 8 August 2017

Division:	Corporate and Community Services
Management Area:	Community Services
Author:	Director Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Public Infrastructure and Services
Priority:	PI2 The long-term wellbeing of our communities is supported by ongoing provision of high quality health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management.

Reason for Report

To table to Council the minutes from the Macquarie Regional Library Committee (MRLC) meeting held on 8 August 2017 in Narromine.

Background

The Warrumbungle Shire currently has 3 libraries (Coonabarabran, Coolah and Dunedoo) and 3 Library Service Centres (Baradine, Binnaway and Mendooran).

These six (6) libraries facilities are currently managed by the Dubbo Regional Council under contract through the Macquarie Regional Libraries brand. In addition to the Warrumbungle Shire, the Narromine Shire and Dubbo Regional Councils libraries are also managed under this arrangement. A committee representing all parties meets on a regular basis to oversee operations, governance and strategic planning of the libraries.

The Warrumbungle Shire Council is represented by Councillors Hill and Iannuzzi. The Director of Corporate and Community Services, Michael Jones was also in attendance.

The MRLC meeting minutes of 8 August 2017 have been forwarded to Council under separate cover as an Enclosure.

Issues

Nil.

Options

Nil.

Financial Considerations

As per the contract.

RECOMMENDATION

The minutes of the Macquarie Regional Library Committee meeting held at Narromine on 8 August 2017 are for Council's information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 8 Minutes of Local Emergency Management Committee Meeting – 21 August 2017

Division:	Technical Services
Management Area:	Technical Services Management
Author:	Emergency Services Co-ordinator – Phil Southwell
CSP Key Focus Area:	Our Natural Environment
Priority:	P12 The long-term wellbeing of our communities is supported by ongoing provision of high quality health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management

PRESENT: Kevin Tighe (LEMO – Chair), David Maher (LEOCON), Kel Wise (REMO), Nigel Boyce (LLS), Rod Williams (VRA Coolah), Bob Cosgrove (SES Baradine), Phil Lalor (SES), Corey Philip (RFS), Rodney Coombes (VRA Coonabarabran), Sue Berry (Health, Coonabarabran MPS), Randall Michael (NSW F&R), David Hunter (Ambulance), and Phil Southwell (WSC – Minutes).

APOLOGIES: June Buck (Red Cross), Russell McArthur (Deputy LEOCON), Dave Smith (SES Dunedoo) and Clinton Baglee (NSW F&R).

MINUTES OF PREVIOUS MEETING

The minutes for the previous meeting, were available prior to the meeting and also at the meeting for all committee members.

Williams/Wise

BUSINESS ARISING

1. Sir Ivan Fire Debrief (*see Agenda Item*)
2. Stock Transport Accident (*see General Business*)

AGENDA ITEMS

1. **REMO REPORT** (*formal report previously attached to minutes*)
 - (a) LEMC to complete the Communication Section of the Recovery CMG.
 - (b) A note to the committee of the *Liquor & Gaming Infrastructure Grant*, available to Clubs that are involved in Evacuations. The committee members may be able to help distribute information to local clubs in the smaller towns. (*Information attached to Minutes.*)

Grants applications can now be submitted at any time (previously only a short period of time to apply).
2. **CONTACT LISTS** – *Distributed to the meeting for amendments*

New Ambulance Officer for Baradine after Sharon Lawrence has moved on.
3. **EVENTS** (*summary of events within the Shire*)
 1. Mendooran Races 02/09/17
 2. Coolah Rodeo 02/09/17
 3. Coonabarabran Pony Camp 28/09/17

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

4. SSO Open Day	30/09/17
5. Mendooran Rodeo	14/10/17
6. Coolah Veteran Touch	04/11/17
7. Dunedoo, Tunes on the Turf	11/11/17

4. EXERCISE - 'WARRUMBUNGLE HIGHTOPS'

Postponed for a third time to the weekend starting on the 28 October 2017, owing to a large number of Police being off duty, for various reasons.

SIR IVAN SECTION 44 AFTER ACTION REVIEW (DEBRIEF)

(a) Minutes of the Debrief held on 7 June 2017 have been distributed with some minor amendments that were read out. The endorsement of minutes by the committee is accepted.

Philip/Maher

(b) Debrief – Local Recommendations

Actions completed by local committee, as per recommendation from the Debrief:

1. Include the 'Health Functional Area Coordinator' in its Contact List.
2. To consider Waste Management as a Sub-Committee in Recovery Meetings.
3. Regional Recommendations forwarded onto REMC via the REMO.

(c) These three items have been completed with one remaining item for LEMC consideration:

To investigate the possibility of establishing clearer procedures and protocols to achieve more effective enforcement of road blocks and ways of improving decision making around traffic management.

Discussion on the topic resulted in the committee asking for a set of guidelines showing the steps involved in providing information to the Road Block controllers so that all information is passed on to the motorist and that they are then more informed of why the road block is in place and the fact that they are endangering themselves, breaking the law and therefore voiding their insurance cover.

(d) The committee, after discussion, ask that it be noted in the minutes that the Sir Ivan Fire debrief meeting had people present that were not members of the LEMC or of a Functional Agency, and thus other topics outside the function of the LEMC were allowed, by the chair, to be aired.

THE NEW EMERGENCY OPERATIONS CENTRE (EOC)

An earlier inspection (6.00 pm) of the new RFS Fire Control Centre and the new EOC resulted in various ideas on how it should be set up. The committee decided that on the following day (Tuesday, 22 August at 8.30 am) a trial set up should be tested. This was documented and an EOC set-up SOP will be drawn up for future discussion.

GENERAL BUSINESS

1. EPA correspondence regarding on-farm disposal of animals from a Transport Accident. The committee asked that a follow up email, asking to verify the context or circumstance that this applies to, be sent to the EPA. Email to go to Brad Tanswell, EPA Dubbo.
2. The DPI/LLS Report on Stock disposal to be re-distributed to committee.
3. Bushfire Danger Period has been brought forward to 1 Sept 2017.
4. Barry Johnson of Baradine SES has resigned as Deputy and is off duty for a period of time.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

5. Kel Wise noted that the Sir Ivan Fire Recovery Committee Newsletter should not have *Recovery Committee* in the title, if the committee is finished. On checking with the committee members, meetings are still being conducted, via teleconference, and will be ongoing for the near future.

CORRESPONDENCE

1. Various Email from REMO
2. Exercise Correspondence
3. EPA email outgoing

DATE OF NEXT MEETING

The date of the next meeting will be Monday, 20 November 2017 at Coolah RFS Building following the Rescue Meeting.

MEETING CONCLUDED

As no further business the formal part of the meeting concluded at 8.44 pm.

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CHAIRMAN

Kevin Tighe
LEMO

RECOMMENDATION

The minutes of the Local Emergency Management Committee Meeting held at Coonabarabran on 21 August 2017 are for Council's information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 9 Minutes of Robertson Oval Advisory Committee Meeting – 21 August 2017

Division:	Technical Services
Management Area:	Ovals
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF2.1 – Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

PRESENT: Cr Anne Louise Capel, Cr Wendy Hill, Mrs Monica Foran, Mr Matthew Guan, Mr Chris Sullivan, Mr Kevin Tighe (Director Technical Services), Mr Shane Weatherall (Manager Urban Services), and Mr Harold Sutton (Temporary Manager Water & Sewerage Operations).

APOLOGIES: Nil.

CONFIRMATION OF MINUTES

1/1718 RECOMMENDED that minutes of the meeting held on Monday, 19 June 2017 be accepted.

Sullivan/Hill

BUSINESS ARISING FROM THE MINUTES

The proposed storage shed should include separate storage areas for: senior league; junior league and netball.

The following matters were noted as not yet completed.

- Sub soil drainage yet to be completed on south west corner of the main oval.
- Sub soil drainage line on northern side of netball court.
- Drainage from kitchen sink to be connected to sewer if physically possible.
- Confirm that both sewer pumps are operational.

AGENDA ITEMS

a) Plans for the Proposed Amenities Building

The Committee reviewed a revised set of concept plans and the following points were discussed:

- The existing set of toilets should not be demolished.
- The water bubblers should also have capacity to refill bottles.
- Much detail is required on the proposed façade, for example material type, colours, window type. Also detail required on the roof such as material type and colour.
- The location of the proposed ramp should be checked in relation to disability access legislation.
- The size of the office/meeting room appears to be too large for expected requirements. However, the meeting room should include display cabinets for memorabilia.
- The size of the canteen does not appear to be big enough. Also, there does not appear to be a sink in the canteen, and there does appear to be sufficient bench space. Also, there does not appear to be storage area available in the canteen/kitchen.
- The proposed medical room should include a water basin.
- Ceiling fans for undercover area?
- The flooring in the proposed gym should meet specifications for a multipurpose area.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

- Review access to change rooms in relation to security.
- The proposed BBQ area should be secured by shutters and in particular gas bottle location should be secure.
- Particular attention should be paid to security lighting. Is it possible that lighting be powered by solar energy?
- The building and surrounds should include a Public Address System.
- Further information is required on the purpose of the proposed water tank.
- The location of the storage building should not interrupt view of the playing fields.

GENERAL BUSINESS

Nil.

There being no further business the meeting closed around 5.52 pm.

The next meeting is scheduled for Monday, 25 September 2017 commencing 5.00 pm.

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CHAIR

RECOMMENDATION

That Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on Monday, 21 August 2017.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 10 Minutes of Warrumbungle Aerodromes Advisory Committee Meeting – 5 September 2017

Division:	Technical Services
Management Area:	Technical Services Management
Author:	Manager Urban Services – Shane Weatherall
CSP Key Focus Area:	Public Infrastructure and Services
Priority:	PI1 – Public transport alternatives including bus and rail services connect local towns and villages and provide links with other regional centres.

PRESENT: Cr Denis Todd, Cr Ambrose Doolan, Mr John Farrell (Baradine), Mr Phillip Hensby (Baradine), Mr Ian Munns (Coonabarabran), Mr David Sturtridge (Coonabarabran), Mr Colin Tink (Coonabarabran) and Mr Shane Weatherall (Manager Urban Services).

APOLOGIES: Mr Corey Philips (RFS), Mr Grant Piper (Coolah), and Mr Kevin Tighe (Director Technical Services).

Tink/Sturtridge

CONFIRMATION OF MINUTES

1/1718 RECOMMENDED that the Minutes of the Warrumbungle Aerodromes Advisory Committee meeting held on Friday, 9 June 2017 be confirmed.

Doolan/Sturtridge

BUSINESS ARISING FROM THE MINUTES

Non-Compliance Notice 714907 – Lack of Means for Pilots to Obtain Surface Wind Information
Recommendation no 2/1617 of 9 June 2017 in relation to item (a) to be amended to read as follows:

***'2/1617 RECOMMENDED** that quotations be obtained for lighting the windsock on the western side of Coonabarabran Aerodrome **FURTHER** that solar powered LED lighting be included in options.'*

Doolan/Sturtridge

- Baradine Aerodrome
 - Faulty component for radio activated lights will be removed and sent for repairs. Lighting system will be set on 'Manual' during this period.
 - Suckers have been cut and/or poisoned.
 - Discussion took place on the section of lighting cable that has been replaced by committee members.
 - Comment from Cr Doolan praising the work that the Baradine Aerodrome Committee conducts.
- Coonabarabran Aerodrome
 - Rabbits have been poisoned with phostoxin.
 - Manager Urban Services forwarded emails to Civil Aviation Safety Authority (CASA) to request information on Wind Direction Indicator (WDI) Lighting (does flashing signal need to be part of the lighting?). Electrical contractor waiting on CASA's reply to develop and estimate.
- Council to make contact with Airborne Avionics for a cost estimate for Aviation Weather Service (AWIS) Broadcast Facility installation.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

The following matters were noted as outstanding:

- Investigate feasibility of installing and utilising water tanks at the Baradine Aerodrome for fire fighting purposes.
- Investigate land ownership and proposals for disposal of the existing non-directional beacon infrastructure at Coonabarabran Aerodrome.
- Coonabarabran Aerodrome – quotations should be obtained for lighting the windsock on the western side.
- Baradine Aerodrome – investigation into provision of a turning circle at the eastern end.

AGENDA ITEMS

a) Proposed Updated Rules for Aerodromes – NPEM1426AS – Open for Consultation

Manager Urban Services invited committee members to peruse the Proposed Updated Rules for Aerodromes and forward any comment on the document to Council for submission.

b) Camp Cypress – Funding for Fire Airport at Baradine Aerodrome

Discussion took place on whether there is a requirement for RFS to utilise the Baradine aerodrome in future.

Manager Urban Services stated that according to the RFS representative it is not in any future plans for the RFS to utilise Baradine aerodrome.

Cr Todd suggested that Narrabri Shire Council would like to see it sealed for firefighting purposes.

GENERAL BUSINESS

- Council staff to keep taxiway free of mud/debris if plant etc. are moved across tarmac.
- Investigate options to have non-directional beacon (NDB) tower at Coonabarabran removed to open land for any future development.

There being no further business the meeting closed at 8.57 am.

The next meeting is to be held on Tuesday, 12 December 2017 at Coolah Airport (inspection) commencing 9.30 am and proceeding to Council Chambers, Coolah.

.....
CHAIR

RECOMMENDATION

1. That Council accepts the Minutes of the Warrumbungle Aerodromes Advisory Committee meeting held at Baradine on 5 September 2017.
2. That quotations be obtained for lighting the windsock on the western side of Coonabarabran Aerodrome **FURTHER** that solar powered LED lighting be included in options.

WARRUMBUNGLE SHIRE COUNCIL

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Item 11 Minutes of TRRRC 355 Advisory Committee Meeting – 6 September 2017

Division:	Development Services
Management Area:	Property and Risk
Author:	Manager Property and Risk – Jennifer Parker
CSP Key Focus Area:	Local Economy
Priority:	LE4 There are diverse products and services locally available and minimal economic leakage to larger regional areas

MEETING OPENED: 4.30 pm

PRESENT: Invitees: Cr Anne- Louise Capel (Chair), Peter Campbell, Sally Dent, Cr Wendy Hill, John Horne, Mayor Peter Shinton, Sue Stoddart and Mary Warren

ATTENDING: Leeanne Ryan (Acting General Manager WSC), Michael Jones (Director Corporate and Community Services WSC), Jennifer Parker (Manager Property and Risk WSC), Aaron Parker (Manager Projects WSC) and Lawrence Amato (Chief Financial Officer WSC).

APOLOGIES: Cr Peter Shinton and Neville Stanford.

1. CONFIRMATION OF MINUTES

18/6 RECOMMENDATION: that minutes of the Three Rivers Regional Retirement Community S355 committee meeting on 2 August 2017 be accepted

WARREN/STODDART

2. BUSINESS ARISING

18/7 RECOMMENDATION: that a formal thankyou is provided to the Councillors for their support of the project and agreement to enable the project to be funded by an internal loan if it is needed to cover any shortfalls.

CAMPBELL/HORNE

The website is being built and the domain name purchase is to be undertaken with Tamworth Regional Council (TRC), our tech support, as soon as possible.

Interest in the market stall held at the Dunedoo Farmers Market was positive with interest displayed in the retirement village.

18/8 RECOMMENDATION: that committee members Sue Stoddart, Sally Dent and Cr Hill be in attendance at the next market day with plans and expressions of interest flyers to promote the project.

STODDARD/DENT

3. CAPITAL WORKS UPDATE – Manager Projects

On the 10 August 2017 the contract to construct the Three Rivers Regional Retirement Village was signed by the builder, Boulus Constructions and the General Manager of Warrumbungle Shire Council. The builder has asked for a delay to start of 28 days and plans to be on site the week of the 11 September 2017. Site set up will commence with erection of fencing.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Committee was presented with draft designs of the proposed shade cloth advertising to be put around the construction fencing.

Questions raised by the Committee regarding overruns and payments to sub contractors were addressed by the Manager Projects. The contract is a fixed price contract. The contract includes the necessity for sub contractors to be paid in a timely manner. It was noted by the committee that the builder has been looking for local sub contractors for the project. The contract does have the standard cancellation clauses as appropriate with construction contracts to protect both the Council and the contractor.

18/9 RECOMMENDATION: that shade cloth advertising banner is purchased advertising the facility. Furthermore that the banner be in place by the 22 September 2017 to coincide with the final dinner for Blaze Aid and the Spring Fair.
DENT/HILL

- 4. FINANCIAL MODELING** - Director Corporate and Community Services and Chief Financial Officer
Draft financial models were presented to the committee. Investigations are underway to ensure that Warrumbungle Shire Council is not taking unfair advantage in the market. Further information on modeling will be forwarded to Committee prior to the next meeting.

18/10 RECOMMENDATION: that all Councillors be invited as observers to future Three Rivers Regional Retirement Community S355 Committee meetings.
WARREN/DENT

- 5. ADVERTISING AND MARKETING** – Manager Property and Risk
It was discussed that as soon as the modeling is done more advertising and marketing can be undertaken. There are requirements within the regulations that must be complied with under Part 2, Section 10 of the Retirement Villages Regulations 2009.

The committee was advised an article relating to the project had been placed in all the Shire local newspapers.

- 6. GENERAL BUSINESS**
Concerns raised by the Committee regarding public liability insurances, Working with Children Checks and possible needs for chemical licences. More information is to be presented on these issues at the next meeting.

- 7. NEXT MEETING:** 1st Wednesday of each month – 4 October 2017, 4:30 pm at the Old Bank Building Meeting Room.

MEETING CLOSED: 6:00 pm

.....
CHAIRPERSON

RECOMMENDATION

1. That Council accepts the Minutes of the Three Rivers Regional Retirement Community S355 Committee Meeting held at Dunedoo on 6 September 2017.
2. That a formal thank you is provided to the Councillors for their support of the project and agreement to enable the project to be funded by an internal loan if it is needed to cover any shortfalls.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

3. That committee members Sue Stoddard, Sally Dent and Cr Hill be in attendance at the next market day with plans and expressions of interest flyers to promote the project.
4. That shade cloth advertising banner is purchased advertising the facility. Furthermore that the banner be in place by the 22 September 2017 to coincide with the final dinner for Blaze Aid and the Spring Fair.
5. That all Councillors be invited as observers to future Three Rivers Regional Retirement Community S355 Committee meetings.

WARRUMBUNGLE SHIRE COUNCIL

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Item 12 Request for Leave of Absence – Councillor Wendy Hill

Division:	Executive Services
Management Area:	Executive Services
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF6 Support and encourage Councillors in fulfilling their roles as community leaders and in being accessible and actively involved in representing the shire

Reason for Report

Councillor Wendy Hill has made a request for Leave of Absence from the Ordinary November 2017 Council meeting.

Background

In reference to the Local Government (Meeting Procedures) Regulations 2005 – Reg 39;

39. Leave of absence

- (1) A councillor, or the mayor on behalf of a councillor, may request leave of absence in respect of one or more meetings.
- (2) A council may decide to grant a request for leave of absence.
- (3) Leave must not be granted retrospectively.
- (4) The purpose of the leave and the period involved are to be recorded in the minutes.

Issues

Nil.

Options

Nil.

Financial Considerations

Nil.

RECOMMENDATION

That Council accepts the notification from Councillor Hill and grants a Leave of Absence from the Ordinary November 2017 Council meeting.

WARRUMBUNGLE SHIRE COUNCIL

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Item 13 CCTV for Coonabarabran CBD

Notice of Motion

Title Name: CCTV for Coonabarabran CBD

Councillor Brady has advised that at this meeting of Council he intends moving the following Notice of Motion:

'That Council report on the cost and complexity of installing CCTV Cameras in and around the CBD of Coonabarabran.'

Rationale

Over recent times there has been a spike in break and enters, damage and unsociable behaviour including alleged sexual assault in the CBD of Coonabarabran. This has been on agendas of the Chamber of Commerce and also the 2357 Partnerships meetings. Keeping residents and visitors safe should be high priority.

**KODI BRADY
COUNCILLOR**

RECOMMENDATION

For Council's consideration.

WARRUMBUNGLE SHIRE COUNCIL

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Item 14 Old Police House Building

Notice of Motion

Title Name: Old Police House Building

Councillor Clancy has advised that at this meeting of Council he intends moving the following Notice of Motion:

‘That Council direct the Acting General Manager make enquiries as to the availability of “Old Police House Building” located in John Street adjacent to Mary Jane Cain Bridge as an acquisition for future Arts, Crafts and Cultural pursuits.’

Support

Depending on availability, Council will have the opportunity to participate within a Grants scheme facilitated by NSW Government in 2018.

**FRED CLANCY
COUNCILLOR**

RECOMMENDATION

For Council’s consideration.

WARRUMBUNGLE SHIRE COUNCIL

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Item 15 Three Rivers Retirement Village

Notice of Motion

Title Name: Three Rivers Retirement Village

Councillor Clancy has advised that at this meeting of Council he intends moving the following Notice of Motion:

Recently Council voted to provide the retirement village project in Dunedoo known as the Three Rivers Retirement Village, with a facility of \$420,000 to assist with any financial shortcomings to complete the project.

‘That when Council is considering conditions attached to their generous offer a condition be noted ie: All external financial funds must be exhausted before any drawdown on Council’s funds will be considered.’

**FRED CLANCY
COUNCILLOR**

RECOMMENDATION

For Council’s consideration.

WARRUMBUNGLE SHIRE COUNCIL

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Item 16 Social Media Investigation

Notices of Motion

Title Name: Social Media Investigation

Councillor Iannuzzi has advised that at this meeting of Council he intends moving the following Notice of Motion:

‘With respect to the investigation into social media carried out in 2016, the Acting General Manager urgently tables (i) all legal advice received, (ii) all briefs sent to our legal professionals, and (iii) a report on costs incurred by Council.

The tabling of these 3 reports is to be by confidential email to all Councillors by 4pm, 26 September 2017.”

**ANIELLO IANNUZZI
COUNCILLOR**

RECOMMENDATION

For Council’s consideration.

WARRUMBUNGLE SHIRE COUNCIL

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Item 17 Public Toilets Opened at Night

Notice of Motion

Title Name: Public Toilets Opened at Night

Councillor Todd has advised that at this meeting of Council he intends moving the following Notice of Motion:

‘That one public toilet cubicle be left open at night for users in all towns in the Warrumbungle Shire.’

Rational

One public toilet cubicle is to be left open in all towns within the Shire so all travellers can avail themselves of the facilities.

This was passed as a Resolution at the 2012 August Shire Council meeting and so far this hasn't been acted upon and needs to be rectified immediately.

- The needs of the travelling public need to be catered for with the 24 hours opening of a least one toilet in each block in each town – preferably the disabled toilet which gives access to the elderly and disabled as well as the able bodied – with signage accordingly.
- It would relieve the need for travellers to use the toilets of local Hotels and Clubs which is happening at present. Children cannot go to the Hotels.
- The toilet block in Coonabarabran is already open 24 hours and other towns now need to be brought in line.

I propose that the Resolution of August 2012 be enacted upon immediately and this anomaly be rectified for the good and comfort of the travelling public.

**DENIS TODD
COUNCILLOR**

RECOMMENDATION

For Council's consideration.

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Item 18 Councillor Anne-Louise Capel Log of Activities Report

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

Councillor Anne-Louise Capel Log of Correspondence, meetings, phone calls, discussions, complaints

<i>Dates</i>	<i>Time</i>	<i>Location</i>	<i>Role</i>		<i>Method</i>	<i>Concerning</i>
1/08/2017	all day	Dubbo	EDT	participants	w/shop	Regional Platters 3rd w/shop to do with tours
8/12/2017	am	Dunedoo	Councillor	enquiries	booth	TRRRC info promotion at markets
8/12/2017	am	Dunedoo	councillor	ratepayer	in person	access to lewis lane bridge
14/08/2017	pm	home	councillor	ratepayer	phone	business paper item 9
14/08/2017	pm	home	councillor	ratepayer	phone	business paper item 9
				board		
8/04/2017	pm	home	Chair OA	member	phone	Casp portal
15/08/2017	7.00 am	home	councillor	Mayor	phone	ABC radio
15/08/2017	lunch	home	councillor	ratepayer	phone	re GM
15/08/2017	evening	home	councillor	ratepayer	phone	re GM
16/08/2017	lunch	home	councillor	Mayor	phone	recission motion
16/08/2017	lunch	home	OA Chair	EO	phone	Casp reminder & Create NSW update
16/08/2017	afternoon	home	councillor	Mayor	message	recission motion
16/08/2017	4.49	home	Councillor	Staff	phone	signature
16/08/2017	5.00pm	home	Councillor	Mayor	phone	signature
				R.S.W.		
28/08/2017	pm	Home	OA Chair	Mayor	phone	Approach by MP re public art Sir Ivan Fire
9/02/2017	am	Coolah	Councillor	ratepayer	person	RE grading Yattendon/winooka Rds
9/02/2017	pm	home	Councillor	Acting GM	email	forwarding email from rate payer through personal email a/c
9/05/2017	am	Leadville	Councillor	ratepayer	person	water for Leadville Public toilets & RFS shed, provider wants solar
9/05/2017	am	Leadville	Councillor	ratepayer	person	GM
9/06/2017	am	home	councillor	ratepayer	phone	complaint Road, complaint lack of recycle slots Coolah
9/06/2017	4.30pm	Dunedoo	Councillor	TRRRC	Meeting	

RECOMMENDATION

That the report be noted.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 19 Councillors' Monthly Travel Claims

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Government Finance
Priority:	GF7 Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity.

Reason for Report

To provide Council with the travel claims of Councillors for the month of August.

Background

At the Ordinary Council meeting in July it was resolved that, *"all Councillors make public their monthly travel claims effective immediately."* **(Resolution No 10/1718)**

Issues

Nil.

Options

Nil.

Financial Considerations

Nil.

Councillor Monthly Travel Claims

Councillor	Month	Kilometres	\$ per KM	Total Amount (\$)
Cr Shinton	August	-	-	-
Cr Todd	August	732	0.68 & 0.78	509.96
Cr Brady	August	-	-	-
Cr Capel	August	988	0.78	770.64
Cr Clancy	August	180	0.78	140.40
Cr Doolan	August	140	0.78	109.20
Cr Hill	August	906	0.68	616.08
Cr Iannuzzi	August	-	-	-
Cr Lewis	August	252	0.78	196.56
			Total for August	\$2,342.84

RECOMMENDATION

For Council's information.

WARRUMBUNGLE SHIRE COUNCIL

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Item 20 Ambassadors - Australia Day 2018

Division:	Executive Services
Management Area:	Executive Services
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Community and Culture
Priority:	CC3 The vibrant arts and cultural life of the shire needs to be promoted and supported as an essential aspect of community well-being.

Reason for report

Council has been advised that registrations have opened for the 2018 Australia Day Ambassador Program. Council consideration is sought as to whether it wishes to participate in the Australia Day Ambassador Program for the 2018 Australia Day Celebrations.

Background

Each year, the Australia Day Ambassador Program sees more than 150 inspirational Australians speaking about what it truly means to be Australian at events across New South Wales.

The Ambassador Program gives Council and the residents of the Shire the opportunity to meet some inspiring Australians and celebrate our national day with them.

The success of the Australia Day Ambassador Program grows each year largely due to the support and enthusiasm of the Ambassadors who volunteer their time and energy to bring an extra element of celebration to Australia Day events, as well as to their host communities.

Australia Day 2017 celebrations included events hosted in Baradine, Coonabarabran, Binnaway, Coolah, Mendooran and Dunedoo. Australia Day Ambassadors were present at the 2017 celebrations with Mr Warwick Noland attending Binnaway, Baradine and Coonabarabran and Ms Erin Cleaver attending Mendooran, Dunedoo and Coolah celebrations.

Issues

The Australia Day Ambassador Program is a very popular feature of the day.

Options

Council may choose to select local Ambassadors as opposed to an Ambassador provided by Australia Day Council.

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Financial Considerations

The total budget allocation for Australia Day in the 2016/2017 Management Plan was \$5,972. This covered the cost of advertising, awards/certificates and frames, donations to each community and hosting of two (2) Australia Day Council Ambassadors.

RECOMMENDATION

That Council participates in the Australia Day Program in 2018 hosting two (2) Ambassadors from the Australia Day Council.

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Item 21 Strategic Policy Review – Code of Conduct

Division:	Executive Services
Management Area:	Governance and Finance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Council provides strong civic and regional leadership, and undertakes its governance and service delivery tasks with integrity
Priority:	GF7

Reason for Report

Council is undertaking a review of all Strategic Policies to ensure their relevance and current status. Council is required to review and endorse all strategic policies every four (4) years or within 12 months of a Local Government Election.

Background

The Office of Local Government (OLG) provides the following advice:

The Model Code of Conduct is designed to help councils get on with the core business of serving their communities. It does this by providing:

- *flexibility to resolve less serious matters informally*
- *fair complaints management*
- *strong sanctions to help deter ongoing disruptive behaviour and serious misconduct.*

Council's current Code of Conduct was adopted from the Model Code in February 2013 (**Resolution 238/1213**). In 2015 the OLG published an updated version of the Code of Conduct. Further to this amended version Council sought advice from the OLG to have included in the Code of Conduct a clause to cover unacceptable behaviour.

Issues

The Local Government Act 1993 requires every Council to adopt the Code of Conduct that incorporates the provisions of the revised Model Code of Conduct for Local Government Councils.

The changes are outlined below. The Policy with the highlighted amendments has been forwarded to Councillors as an enclosure.

- Part 1 Introduction
- Part 3 - 3.1 (e) General conduct
3.6 Unacceptable behaviour
- Part 4 - 4.29 (b) Loss of quorum as a result of compliance with this Part
- Part 9 Definitions – Unacceptable behaviour.

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Options

Nil.

Financial Considerations

Nil.

RECOMMENDATION

That Council adopts the revised Code of Conduct and the Policy is included in the Strategic Policies Register.

WARRUMBUNGLE SHIRE COUNCIL

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Item 22 Strategic Policy Review – Flying of the Australian and Aboriginal Flags

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Community and Culture
Priority:	GF7 Council provides strong civic and regional leadership and undertakes its governance and service delivery tasks with integrity

Reason for Report

Council is undertaking a review of all Strategic Policies to ensure their relevance and current status. Council is required to review and endorse all strategic policies every four (4) years or within 12 months of a Local General Election.

Background

Council's current Flying of the Australian and Aboriginal Flags Policy was endorsed on 20 June 2013 (**Resolution 397/1213**) and follows the protocols for the flying of the Australian National Flag. The Flag is also flown in accordance with directives received from the Flag Marshall, Department of Prime Minister and Cabinet, Canberra.

Issues

The changes to the policy are outlined below. The Policy showing these highlighted changes has been sent to Councillors as an enclosure.

- Objectives of the Policy
- Background
- Policy Statement
- Responsibilities
- Associated Documents.

Options

Nil.

Financial Considerations

Nil.

RECOMMENDATION

That Council endorses the revised Flying of the Australian and Aboriginal Flags Policy and that the Policy is included in the Strategic Policy Register.

WARRUMBUNGLE SHIRE COUNCIL

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Item 23 Strategic Policy Review – Interaction between Councillors and Staff

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisational structure, reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

Council is undertaking a review of all Strategic Policies to ensure their relevance and current status. Council is required to review and endorse all strategic policies every four (4) years or within 12 months of a Local General Election.

Background

Council's current Interaction Policy between Councillors and Staff was endorsed on 19 September 2013 (**Resolution 100/1314**). The majority of the changes to this policy during the review process reflects the amendments to the *Local Government Act 1993 No 30* on 31 August 2016, the enactment of the *Local Government Amendment (Governance and Planning) Act 2016 No 38* and the updating of other relevant legislation.

Issues

The changes to this policy are outlined below. The Policy showing these highlighted changes has been sent to Councillors as an enclosure.

- Objectives of the Policy
- Definitions
- Statutory provisions for Councillors and Staff
- During meetings
- Outside of meetings
- Access to Council records by Councillors
- Statutory provisions
- Procedures
- Responsibilities
- Associated Documents

Options

Nil.

Financial Considerations

Nil.

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RECOMMENDATION

That Council endorses the revised Interaction between Councillors and Staff Policy and that the Policy is included in the Strategic Policy Register.

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Item 24 Strategic Policy Review – Statement of Business Ethics

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisational structure, reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

Council is undertaking a review of all Strategic Policies to ensure their relevance and current status. Council is required to review and endorse all strategic policies every four (4) years or within 12 months of a Local General Election.

Background

Council's current Statement of Business Ethics was endorsed on 18 July 2013 (**Resolution 31/1314**). There are only minor changes to the Policy.

Issues

The changes to the Policy are outlined below. The Policy with highlighted changes has been sent to Councillors as an enclosure.

- 5.1.2 Suppliers – General Requirement
- 5.2.9 What happens if you think there is a breach?
- 6. Associated Documents.

Options

Nil.

Financial Considerations

Nil.

RECOMMENDATION

That Council endorses the revised Statement of Business Ethics Policy to be included in the Strategic Policy Register.

WARRUMBUNGLE SHIRE COUNCIL

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Item 25 Status Report on the Three Rivers Regional Retirement Community Project

Division:	Governance
Management Area:	Executive Services
Author:	Manager Property and Risk – Jennifer Parker
CSP Key Focus Area:	Local Economy
Priority:	LE4 There are diverse products and services locally available and minimal economic leakage to larger regional centres.

Reason for Report

At the July 2017 Ordinary Council meeting it was resolved that the financial update of the current project funded by the Restart NSW Cobbora Transition Fund and the Commonwealth Stronger Regions Fund known as the Three Rivers Regional Retirement Community be presented to Council via regular updates.

Background

The Three Rivers Regional Retirement Community Project is funded by:

1. RNSW290 Three Rivers Regional Retirement Community and Learning Centre \$4,500,000;
2. Commonwealth Stronger Regions Fund \$2,450,000.

The Warrumbungle Three Rivers Regional Retirement Community 355 Committee (TRRRC 355) oversees the progress of this project.

Issues

For the Restart NSW Cobbora Transition Fund, Funding Deeds detail the scope, budget, and time schedule for each project component. Updates are submitted monthly to Infrastructure NSW (INSW) via an online web portal, and are audited by NSW Public Works before reimbursement of funds expended by Council. Monthly updates detail progress of each project as per the timeline, procurement, risk management and cash flow details executed with the Funding Deeds.

With Commonwealth Stronger Regions, the Funding Deeds also detail the scope, budget, and time schedule for each project component. These updates are submitted monthly to the Federal Department of Regional Programs and Infrastructure via an online web portal, and are audited by Assistant Director before reimbursement of funds expended by Council. Monthly updates also detail progress of each project as per the timeline, procurement, risk management and cash flow details executed with the Funding Deeds.

Update on the project for the last month is as follows:

- The builder is taking position on Monday, 11 September 2017.
- Builder is starting excavation work on the 18 September 2017.

WARRUMBUNGLE SHIRE COUNCIL

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- The builder has not requested his first draw from Warrumbungle Shire Council.

Options

Nil.

Financial Considerations

No invoices for reimbursement will be submitted for August 2017. The last payment Council received for this project was in January and amounted to \$7,600.

Total funds invoiced to INSW for reimbursement to date are \$899,528.91.

RECOMMENDATION

That Council notes the progress of the Three Rivers Regional Retirement Community Project.

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Item 26 Council Resolutions Report September 2017

Division:	Executive Services
Management Area:	Governance
Author:	Executive Services Administration Officer – Joanne Hadfield
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

The Council Resolution Report includes Council resolutions from September 2016 to August 2017. This report is attached under separate cover. Items completed are noted then deleted from the report in the following month.

Background

The General Manager is responsible for providing the management oversight in relation to all information progressing from appropriate staff to Council via the Business Paper and monthly Council meetings.

Similarly the role of the General Manager is to ensure appropriate information in relation to Council resolutions and deliberations is provided to Directors and relevant staff. After each Council meeting, each Council resolution is allocated to a directorate for responsibility in actioning the particular Council instruction. Directors and Managers then provide feedback to the General Manager as to the progress of these resolutions on a monthly basis.

Resolutions that remain 'In Progress' for a 12 month period will be reported to Council as a separate agenda item with a new Recommendation. This will provide Council staff the opportunity to detail history and issues in the review of outstanding items before Council reconsider the matter.

Issues

This feedback is provided to Council for information purposes.

Options

Nil.

Financial Considerations

Nil.

RECOMMENDATION

For Council's information.

WARRUMBUNGLE SHIRE COUNCIL

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Item 27 Monthly Report from Human Resources – September 2017

Division:	Corporate and Community Services
Management Area:	Human Resources
Authors:	Manager Human Resources – Val Kearnes Learning & Development – Russell Byrne Human Resource Projects Officer – Chris Kennedy Workplace Health & Safety – Mel Chapple
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF8 Council undertakes its organisational, workforce and risk management responsibilities with efficiency and effectiveness

Reason for Report

This report is to inform Council of activities undertaken by the Human Resources Department and provide an update on the status of Staff Recruitment, Training and Workplace Health and Safety (WHS) matters.

Background

Human Resources are responsible for Recruitment, Staff Welfare, Learning and Development and Workplace Health and Safety.

Since the last Council Meeting in August 2017 the following positions have been advertised either internally or externally:

- Roads Engineer
- Supervisor Baradine
- Urban Services Operator – Dunedoo
- Temp Asset Management Officer.

Positions filled since last Council meeting:

- Supervisor Baradine.

Resignations

Since the August Council meeting there has been one (1) resignation from Corporate and Community Services.

Issues

No issues.

LEARNING AND DEVELOPMENT

Training courses undertaken in August include:

1. MAGIQ Administrator Training.
2. Chainsaw Level 1 and 2, New and Re-certification.

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3. Backhoe Course.

HR PROJECTS

In August HR commenced reviewing of Council's Induction Processes with a view to improving processes and documentation and updating how this is delivered to new employees, contractors and volunteers.

WORKPLACE HEALTH AND SAFETY

There were five (5) incidents and one (1) near miss in the month of August.

Workers Compensation and Incidents for August

Directorate	Near Misses	Incidents	New Claims
Corporate and Community Services	-	4	-
Executive Services	-	-	-
Development Services	-	-	-
Technical Services	1	1	-

RECOMMENDATION

For Council's information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 28 Rates Exemption – Local Government Act 1993

Division:	Corporate Services
Management Area:	Finance
Author:	Chief Financial Officer – Lawrence Amato
CSP Key Focus Area:	CC6
Priority:	CC6.2 – Develop partnerships with government and non government agencies to effectively address local social and economic disadvantage.

Reason for Report

The reason for the report is in response to a question from Councillor Lewis at the August Council meeting regarding clarity on rates exemptions.

Councillor Lewis questioned why Churches are exempt but the Country Women's Association (CWA) and other community organisations within the Warrumbungle Shire Council area are not.

Background

Local Government Act 1993 specifies which land can and cannot be considered as "rateable" (i.e. subject to Land Rates).

Whilst both Churches and the CWA are considered as charitable in nature and not for profit for the purposes of the Act, Churches are considered separate from other public charities and public benevolent institutions such as the CWA, Smith Family, St Vincent de Paul and a myriad of others.

Churches are not charged Land Rates only because they are deemed by the Act (LGA sect. 555(1) (e)(i) as exempt whereas CWA and other charities and public benevolent institutions are charged because the LGA has determined that they are "rateable" (as per LGA sect. 555).

In the case of water and sewer rates many public benevolent bodies (such as the CWA) are treated the same as Churches and receive a 50% rebate of the charges as a donation by Council.

The CWA and a number of other organisations are in addition provided with a donation as per Council's policy of one half of their rates.

Issues

Council needs to follow legislative requirements in the case of charging land, water and sewer rates.

Council also needs to follow its policies for the granting of donations. (*See enclosure of Donations Policy*)

WARRUMBUNGLE SHIRE COUNCIL

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Options

Council through its financial assistance grants can make payments to community organisations. If Council wishes to provide additional financial support then consideration would need to be given to the financial impact.

Financial Considerations

Provision of additional financial support would come from Council's Donations budget (i.e. Financial Assistance Grants). Donations are generally provided in two rounds with another round due in February. Due to the size of the first round there is only \$7k currently available for the February round.

RECOMMENDATION

For Council's information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 29 Update of Financial Assistance Grants Program 2017/2018

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Chief Financial Officer – Lawrence Amato
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

The following report provided to advise Council regarding the receipt and content of the documentation received from the Local Government Grants Commission concerning the calculation of the Financial Assistance Grants (FAG's) for the 2017/18 and a call for submissions in relation to the distribution of the FAG's in 2018/19.

Background

Each year Council receives an amount/entitlement relating to the FAG's based on a complex calculation relating to demographics and infrastructure. This amount is currently indexed at a State level by the Federal Government and then allocated by the State.

Enclosures relating to this matter have been forwarded under separate cover to Councillors.

Issues

The letter received by Council (26/8/2017 ref. GC 146) has provided an overview of how the FAGS has been weighted for WSC and has invited submissions for the allocation of the FAG's in 2018/19 to *“present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the Commission to adequately consider all legitimate factors that affect Council's capacity to deliver services.”*

Options

Council can choose to:

- seek any shortcomings in the current method and make a submission to the Local Government Grants Commission if anything is found;
- accept the current methodology.

Financial Considerations

Regardless of which option Council chooses it will be subject to the methodology adopted and any changes made.

Council may be able to positively influence the Local Government Grants Commission which may result in a higher annual allocation indefinitely.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

RECOMMENDATION

That Council seek to identify any shortcomings in the current method and make a submission to the Local Government Grants Commission if anything is found.

WARRUMBUNGLE SHIRE COUNCIL

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Item 30 Strategic Policy Review – Asset Management

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To seek Council endorsement of the revised Asset Management Strategic Policy.

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Asset Management Policy was endorsed on 19 September 2013 (**Resolution No. 123/1314**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Asset Management Strategic Policy.

Changes in the revised Asset Management Strategic Policy to the previous (Resolution No. 123/1314) are as follows:

- 8. Associated Documents – updates to legislation references and department names.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

The Policy with the highlighted amendments has been forwarded to Councillors as an enclosure.

Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Whilst there are no direct financial considerations, the structure of the Asset Management Strategic Policy will directly influence the decisions made by council.

RECOMMENDATION

That Council endorses the revised Asset Management Strategic Policy to be included in the Strategic Policy Register.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017

Item 31 Strategic Policy Review – Capital Funds Allocation

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To seek Council endorsement of the revised Capital Funds Allocation Strategic Policy.

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Capital Funds Allocation Policy was endorsed on 21 May 2015 (**Resolution No. 337/1415**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Capital Funds Allocation Policy.

There are no changes in the revised Capital Funds Allocation Policy to the previous (Resolution No. 337/1415).

The Policy has been forwarded to Councillors as an enclosure.

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Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Whilst there are no direct financial considerations, the structure of the Capital Funds Allocation Policy will directly influence the decisions made by council.

RECOMMENDATION

That Council endorses the Capital Funds Allocation Policy to be included in the Strategic Policy Register.

WARRUMBUNGLE SHIRE COUNCIL

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Item 32 Strategic Policy Review – Disposal of Council Assets

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To seek Council endorsement of the revised Disposal of Council Assets Policy.

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Disposal of Council Assets Policy was endorsed on 19 September 2013 (**Resolution No. 107/1314**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Disposal of Council Assets Policy.

There are no changes in the revised Disposal of Council Assets Policy to the previous (Resolution No. 107/1314).

The Policy has been forwarded to Councillors as an enclosure.

WARRUMBUNGLE SHIRE COUNCIL

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Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Whilst there are no direct financial considerations, the structure of the Disposal of Council Assets Policy will directly influence the decisions made by council.

RECOMMENDATION

That Council endorses the Disposal of Council Assets Policy to be included in the Strategic Policy Register.

WARRUMBUNGLE SHIRE COUNCIL

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Item 33 Strategic Policy Review – Internally Restricted Assets

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To seek Council endorsement of the revised Internally Restricted Assets Policy.

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Internally Restricted Assets Policy was endorsed on 19 September 2013 (**Resolution No. 106/1314**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Internally Restricted Assets Policy.

There are no changes in the revised Internally Restricted Assets Policy to the previous (Resolution No. 106/1314).

The Policy has been forwarded to Councillors as an enclosure.

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Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Whilst there are no direct financial considerations, the structure of the Internally Restricted Assets Policy will directly influence the decisions made by council.

RECOMMENDATION

That Council endorses the Internally Restricted Assets Policy to be included in the Strategic Policy Register.

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Item 34 Strategic Policy Review – Investment Policy (Including Ethical)

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To seek Council endorsement of the revised Investment Strategic Policy.

*‘Furthermore, a motion was moved by Councillor Doolan and seconded by Councillor Capel that Council develop an Ethical Investments Policy.’
(Resolution 284/1617)*

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Investment Policy was endorsed on 19 September 2013 (**Resolution No. 105/1314**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Investment Policy.

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Changes in the revised Investment Strategic Policy to the previous (Resolution No. 105/1314) are as follows;

- Objectives of the Policy – Inclusion of the term “Ethical considerations”
- Background – Legislation and name updates only;
- Legislative authority for investments - Legislation and name updates only;
- Credit Rating – Inclusion of a Maximum Thresholds – Portfolio Percentage Limits table. This table sets parameters for:
 - Direct Investment Products (As a % of Total Portfolio), and
 - Exposure to a Single Institution (As a % of Total Portfolio);
- Environmentally and Socially Responsible Investments. Provision of guidance for Council in considering environmental and social factors in making investment decisions;
- Measurement of long term investments – wording changes reflecting legislative changes.

The Policy with the highlighted amendments has been forwarded to Councillors as an enclosure.

Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Whilst there are no direct financial considerations, the structure of the Investment Policy will directly influence the investments made and therefore the return on investments.

RECOMMENDATION

That Council endorses the revised Investment Policy (including Ethical) to be included in the Strategic Policy Register.

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Item 35 Strategic Policy Review – Media Policy – Councillors

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To seek Council endorsement of the revised Media Policy - Councillors.

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Media Policy - Councillors was endorsed on 19 September 2013 (**Resolution No. 113/1314**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Media Policy - Councillors.

There are no changes in the revised Media Policy - Councillors to the previous (Resolution No. 113/1314).

The Policy has been forwarded to Councillors as an enclosure.

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Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Nil.

RECOMMENDATION

That Council endorses the Media Policy - Councillors to be included in the Strategic Policy Register.

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Item 36 Strategic Policy Review – Public Art

Division:	Corporate and Community Services
Management Area:	Community Services
Author:	Director of Corporate and Community Services – Michael Jones
CSP Key Focus Area:	Community and Culture
Priority:	CC3 Our shire is home to vibrant arts and cultural life. Which is promoted and supported as an essential aspect of community well being.

Reason for Report

To seek Council endorsement of the revised Public Art Policy.

Background

Council has developed policies for a wide range of subjects to ensure consistency in Council's decision making adherence to legislation, and the efficient running of Council operations.

All Council policies fit into one of two broad categories:

- **Strategic Policies** – Policies that set the strategic direction of Council and are endorsed by Council. These include a number of recommended and legislated policies which are required to be approved by the NSW Office of Local Government (OLG);
- **Operational Policies** – Policies that deal purely with operational matters and do not require Council endorsement. These policies include staff policies that deal with staffing, WHS and other HR issues, auspiced policies which relate to auspiced programs and general operational policies that deal with all other operational matters.

To ensure that Council's Strategic Policies remain fit for purpose, Council reviews all its Strategic Policies within 12 months of each Local Government Election. Council's current Public Art Policy was endorsed on 18 February 2016 (**Resolution No. 205/1516**).

Issues

As part of the policy review currently being undertaken, Council has an opportunity to review the Public Art Policy.

The Policy presented in this Business Paper represents Council's overall commitment to Public Art across the Shire, and does not specifically detail how Council will:

- Identify potential public art spaces;
- Identify rules around what constitutes public art and what forms of public art Council would be willing to purchase;

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- Identify rules around custodianship (who owns the art);
- Identify a process for community consultation on public art and an appeal/complaints process for artworks that could possibly result in community opposition;
- Detail rules around public art kept on Council premises;
- Identify rules determining Council's approach to public art pieces of a political nature;
- Set out Council's overall vision for public art and how this ties in with Council's capital improvement program;
- Set out Council would fund any activities associated with a Public Art Plan;
- Set out asset management processes and plans to manage the maintenance and renewal of Public Art and the budgetary allocations required going forward to ensure these art works are kept in acceptable condition.

These specific action items are generally captured in Public Art Plans, which require lengthy consultation process with relevant stakeholders.

Changes in the revised Public Art Policy to the previous (Resolution No. 205/1516) are as follows:

- 3. Policy Scope – Updated references to the revised WSC Community Strategic Plan and WSC Operational Plan and Delivery Program;
- 5. Definitions:
 - Inclusion of more information describing the benefits of art;
 - Tightening the definition of what art is;
- 7. Responsibilities – inclusion of Councillors in the role they can play in developing and supporting art in the community;
- 8. Associated Documents - Updated references to the revised WSC Community Strategic Plan and WSC Operational Plan and Delivery Program. Removal of reference to the WSC Communication and Engagement Strategy;
- 9. Getting Help – inclusion of the following roles:
 - Director of Development Services
 - Manager Tourism and Economic Development
 - Town Planner.

The Policy with the highlighted amendments has been forwarded to Councillors as an enclosure.

Options

Council can either accept the revised policy as is or accept the policy with modifications.

Financial Considerations

Nil.

RECOMMENDATION

That Council endorses the revised Public Art Policy and that it is included in the Strategic Policy Register.

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Item 37 Bank Reconciliation for the Month Ending 31 August 2017

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Supervisor Finance – Lisa Grammer
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

The following report provided to Council is a summary of Council's monthly bank reconciliation.

Background

Reconciliations are being completed monthly and balanced, payments and receipts reconcile to the monthly bank statement. They are completed by the Supervisor Finance and signed off by the Chief Financial Officer then referred to the Director Corporate and Community Services for final review as part of Council's Monthly checklist procedures.

Issues

Outstanding deposits refer to cash amounts recorded in Council's General Ledger that have not yet been deposited at the bank. E.g. Direct debit authority receipted in cashbook but not deposited in the physical bank account until the next day.

Unpresented cheques refers to cheques and EFT Payments that have not been processed by the recipient but are recorded as being paid in Council's General Ledger.

Options

Nil.

Financial Considerations

At Council's request the Trust Fund bank account and Mayor's Bushfire Appeal (MBA) Bank Account has been separated for the purpose of presenting an accurate balance of Council's funds.

The Mayor's Bushfire Appeal bank account has been utilised for the purpose of the Sir Ivan Bushfire which started on the 12th February 2017.

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Summary

Balance per General Ledger – 31 August 2017

General Ledger	Amount
Trust Bank Account	348,000
Bushfire Trust Account	3,269
Bushfire Trust Investment Account	47,143
General Bank Account	4,248,900
Investment At Call General	11,483,865
Investment At Call Water	1,905,000
Investment At Call Sewer	1,967,000
Total per General Ledger	20,003,177

Bank	Balance
<u>General</u>	
Commonwealth General Account	3,865,910
Total – General	3,865,910
<u>Investments</u>	
Term Deposits	15,355,865
Total Investments	15,355,865
Sub Total WSC Operational Accounts	19,221,775

<u>Trust</u>	
Commonwealth Trust Account	348,000
Total – Trust	348,000
<u>WSC Mayors Bush Fire Appeal Trust</u>	
Commonwealth Mayors Fund General Account	3,269
Commonwealth Mayors Fund Savings Account	47,143
Total - WSC Mayors Bush Fire Appeal Trust	50,412
Total All Bank Accounts	19,620,187
<i>Add:</i>	
Outstanding Deposits - General	459,331
Outstanding Deposits - Trust	-
Outstanding Deposits – WSC Mayors Bushfire Appeal	-
<i>Less:</i>	
Unpresented cheques - General	(75,191)
Unpresented EFT - General	(1,150)
Unpresented cheques- WSC Mayors Bushfire Appeal	-
Balance adjusted for outstanding deposits & Un-presented cheques (Final Bank Balance)	20,003,177
Variance between Final Bank Balance and General Ledger	-

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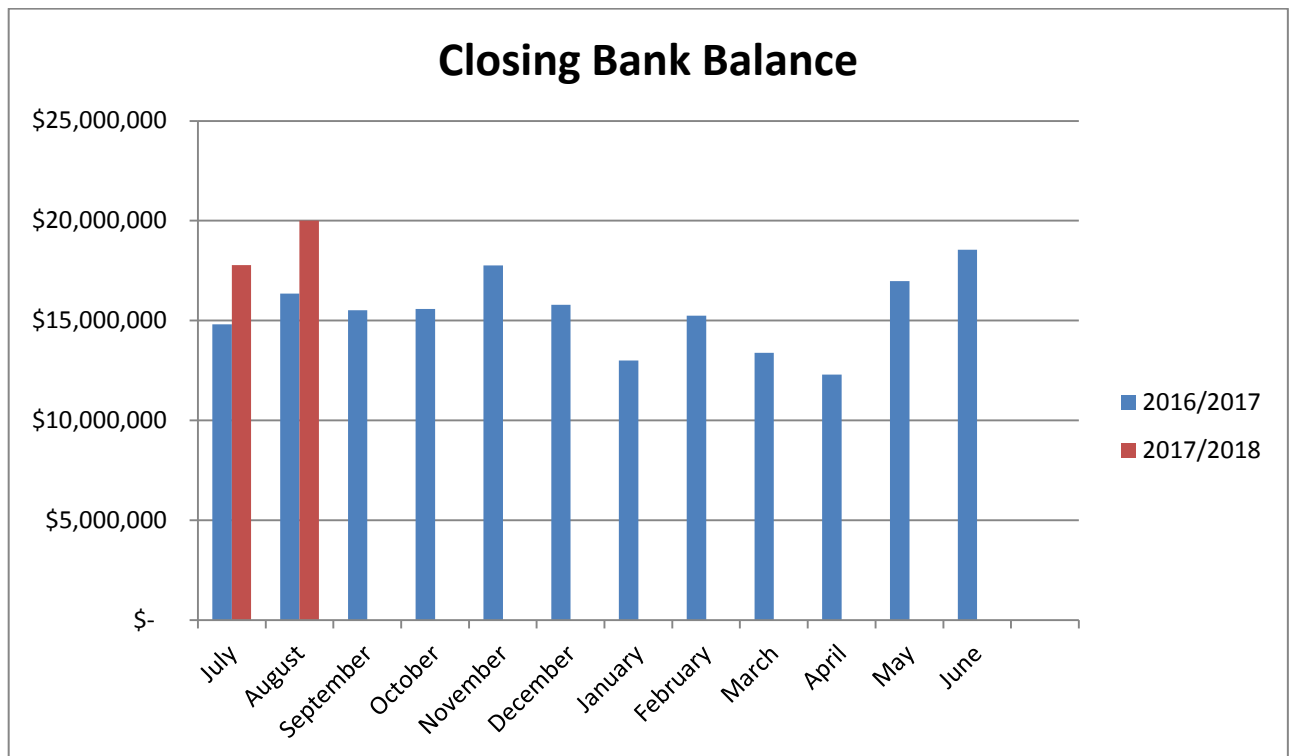
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Balance as per Bank Account History as at 31 August 2017

Month	Funds Held in General Account	Funds Held in Trust Account	Mayors Bushfire Appeal Trust Account	Investment	TOTAL	Net of Outstanding Deposits and Un-presented Cheques	End of Month Closing Bank Balance
Jun-17	248,391	347,521	69,642	17,862,756	18,528,310	24,115	18,552,425
Jul-17	1,954,020	348,000	69,715	16,156,553	18,528,288	(742,487)	17,785,801
Aug-17	3,865,910	348,000	50,412	15,355,865	19,620,187	382,990	20,003,177

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RECOMMENDATION

That Council accept the Bank Reconciliation Report for the month ending 31 August 2017.

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Item 38 Investments and Term Deposits for Month Ending 31 August 2017

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Supervisor Finance – Lisa Grammer
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

As required by Clause 212 of the Local Government (General) Regulation 2005, the details of all monies invested by Council under Section 265 of the Local Government Act 1993 must be reported to Council at each monthly ordinary meeting.

Background

Council is authorised by S.265 of the Local Government Act (the Act) to invest its surplus funds in the forms of investment notified in an Order of the Minister dated 12 January 2011.

Clause 212 of the Local Government (General) Regulation 2005 (the Regulation) requires a council to provide a written report to the Ordinary Meeting of Council giving details of all monies invested and a certificate as to whether or not the investments have been made in accordance with the Act, Regulations and Council's Investment Policy.

Issues

Comments on Performance for the Month

Term Deposits and At Call Accounts

In accordance with regulatory requirements and Council's Investment Policy, the majority of Council's current investment portfolio continues to be invested in term deposits and at call accounts.

During the month \$5m worth of term deposits matured, earning Council a total of \$29,949 in interest.

New placements of \$4m were made and the month end balance was \$9m. Placements made during the month included:

- \$1m placed with NAB for 95 days at 2.43%.
- \$1m placed with Regional Australia Bank for 92 days at 2.45%.
- \$1m placed with ME Bank for 150 days at 2.50%.
- \$1m placed with ME Bank for 150 days at 2.50%.

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At call accounts are used to hold funds for shorter periods and generally are adjusted on a weekly basis to meet cash flow requirements. During the month net transfers of \$192,398 were made from these accounts and \$6,914 interest was received on the balances in the accounts resulting in a month end "At Call" balance of \$6.356m.

Income Return

The average rate of return on Investments for the month of 2.14% exceeded Council's benchmark Bank Bill Swap Rate (BBSW) of 1.74% by 40 points or 23%.

On a year to date basis, interest received, and accrued, totals \$46,108 which is 17% of the annual budget.

Depending upon the timing of forecast cash flows, consideration is given to investing for higher interest yields.

Options

Nil.

Financial Implications

Based on the current investment market and Council's current investment holdings and maturity dates, the average rate of return on Council's investment portfolio will continue to exceed the BBSW benchmark rate. Depending on interest rate movements Council may need to reconsider its projected interest revenue.

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Summary

Table 1: Investment Balances as at 31 August 2017

Financial Institution	Lodgement Date	Maturity Date	Total Days	Rating	Yield	Amount
At Call Accounts						
NAB Cash Maximiser #	1-Aug-17	At Call	At Call	AA-	1.29%	1,253,268
ANZ At Call	1-Aug-17	At Call	At Call	AA-	0.75%	1,752,823
Regional Australia Bank	1-Aug-17	At Call	At Call	Unrated	2.10%	1,014,303
NAB Bpay Account	1-Aug-17	At Call	At Call	AA-	-	324,631
T Corp IM Cash Fund	1-Aug-17	At Call	At Call	AAA	2.40%	2,010,840
						6,355,865
Term Deposits						
NAB	15-Jun-17	18-Sep-17	95	A+ (ST rate)	2.45%	1,000,000
Regional Australia Bank	22-Jun-17	25-Sep-17	95	Unrated	2.52%	1,000,000
Bank Of Sydney	19-Jun-17	20-Nov-17	154	Unrated	2.77%	1,000,000
BOQ	25-May-17	21-Nov-17	180	BBB+	2.65%	1,000,000
NAB	22-Aug-17	27-Nov-17	97	A+ (ST rate)	2.43%	1,000,000
Regional Australia Bank	28-Aug-17	28-Nov-17	92	Unrated	2.45%	1,000,000
BOQ	25-May-17	04-Dec-17	193	BBB+	2.65%	1,000,000
ME Bank	22-Aug-17	19-Jan-18	150	Unrated	2.50%	1,000,000
ME Bank	22-Aug-17	19-Jan-18	150	Unrated	2.50%	1,000,000
						9,000,000
TOTAL						15,355,865

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Table 2: At Call and Term Deposits - Monthly Movements

Bank	Opening Balance	Net Placements/ Withdrawals	Interest Accrued/ Received	Closing Balance
NAB Cash Maximiser #	1,251,897	-	1,371	1,253,268
ANZ At Call	1,751,959	-	864	1,752,823
Regional Australia Bank	1,006,575	6,164	1,564	1,014,303
NAB Bpay Account	138,397	186,234	-	324,631
T Corp IM Cash Fund	2,007,725	-	3,115	2,010,840
Total at call	6,156,553	192,398	6,914	6,355,865
CBA	1,004,418	(1,004,020)	(398)	-
Bank of Sydney	1,006,489	(1,006,732)	243	-
Bank of Sydney	1,006,489	(1,006,732)	243	-
NAB	1,004,781	(1,006,301)	1,520	-
Regional Australia Bank	1,004,234	(1,006,164)	1,930	-
NAB	1,003,079	-	2,075	1,005,154
Regional Austlia Bank	1,002,685	-	2,134	1,004,819
Bank Of Sydney	1,003,179	-	2,346	1,005,525
BOQ	1,004,851	-	2,245	1,007,096
NAB	-	1,000,000	598	1,000,598
Regional Australia Bank	-	1,000,000	201	1,000,201
BOQ	1,004,851	-	2,245	1,007,096
ME Bank	-	1,000,000	615	1,000,615
ME Bank	-	1,000,000	615	1,000,615
Total Term deposits	10,045,056	(1,029,949)	16,612	9,031,719
Total	16,201,609	(837,551)	23,526	15,387,584

Certification of Responsible Accounting Officer

I hereby certify that the investments listed in the report above have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investments Policy.

Responsible Accounting Officer

RECOMMENDATION

That Council accept the Investments Report for the month ending 31 August 2017.

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Item 39 Rates Report for Month Ending 31 August 2017

Division:	Corporate and Community Services
Management Area:	Financial Services
Author:	Water Officer – Rachael Carlyle
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan

Reason for Report

To report on Council's monthly rates and annual charges collection performance.

Background

Council levies rates and annual charges on an annual basis commencing in the month of July. Council closely monitors the repayment of these rates and annual charges and measures its debt recovery performance for rates and annual charges through the use of the Rates and Annual Charges Outstanding Ratio.

The Office of Local Government (OLG) recommends (via their accepted benchmark) a ratio of less than 5% for Urban and Coastal Councils and less than 10% for Rural Councils. Council's outstanding ratio as at 30 June 2017 was 8.88% which is below the OLG recommended benchmark.

Issues

The outstanding rates and annual charges ratio as at 31 August 2017 is higher than the 10% benchmark proposed by the OLG at 13.66%. The overall outstanding charges ratio as at 31 July 2017 is 14.01%. The slight increase in this ratio can be attributed to the 1st rates instalment falling due at the end of August.

In 2015 Council introduced a system that allows Ratepayers the ability to receive and pay their rate notices online, to date 368 ratepayers are utilising this system.

Options

For Council's information.

Financial Considerations

A high arrears balance affects Council's cash flow, and represents monies outstanding that Council could be gaining a return on if invested in a term deposit.

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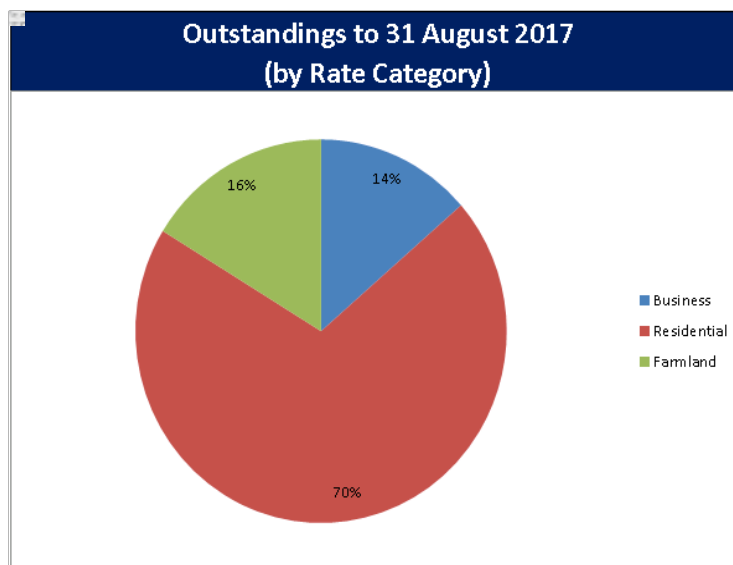
RATE/CHARGE TYPE	RATE ARREARS 2016/17	2017/18 LEVY	Pensioner Write off	Abandoned	Interest	Legal Fees	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDING 2017/18	COLLECTION % 2017/18	Total Arrears as at EOM	Outstanding Rates and Annual Charges %
General	556,582	7,764,558	(161,397)	(10,283)	3,786	44,594	8,197,840	(2,253,364)	5,944,476	27.49%	1,018,971	12.43%
Water	229,206	1,445,292	(69,978)	(119)	1,988	-	1,606,389	(424,326)	1,182,063	26.41%	287,570	17.90%
Sewerage	103,222	1,077,596	(50,021)	(19)	913	-	1,131,691	(312,045)	819,646	27.57%	135,116	11.94%
Trade Waste	876	8,858	-	-	5	-	9,739	(3,591)	6,148	36.87%	1,016	10.43%
Storm Water	9,433	106,113	-	(1)	83	-	115,628	(35,720)	79,908	30.89%	13,461	11.64%
Garbage	258,538	1,901,107	(104,083)	(596)	2,248	-	2,057,214	(567,250)	1,489,964	27.57%	335,958	16.33%
TOTAL RATES AND ANNUAL CHARGES	1,157,857	12,303,524	(385,479)	(11,018)	9,023	44,594	13,118,501	(3,596,296)	9,522,205	27.41%	1,792,092	13.66%
Sewer Access (Water Billing)	146,338	232,002	-	15	641	-	378,996	(74,539)	304,457	19.67%	72,455	19.12%
Water Consumption	649,131	1,383,671	-	5,922	4,346	543	2,043,613	(323,685)	1,719,928	15.84%	335,900	16.44%
Sewer Consumption	37,413	101,391	-	-	94	-	138,898	(26,367)	112,531	18.98%	11,140	8.02%
Trade Waste	26,699	101,808	-	-	55	-	128,562	(22,981)	105,581	17.88%	3,773	2.93%
TOTAL WATER SUPPLY SERVICES	859,581	1,818,872	-	5,937	5,136	543	2,690,069	(447,572)	2,242,497	16.64%	423,268	15.73%
GRAND TOTAL	2,017,438	14,122,396	(385,479)	(5,081)	14,159	45,137	15,808,570	(4,043,868)	11,764,702	25.58%	2,215,360	14.01%

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Analysis by Council staff has indicated that of the rates and annual charges outstanding amount, 70% relates to residential properties, while 16% relates to farmland and 14% to business.

See graph to the right, and table of outstanding balances by rate group and rate/charge type below for further details.



Rates Type	Rates levy					Water levy				Grand Total
	General	Domestic Waste	Water Access	Trade Waste	Storm Water	Sewer Access	Water Usage	Sewer Usage	Trade Waste	
Business	92,405	60,629	36,111	1,016	4,907	40,762	50,482	11,140	3,773	301,225
Residential	574,379	267,605	251,459	-	8,554	166,809	285,418	-	-	1,554,224
Farmland	352,187	7,724	-	-	-	-	-	-	-	359,911
Total	1,018,971	335,958	287,570	1,016	13,461	207,570	335,900	11,140	3,773	2,215,360

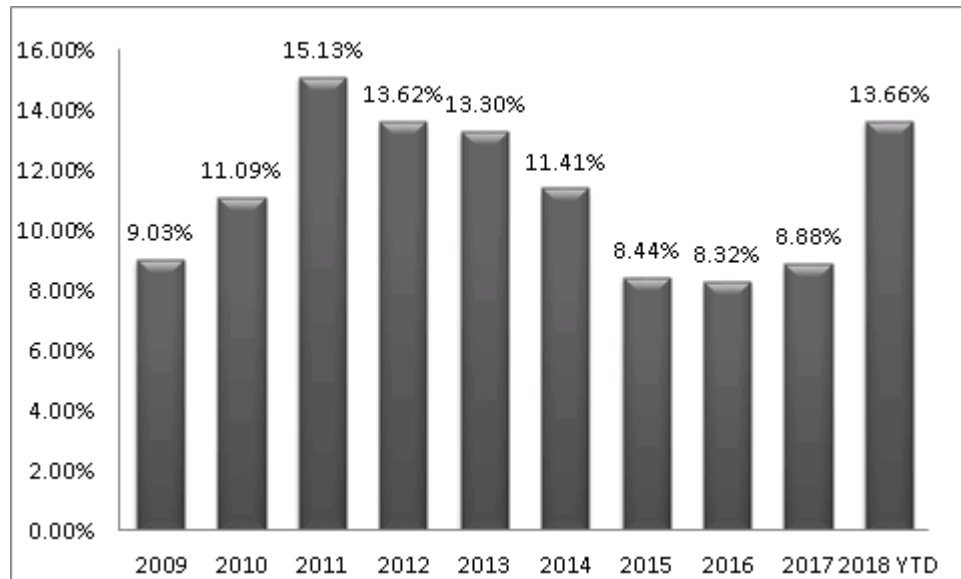
Collection of outstanding rates commences with an overdue letter which is received from Council giving 14 days to pay or contact Council requesting an arrangement, if no payment or contact is made a letter of demand is sent out by Council's Debt Recovery Agency giving 7 days to make a payment or contact Council requesting an arrangement.

Council's historical debt recovery performance as measured by the rates and charges outstanding ratio is detailed in the graph below.

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Graph 1: Ratio by Year



RECOMMENDATION

For Council's information.

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Item 40 Acquisition of Easement for Connection of Sewer to Camp Cypress

Division:	Technical Services
Management Area:	Water Services
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Natural Environment
Priority:	Local natural resources including waterways and aquifers remain unpolluted

Purpose

The purpose of this report is to provide Council with an update on investigations into the proposal to connect Camp Cypress to the Baradine Sewage Treatment Plant and to acquire an easement for a pipeline.

Background

Camp Cypress relies on onsite disposal of sewage and the Trust wants Council assistance to connect their system to the town sewerage system. Council will recall a resolution to investigate a proposed pipeline between Camp Cypress and the Sewage Treatment Plant on the Kenebri Road.

***‘220/1617 RESOLVED** that Council undertake further investigations on the feasibility of installing a sewer line along road corridors between Camp Cypress and the sewage treatment plant. **FURTHERMORE** a budget allocation of \$20,000 is made for the environmental investigation in 2016/17, which is funded from within the existing allocation for Capital works in 2016/17.’*

Todd / Clancy

The motion was put and carried by majority’

An ecological assessment of the proposed pipeline route has been completed. *“The majority of the proposed pipeline route within the Council managed road reserve supports native forest vegetation in relatively good condition, outside of the cleared vehicle tracks. A number and diversity of threatened fauna species have been identified as being likely or potentially inhabiting or using the habitat along the road reserve. These include hollow-dependant bats and birds, ground-dwelling species, highly-mobile migratory species that feed on flowering eucalypts, and notably the Koala”. (OzArk, August 2017).*

The ecological assessment report suggests that it may be possible to construct a pipeline within a two (2) metre wide corridor, subject to imposition of several safeguards. Also, the report will inform the Review of Environmental Factors which must be completed once the location of the pipeline and the two metre wide corridor is known.

Issues

The length of the proposed pipeline is 2.5km and an 850m section adjoins the Baradine Common.

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The land within the Common is cleared and it may be a viable alternative for location of the pipeline. A map showing the location of the proposed pipeline and the Baradine Common is provided in Attachment 1.0.

There is an application process through the Department of Primary Industries for acquisition of an easement within land taken up by the Baradine Common. Before application is made however, Council must formally resolve to acquire an easement within the Common.

Options

Council has discretion in this matter and may wish to make application to acquire an easement within Baradine Common. Should the application be successful, Council will have the advantage of assessing the feasibility of the pipeline option.

Ownership and management of this proposed pump out system is not clear, for example, who has responsibility for maintenance of the pipe line, the sewer pump(s), and the quality of the effluent being pumped to the treatment plant? Furthermore, more design and investigation is required to determine feasibility of the proposed pipe line route.

Financial Considerations

There is a budget allocation of \$20,000 for environmental assessment of the option to connect sewer to Camp Cypress via a pipeline through Crown Land road corridors. The budget allocation will be sufficient to cover administration costs associated with making application for a Crown Land easement.

RECOMMENDATION

That application is made to the Department of Primary Industry and Lands, to 'Create an Easement' on part of Crown Reserve Lot 3, Portion 7387, Plan number 873702 being the Baradine Common for the purpose of construction and maintaining a sewer main to the Sewer Ponds on Kenebri Road.

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Attachment 1.0 – Location of Proposed Sewer Pipe Line Connecting Camp Cypress to the Baradine Sewage Treatment Plant



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Item 41 Naming of Laneway in Binnaway

Division:	Technical Services
Management Area:	Urban Services
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Rural & Urban Development
Priority:	Our towns and villages are characterised by their attractiveness, appearance, safety and amenity.

Purpose

The purpose of this report is to name a laneway in Binnaway.

Background

Council made the following resolution on 15 June 2017:

‘313/1617 An amendment was moved by Councillor Clancy and seconded by Councillor Iannuzzi that the following road names are adopted by Council:

- *Laneway off Bullinda Street and between David Street and Renshaw Street in Binnaway*
 - *Meyers Lane*

Issues

The name Meyers Lane was rejected by the Geographical Names Board on 6 September 2017 as non-compliant, as Meyers Motors is an ongoing commercial concern.

Council received two (2) submissions for naming of the laneway in Binnaway, that is, Meyers Lane and Naseby Lane.

Options

Council has discretion in this matter. Should Council not agree to adopt the name Naseby Lane, Council may wish to readvertise for further submissions.

Financial Considerations

The funds that are required for advertising the proposed road name and erection of a sign are available within current budget allocations.

RECOMMENDATION

That the following road name is adopted by Council subject to comments that may be received through the statutory notification and advertising process:

- Laneway off Bullinda Street and between David Street and Renshaw Street in Binnaway:
 - Naseby Lane

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Attachment 1.0 – Binnaway



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Item 42 Naming of Water Treatment Plant at Mendooran

Division:	Technical Services
Management Area:	Urban Services
Author:	PA to Director Technical Services – Jenni Maundrell
CSP Key Focus Area:	Public Infrastructure and Services
Priority:	P17 – Communities across the shire are supported by the secure, long term supply of energy and clean water.

Purpose

The purpose of this report is to name the Water Treatment Plant at Mendooran.

Background

Following a request to name a piece of infrastructure in honour of the late Charles Nott, known as Charlie Nott, Council made the following resolution on 17 May 2012:

***‘375/1112 RESOLVED** that Council seek community comment on the proposal to name the Mendooran Water Treatment Plant the Charlie Nott Water Treatment Plant.’*

The Mendooran and District Development Group advised that it resolved on 8 July 2013 that the group had no objections to naming a piece of community infrastructure in Mendooran for Charlie Nott.

In June 2014, Council considered a notice of motion to rename the Cobbora Road to Charlie Nott Drive and made the following resolution:

***‘377/1314 A motion was moved by Councillor Coe and seconded by Councillor C Sullivan** that the Warrumbungle Shire Council apply to the geographical names board to rename the Cobbora road to Charlie Nott Drive. **The motion was put and carried.**’*

However, in November 2014, following community consultation, Council resolved the following:

***‘173/1415 RESOLVED** that Council abandon the name change proposal being the Cobbora Road from the Golden Highway in Dunedoo to the Castlereagh Highway at Merrygoen to Charlie Nott Drive recognising the significant opposition with the locals to change; and the imposition upon the residents of having to change their address details.’*

The matter of naming a piece of infrastructure was referred to community consultation and was discussed at the Mendooran Community Consultation meeting of 1 December 2016.

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A number of written submissions have been received and these have been forwarded to Councillors under separate cover.

Issues

Naming of infrastructure such as the Water Treatment Plant is not subject to approval from the Geographical Names Board (GNB), however the GNB urges Council to follow guidelines for commemorative naming, which advises against naming after a person who is living.

Options

Council has discretion in this matter and may wish to consider names provided by those who have lodged an objection. The following is a summary of correspondence received:

- Requests to name a piece of infrastructure in honour of the late Charles Nott.

Opposed to the proposal:

- Eight (8) submissions
- Alternative names proposed by those opposed:
 - Lindsay Francis Water Treatment Works
 - Mendooran Community Water Treatment Plant
 - Neil Lennox Water Treatment Plant
 - Mendooran Water Treatment Plant
 - Castlereagh Treatment Plant

In favour of the proposal:

- Two (2) submissions.

Financial Considerations

The funds that are required for naming and erecting a sign are available within current budget allocations.

RECOMMENDATION

That the Water Treatment Plant at Mendooran be named 'Charlie Nott Water Treatment Plant'.

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Item 43 Road Naming Request – Allambie Court

Division:	Technical Services
Management Area:	Urban Services
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Rural & Urban Development
Priority:	Our towns and villages are characterised by their attractiveness, appearance, safety and amenity.

Purpose

The purpose of this report is to name an access road to the St Vincent de Paul housing units in Coonabarabran.

Background

The road access to the St Vincent de Paul units in Charles Street, Coonabarabran is via George Street. The Charles Street road reserve near the intersection with George Street is dissected by a creek that runs along the centre of the street. The name of the road on the eastern side of the creek is Charles Street and on the western side the road provides access to the St Vincent de Paul housing units. The maps in the attachment help clarify the locations of the various features in Charles Street.

Concern has been raised by one of the residents in the St Vincent de Paul units about the address of the units and providing directions to emergency services.

Council is being asked to consider providing an address for the units that provides more certainty when directions are given to emergency services.

Issues

The official address of the St Vincent de Paul units is 2-6 Charles Street. However access to the units is via George Street, which has caused confusion for emergency services.

No 2 Charles Street is also accessed via George Street and if the name of the access road is formalised, then this property address will also change. Reference is made to maps in the attachment which will clarify location of the various properties and road features.

When naming a road, Council must adhere to guidelines from the GNB. The following are highlighted extracts from the guidelines:

- Name duplication within a local government area should be avoided.
- Names should be appropriate to the physical, historical or cultural character of the area concerned.
- Names of living persons should not be used.

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- Preferred sources for road names include; Aboriginal names, local history, early explorers or settlers and other eminent persons, war/casualty lists and thematic names such as flora, fauna or ships.
- A given name should only be included with a family name where it is essential to identify an individual or where it is necessary to avoid ambiguity. The use of given names should generally be avoided.

The Roads Act requires Council to notify Australia Post, the Registrar General and the Surveyor General of the proposed road. In addition, the proposed road name must be advertised in a local newspaper and written submissions invited.

Options

Council has discretion in this matter. There is no 'master list' of road names that Council may reference.

The St Vincent de Paul units are generally referred to as Allambie Court and it may be appropriate to officially name the road access as 'Allambie Court'.

Financial Considerations

The funds that are required for advertising the proposed road name and erection of a sign are available within current budget allocations.

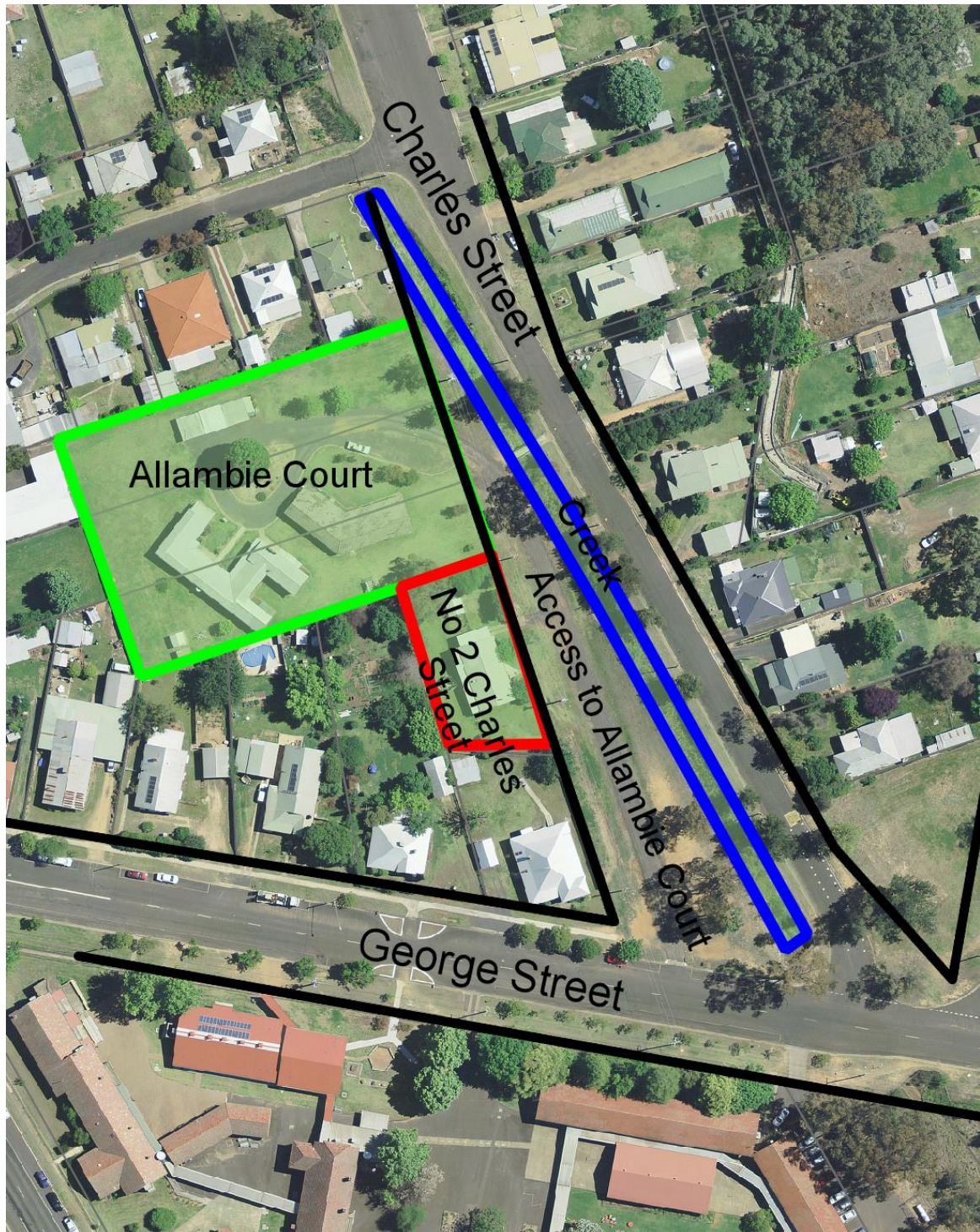
RECOMMENDATION

That Council nominate the name 'Allambie Court' as the official name for access to the St Vincent de Paul units and that consultation is undertaken in accordance with the Roads Act and in particular the owners of No 2 Charles Street are consulted.

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Attachments - Road Naming Request – Allambie Court



Access to Allambie Court – Terrain View

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Access to Allambie Court – Map View

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Item 44 Strategic Policy Review – Liquid Trade Waste Regulation

Division:	Technical Services
Management Area:	Water & Sewerage
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Public Infrastructure and Services
Priority:	P17 – Appropriate planning is needed to ensure the ongoing security of energy and clean water supplies to communities within the Shire.

Reason for Report

To seek Council endorsement of the revised Policy for Liquid Trade Waste Regulation, and of the revised Liquid Trade Waste Frequently Asked Questions document.

Background

On 17 February 2011, Council adopted the implementation of a Liquid Trade Waste Policy (**Resolution No 285**). To achieve best practice in the operation of its sewerage schemes, Council is required to adopt a local policy to guide how it will deal with the discharge of liquid trade waste to its sewerage systems from commercial premises. The policy, and any modifications to it, must be approved by the NSW Office of Water. NSW Office of Water approved Council's Policy for Liquid Trade Waste Regulation on 25 February 2014.

Issues

Council is required to review and endorse all strategic policies every four (4) years or within 12 months of a Local General Election.

This draft Policy for Liquid Trade Waste Regulation updates the 2014 Policy. Key amendments are the updated name of the State Government department to the Department of Primary Industries, and the inclusion of applicable 2017/18 fees and charges.

Businesses that discharge liquid trade waste are routinely provided with the Liquid Trade Waste Frequently Asked Questions document. The revised FAQs include applicable 2017/18 fees and charges.

The Policy and FAQs with the highlighted amendments has been forwarded to Councillors as an enclosure.

Options

Council has discretion in this matter and may wish to change features of the proposed Policies.

Financial Considerations

Nil.

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RECOMMENDATION

That Council endorses the revised Policy for Liquid Trade Waste Regulation, and Liquid Trade Waste Frequently Asked Questions.

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Item 45 2017/18 Technical Services Works Program – Road Operations, Urban Services and Water Services

Division:	Technical Services
Management Area:	Road Operations and Urban Services
Author:	Director Technical Services – Kevin Tighe
CSP Key Focus Area:	Public Infrastructure & Services
Priority:	P13 Road networks throughout the Shire need to be safe, well maintained and adequately funded.

Reason for Report

The Works Program for the Technical Services division of Council for 2017/18 is presented for information.

Background

The 2017/18 Works Program including expenditure until the end of August 2017 for all projects in Technical Services is presented in Attachment 1.0.

Attachment 2.0 contains three tables a list of roads that have been graded since the 1 July 2017. A list of road maintenance requests and roads scheduled for maintenance over the next two months can also be found in Attachment 2.0.

Issues

The Works Program presented in Attachment 1.0 includes a percentage completion of the scope of works for each project.

Options

Council has discretion in relation to the Capital Works Program and the Works Program in general. However, any changes must include consideration of funding sources, time requirements for pre construction activities, and impact on staff resources.

Financial Considerations

The Works Program in Attachment 1.0 contains budget allocations and expenditure on the projects.

RECOMMENDATION

The 2017/18 Works Program presented in Attachment 1.0 and Attachment 2.0 is noted for information only.

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Attachment 1.0 – Technical Services 2017/18 Works Program

Task Name	Budget Allocation (\$)	Expend (\$)	% Complete
Technical Services	21,775,826	2,445,861	6%
Asset & Design Services	62,452	1,591	0%
Survey equipment	24,000	0	0%
Eng design software	13,000	0	0%
traffic counters	7,500	0	0%
Road Safety Programme	17,952	1,591	0%
Plan B	5,150	0	0%
Child Restraint	1,750	0	0%
Workshop for Supervisors of L Drivers	767	356	50%
Bike Week	2,000	1,235	50%
Just Slow Down on Local Roads	4,000	0	0%
Free Cuppa for driver	2,085	0	0%
Pedestrian & Bike Safety	2,200	0	0%
Fleet Services	3,408,665	445,131	10%
Minor plant purchases	15,000	3,441	0%
Plant & equipment purchases	3,224,010	441,690	20%
Coona workshop capital items	14,655	0	0%
Traffic light	30,000	0	0%
Plant 30 - light vehicle	35,000	0	0%
New bobcat	90,000	0	0%
Road Operations	10,163,642	1,416,390	8%
RMS Work Orders	2,723,000	327,385	8%
Heavy Patching	580,000	0	0%
South Merrygoen	500,000	23,179	5%
HW 27, Lighthouse Hill, drains/shlders	75,000	0	0%
Vegetation Control*	30,000	0	0%
HW18, Gap drainage improvements	40,000	0	0%
HW27 culvert repairs	130,000	0	0%
HW17, shlder widening, Dows lane	98,000	0	0%
HW27, shlder widening, Sullivan street	80,000	0	0%
Dunedoo HV parking bay	250,000	277,413	90%
Truck stopping bay projects	30,000	22,078	80%
Replacement of service signs	5,000	4,715	100%
Resealing program	905,000	0	0%
Local Roads	3,969,897	382,210	0%
Local Roads reseals	563,915	0	0%
Reseal program - TBA	563,915	0	0%
L R bridges & cwys	698,432	11,831	0%

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Task Name	Budget Allocation (\$)	Expend (\$)	% Complete
Coonagoony bridge	4,183	5,331	100%
Box Ridge Rd - Cwy	44,249	0	0%
Ross Crossing Bridge - approaches	10,000	6,500	70%
Mia Mia Rd - cwy	60,000	0	0%
Napier Lane(Garrawilla) - cwy	60,000	0	0%
Napier Lane (Mt Warwick) - cwy	60,000	0	0%
Quia Rd - cwy	60,000	0	0%
Leaders Rd - Cwy	0	0	0%
Todd's Crossing - Teridgerie Creek	400,000	0	0%
Local Road pavements	1,657,311	352,110	10%
Wool Rd Rehabilitation	178,758	207,543	100%
Munns Rd including causeway	250,000	0	0%
Gentle Annie Rd - Pavement Rehab	250,000	0	0%
Neilrex Rd - unsealed pave rehab.	200,000	0	0%
Neilrex Road - pavement rehab	98,424	0	0%
Rotherwood Rd - sealed rehab.	150,000	0	0%
Turee Vale Rd - sealed pave rehab	150,000	0	0%
Wyuna Rd - Extension of seal	200,000	0	0%
Beni Xing Rd - safety improvemetns	180,129	144,567	100%
Local Roads Gravel Resheeting	1,050,239	18,269	0%
Local Rds resheeting	0	5,071	0%
Munns Rd	175,000	6,402	10%
Dinby Lane	50,000	0	0%
Newbank Lane	70,000	0	0%
Tabletop Rd	45,000	6,796	50%
Bourke & Halls Rd	45,000	0	0%
Wingabutta Rd	90,000	0	0%
Hawkins Lane	40,000	0	0%
Hawkins Rd	40,000	0	0%
Wardens Rd	50,000	0	0%
Mt Hope Rd	125,000	0	0%
Sandy Ck Rd	120,000	0	0%
Dandry Rd	120,000	0	0%
Carmel Lane	47,728	0	0%
Wyuna Rd	32,511	0	0%
Regional Roads	3,466,085	704,182	0%
Regional Roads reseals	647,072	0	0%
Reseals Rd 1	647,072	0	0%
Pavement Rehab	1,656,771	338,941	0%
Black Stump Way rehab.	1,174,197	338,941	20%

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Task Name	Budget Allocation (\$)	Expend (\$)	% Complete
Vinegaroy Rd - pave rehab	169,000	0	0%
Vinegaroy Rd - pave rehab	150,250	0	0%
Timor Rd - Shoulder Rehab	163,324	0	0%
Black Spot programme	507,408	21,378	0%
Baradine Rd - widening, guardrail	507,408	21,378	10%
Regional Road Bridges	654,834	343,863	0%
Allison bridge	654,834	343,863	70%
Aerodromes	4,660	2,613	0%
Repainting of Coona terminal blding	4,660	2,613	100%
Urban Services	2,478,134	152,750	0%
Parks & Gardens	110,344	12,909	0%
Baradine	27,020	12,909	0%
Lions Park - internal path	15,000	9,091	100%
Lions Park - from Darling street	8,000	3,818	100%
Lions Park - shade renewal	4,020	0	0%
Binnaway	20,000	0	0%
Len Guy Park - softfall upgrade	20,000	0	0%
Coolah	45,000	0	0%
McMasters Park - path to toilet	25,000	0	0%
Softfall under playground equip	20,000	0	0%
Dunedoo	8,324	0	0%
Milling Park Irrigation System	8,324	0	0%
Mendooran	10,000	0	0%
Mendooran Park - town water	10,000	0	0%
Ovals	406,767	0	0%
Netball Courts - Coonabarabran	298,467	0	0%
Robertson Oval - seat replacement	6,000	0	0%
Robertson Oval - Amenities	27,300	0	0%
Master plan - each sporting precinct	25,000	0	0%
Coona Oval - reseal roads	50,000	0	0%
Swimming Pools	223,186	12,805	0%
Baradine	75,500	0	0%
Shade structure	40,000	0	0%
Painting, stage 1 & 2	17,500	0	0%
Reconnection of lights	8,000	0	0%
Baradine - Pump room rehabilitation	10,000	0	0%
Binnaway	11,000	0	0%
Binnaway main pool ladders	8,000	0	0%
Removal of large pine tree	3,000	0	0%
Coolah	74,000	0	0%

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Task Name	Budget Allocation (\$)	Expend (\$)	% Complete
Rain tank & pump for irrigation	4,000	0	0%
Coolah disable chair lift	10,000	0	0%
Water tanks at all pools	60,000	0	0%
Coonabarabran	8,000	12,805	0%
Injector dosing system	3,000	0	0%
Rain tank & pump for irrigation	5,000	0	0%
Pool M & R		12,805	100%
Dunedoo	36,686	0	0%
pool improvements	2,686	0	0%
Awning over Canteen area	4,000	0	0%
Amenities roof - polycarbon	30,000	0	0%
Mendooran	18,000	0	0%
Upgrades to club room	1,000	0	0%
Mendooran chemical dosing units	2,000	0	0%
Disable access - pool, toilets	15,000	0	0%
Town Streets	1,737,837	127,036	0%
Baradine	82,960	11,542	0%
Baradine street reseals	18,963	0	0%
Progress Ass'n - gardens	5,000	0	0%
Flood levee	20,000	451	0%
Baradine - street lighting	8,000	0	0%
Footpath rehab	25,997	11,091	50%
Baradine - street trees	5,000	0	0%
Binnaway	227,849	4,714	0%
Street reseals	17,015	0	0%
Railway St - K&G	55,000	0	0%
Progress Ass'n - gardens	5,000	0	0%
Bullinda Street, new K & G	55,000	0	0%
Footpath Rehabilitation	10,000	0	0%
Shared path - Renshaw St to River	15,834	4,714	80%
Corry Bridge - western approach	40,000	0	0%
Renshaw St - drainage western end	30,000	0	0%
Coolah	390,705	30,067	0%
Street reseals	28,290	0	0%
Street lights Coolah	8,000	0	0%
Footpath rehabilitation	30,000	0	0%
Booyamurra St K&G	70,413	0	0%
Drainage study, Bowen Oval, Goddard & Martin St	16,000	0	0%
Goddard Street shared path	123,002	30,067	20%
Goddard St Drainage - Binnia & Martin	45,000	0	0%

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Task Name	Budget Allocation (\$)	Expend (\$)	% Complete
Pavement Rehab - various locations	70,000	0	0%
Coonabarabran	560,888	64,622	0%
Cassilis - Robertson to Namoi - new footpath	40,000	0	0%
Dalgarno - footpath rehabilitation	20,000	0	0%
Dalgarno Street Western end Pave Rehab	19,327	0	0%
John St., K & G rehab	37,579	0	0%
Street reseals	90,508	0	0%
Crane St - Pavement Rehab	50,000	0	0%
John ST. K&G rehab	70,000	0	0%
Street Trees - Cowper St, Edwards - Dalgarno	30,000	0	0%
Street trees - Charles, Edward to Dalgarno	30,000	0	0%
Barker St Drainage pipe	20,000	0	0%
Pipe design - opposite Yuluwirri	6,000	0	0%
Drainage - Belar St & Merebene Street	70,000	0	0%
Edwards Street - shared path	77,474	64,622	80%
Dunedoo	428,420	0	0%
Wallaroo St - drainage design	350,000	0	0%
Wargundy street drainage design	15,000	0	0%
Street reseals	25,420	0	0%
Footpath rehab	20,000	0	0%
Dish drain - Yarrow st at Bandulla, sth side	18,000	0	0%
Mendooran	47,015	16,091	0%
Street reseals	17,015	0	0%
Footpath rehab.	30,000	16,091	50%
Warrumbungle Water	3,302,607	191,368	0%
Baradine	1,068,657	20,269	0%
Meter replacements	5,000	2,223	30%
Mains replac. Narren, Walker to Queen	52,000	14,494	80%
Removal of dead ends - Bligh to Castlereagh	31,223	2,522	0%
Renewal of treatment plant clarifier	853,434	0	0%
Baradine Reservoir - clean	77,000	932	0%
Water tower - Kenebri	50,000	98	0%
Binnaway	514,847	61,663	0%
Meter replacements	5,000	0	0%
Mains Ext - Andys Lane to Castlereagh	17,000	1,908	5%
Back up bore	385,847	52,119	35%
Relocate services - Renshaw Street	25,000	0	0%
Mains Ext - Innes St, Quandong & Frater	12,000	3,417	5%
Mains Ext - Castlereagh St & Ulinda St	70,000	4,219	5%
Coolah	450,538	47,607	0%

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Task Name	Budget Allocation (\$)	Expend (\$)	% Complete
Mains Ext, Cunningham, Campbell to Gilmore	15,000	0	0%
Meter replacements	5,000	0	0%
Mains Ext., Central Lane to Martin St	15,000	0	0%
Mains Ext., Lane behind shops. East side to Martin St	10,000	0	0%
Back up bore	405,538	47,607	20%
Coonabarabran	894,678	32,354	0%
meter replacements	5,000	0	0%
Timor Fence repairs / dead storage	160,000	0	0%
Tools	5,000	0	0%
Mains ext. - Camp St, Namoi - Anne	50,000	0	0%
Mains ext. - Gordon St	50,000	0	0%
Raising Timor Dam wall - study	284,733	14,348	5%
Rekeying water sites	50,000	17,332	50%
Telemetry upgrade - all towns	289,945	674	0%
Dunedoo	63,824	28,496	0%
Mains Replac. - Wargundy Street	63,824	28,496	0%
Mendooran	310,063	979	0%
Mains Ext. River St, Brambil to Napier	30,000	0	0%
Mains Ext. River St, Farnell to Abbott	18,500	0	0%
Replace water meters	5,000	0	0%
Back up bore	256,563	979	0%
Warrumbungle Sewer	2,360,326	238,631	0%
Baradine	23,746	0	0%
Baradine pot renewals	20,000	0	0%
Camp Cypress sewer investigation	3,746	0	0%
Coolah	295,853	90,112	0%
Mains relining	2,036	82,512	100%
Coolah STP upgrade	243,817	7,600	5%
Sewer Coolah - smoke testing	50,000	0	0%
Coonabarabran	657,259	103,687	0%
Mains relining	123,223	94,132	100%
Pump station renewal	30,000	0	0%
Sewer Coona - smoke testing	60,000	0	0%
Telemetry upgrade - all towns	198,119	674	0%
Coona STP upgrade	245,917	8,881	5%
Dunedoo	1,383,468	44,832	0%
Mains relining - laneway, Cobbora & Tucklan	60,000	37,063	100%
Dunedoo STP upgrade	1,273,468	7,769	5%
Sewer Dunedoo - smoke testing	50,000	0	0%

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Attachment 2.0. Maintenance Grading of Unsealed Roads

Unsealed Roads - Completed grading maintenance year to date			Unsealed Roads - Completed grading maintenance year to date		
Road Name	Category	Length	Road Name	Category	Length
Angus	2	12.4	Hotchkiss	2	2.8
Beers	3	0.8	Iona (North)	3	5
Beni	1	4	Kanoona	1	4.5
Berdeen	3	5.5	Kennedys	3	5
Berowra	1	4.6	Kerrawah	3	1
Blackburns	3	1	Lawson Park	1	2.8
Boogadah	3	2.6	Leaders	2	7.4
Burma	3	6.6	Leaders	2	6.2
Creennaunes	2	2	Major Mitchell	2	0.5
Cumberland	3	2.1	Mountainside	3	4.2
Dennykymine	1	3	Mt Hope	1	7.9
Diehm	3	1.4	Nashs	3	3.3
Eagleview	3	0.9	North Pine Ridge	1	3.9
Emu	3	0.1	Oakey Creek	2	4
Gowang	2	4.6	Patrick	2	8.5
Guinema	2	18.7	Pine Ridge	1	3.6
Guinema Bugaldie	1	5.5	Railway	3	1.8
Gum Nut	3	0.5	Tibuc	3	2.2
Hawkins	3	1.5	Walleroo	2	2.6
Hickeys	2	5.6	Yaminbah	2	13.9
Homestead	3	7.1			

Maintenance requests received in July & August	Unsealed Road - Upcoming Grading Maintenance program
Beni Rd	Banoon Rd
Brown Springs Rd	Bingie Grumble Rd
Cumbil Rd	Cumbil Rd
Homeleigh Dr	Gamble Creek Rd
Homestead Rd	Gentle Annie Rd
Hotchkiss Rd	Girragulang Rd
Mooren Rd	Locknaw Rd
Morrisseys Rd	Lynwood Rd
Narangarie Rd	Melrose Rd
Neilrex Rd	Mooren Rd

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Maintenance requests received in July & August	Unsealed Road - Upcoming Grading Maintenance program
Patrick Rd	Mt Hope Rd
Turee Vale Rd	Neible Rd
Walker Rd	Neilrex Rd
Wallaroo Rd	Queensborough Rd
	Scully Rd
	Warrigal Rd

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Item 46 Acquisition of Lot 2, Section 23, Deposited Plan 758051 – Part Baradine Hall

Division:	Development Services
Management Area:	Property and Risk
Author:	Manager Property and Risk – Jennifer Parker
CSP Key Focus Area:	Community and Culture
Priority:	CC3 our shire is home to vibrant arts and cultural like of the shire is promoted and supported as an essential aspect of community well-being.

Reason for Report

To provide Council with an update on the acquisition process as resolution remains outstanding for a period greater than 12 months.

Background

At the Ordinary Council meeting of the Warrumbungle Shire Council on September 2016 Council resolved:

- ‘1. That Council acquires Lot 2, Section 23, Deposited Plan 758051 pursuant to the provisions of sections 186 and 187 of the Local Government Act 1993.*
- 2. That once acquired the land be classified as Operational Land under the Local Government Act 1993 then be consolidated with Lot 4, Section 23, Deposited Plan 758051.*
- 3. That authority be granted to the General Manager to make the necessary application to the Minister for Local Government and to pay any compensation in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.*
- 4. That authority be granted to affix the Common Seal of the Council to any documentation required to effect acquisition of the land.’*

Baradine Memorial Hall is built on Lot 2 and Lot 4, Section 23, Deposited Plan 758051. Construction of the Hall started in 1928 straddling both lots. Coonabarabran Shire Council acquired Lot 4 for unpaid rates in 1981 but Lot 2 remained in the name of the original Trustees appointed on 11 January 1924 under the Trustees of Schools of Arts Enabling Act of 1902.

Under a Council resolution on operational lands owned by Coonabarabran Shire Council in 1994 both lots are noted as operational land in the ownership of the then Shire.

In 2014 Council started the process of updating the toilets at the Hall to bring the building up to date with disability access requirement for civic buildings. In the process of finalisation of the Development Application it was uncovered that Lot 2 was not owned by Council.

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The owners on Title were all deceased so Land Owners Consent had to be authorised by the then Department of Primary Industries (DPI) - Crown Lands along with Council for the Development Application to replace the toilets and put in a compliant disabled access.

Issues

Warrumbungle Shire Council has been advised by Department of Industry, Lands and Forestry (DoL) that the property cannot be acquired whilst it is still under the School of Arts Enabling Act.

Council have been told by the Acquisitions – Crown Property Services (DoL Lands and Forestry) team that they have been advised that as the land is dedicated under the "Trustees of Schools of Arts Enabling Act 1902" an acquisition cannot be undertaken.

Before an acquisition can proceed with DoL Lands and Forestry, the Dedication must be revoked and the land vested in the Crown under Section 138D of the Crown Lands Act 1989. (Note: in order for DoL Lands and Forestry to deal with Council as land manager, Council will need to be appointed Trustee of the Baradine School of Arts).

This action would create a new reserve under the Crown Lands Act 1989 and would then allow for Council to either to be appointed Trust Manager or to acquire the land.

Council has been warned that the complexities of this case will not allow for a quick way of dealing with the Title for Lot 2, Section 23, DP 758051. No timeline is able to be given to Council regarding this matter which may take up to three years.

Options

Council has the options of continuing to following the route to acquisition by asking for the property to be made into a Crown Reserve and then continue with the option to acquire the land.

Financial Considerations

The financial cost for the acquisition includes legal cost and the cost to acquire the land from DoL Lands and Forestry.

The legal costs are estimated to be between \$3,000 and \$5,000. The final cost will include the Valuer General's determination. It should be noted that based on the Valuer General's value the property (Lot 2) in 2014/15 at \$6,390.00 (any valuation will be subject to market value at the time of the valuation).

At this stage Council is unable to calculate the implications for the acquisition of this lot as there is no comparable property in this area to use as a guide.

RECOMMENDATION

1. That Council becomes Trustee of the Trust created on Lot 2, Section 23, DP758051.
2. That Council acquires Lot 2, Section 23, DP758051 pursuant to the provisions of Sections 186 and 187 of the Local Government Act 1993.

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3. Council make an application to the Minister and the Governor for approval to acquire the land described Lot 2, Section 23, DP758051 under Section 186 and 187 of the *Local Government Act 1993*.
4. That once acquired the land be classified as Operational Land under the Local Government Act 1993 then be consolidated with Lot 4, Section 23, Deposited Plan 758051.
5. Pay any compensation in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
6. That the Mayor and General Manger be authorised to affix the Common Seal of the Warrumbungle Shire Council to any documentation required to effect acquisition of the land.

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Item 47 Compulsory Acquisition – Coonabarabran Visitors Information Centre Car Park

Division:	Development Services
Management Area:	Property and Risk
Author:	PA to Director Development Services – Kelly Dewar
CSP Key Focus Area:	Local Governance and Finance
Priority:	LE3 Tourism opportunities and initiatives across the shire are identified, developed and well-coordinated

Reason for Report

To apply to the Minister and Governor for the approval to acquire the land described as Lot 589, DP721790 by compulsory acquisition. The acquisition of land is required to rectify the issue of the Visitors Information Centre being over two lots.

Background

Previously Council has only applied to the Governor for the acquisition of land, correspondence received from the Office of Local Government states that Council needs to make an application to both the Minister and the Governor for approval to acquire the land by compulsory acquisition.

Issues

Lot 589, DP721790 is a Crown Reserve for car parking under the care of Warrumbungle Shire Council. The reserve should only be utilised as a car park, the Crown has the right to order any buildings on the reserve be pulled down as they do not fill the land's designated use.

Options

Council needs to acquire the subject land Lot 589, DP721790 and consolidate it with Lot 212, DP753378 to rectify building code non compliance. Since the acquisition is in the final stages it would be unreasonable not to continue with the acquisition.

Financial Considerations

As reported previously the property is approximately 0.58 ha with a commercial market value of approximately \$40,000 - \$60,000.

No budgetary allowance has been provided. Council needs to be mindful that the acquisition of land could be around the abovementioned figure.

RECOMMENDATION

1. Council proceed with the compulsory acquisition of the land described as Lot 589, DP721790 for the purpose of car park in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.

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2. Council make an application to the Minister and the Governor for approval to acquire the land described as Lot 589 DP721790 by compulsory process under section 186 of the *Local Government Act 1993*.
3. The land is to be classified as operational land upon acquisition.
4. That the Mayor and General Manger be authorised to affix the Common Seal of the Warrumbungle Shire Council to any documentation required to effect acquisition of the land.

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Item 48 Compulsory Acquisition – Part Crown Road Adjacent to Lot 102, DP1201959

Division:	Development Services
Management Area:	Property and Risk
Author:	PA to Director Development Services – Kelly Dewar
CSP Key Focus Area:	Local Economy
Priority:	LE5 – The local production of any renewable energy or mining and extractive industries should provide economic benefits to the communities of the Shire.

Reason for Report

To apply to the Minister and Governor for the approval to acquire the land described as Part Crown Road between Lot 1, DP160692 and Lot 102, DP1201959 by compulsory acquisition. The acquisition of land is required to expand the working life of the Warrumbungle Quarry.

Background

Previously Council has only applied to the Governor for the acquisition of land, correspondence received from the Office of Local Government states that Council needs to make an application to both the Minister and the Governor for approval to acquire the land by compulsory acquisition.

Issues

Nil.

Options

Council has taken steps to proceed with the acquisition with the Department of Crown Lands. It is recommended that Council continue with the acquisition process.

Financial Considerations

As reported previously the property is approximately 2.37 ha with an estimated value of approximately \$3,345 (this will be subject to market value at the time of valuation). There are legal costs and surveying costs expected to be approximately \$8,000.

At this point in time, no budgetary allowance has been provided, as it is unknown the timeframe when this matter will be finalised, however Council needs to be mindful that the acquisition of land could be around the abovementioned figure. The financial cost for the acquisition includes legal cost, surveying costs and the cost to acquire the land from Crown Lands.

The cost implications for the acquisition of this Crown Road will be approximately \$11,000.

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RECOMMENDATION

1. Council proceed with the compulsory acquisition of the land described Crown Road adjacent to Lot 102, DP1201959 for the purpose of expansion of Warrumbungle Quarry in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
2. Council make an application to the Minister and the Governor for approval to acquire the land described as Crown Road adjacent Lot 120, DP1201959 by compulsory process under Section 186 of the *Local Government Act 1993*.
3. The land is to be classified as operational land upon acquisition.
4. That the Mayor and General Manger be authorised to affix the Common Seal of the Warrumbungle Shire Council to any documentation required to effect acquisition of the land.

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Item 49 LEP Review and Planning Proposal

Division:	Development Services
Management Area:	Town Planning
Author:	Town Planner – Ashleigh Stewart
CSP Key Focus Area:	Rural and Urban Development
Priority:	RU1.1 Council conducts periodic reviews of its planning instruments to ensure that land use planning supports the long term sustainability of our local communities and our economy.

Reason for Report

Council's consent is sought to allow the preparation of a review of the Warrumbungle Local Environmental Plan 2013 (WLEP) and to prepare a Planning Proposal for Gateway Determination.

Background

The Warrumbungle LEP 2013 is the main statutory document controlling local development within the Warrumbungle Local Government Area (LGA). The Warrumbungle LEP was gazetted on 29 November 2013. The LEP comprises a written instrument, maps and is prepared in accordance with the requirements of the NSW State Government's Standard Instrument template. The Warrumbungle LEP can only be amended if Council staff prepares a Planning Proposal to present to the NSW Department of Planning and Environment for Gateway Determination.

Since 2013 the LEP has been amended in order to ensure that the LEP remains current and is able to respond appropriately to emerging development trends to achieve desired development outcomes. However, Council staff has noted that there are still several issues that have arose from the current LEP which, is impacting on the development within the Shire.

On the 19 June 2017, Council staff held an LEP Workshop for the Warrumbungle Shire Councillors to explain the current statutory document controlling local development in the Warrumbungle Shire. It was noted by Councillors, the NSW Department of Planning and Environment and Council staff that there were several issues with the WLEP2013. These issues included:

- Zoning;
- Minimum lot size for subdivision and dwelling entitlements for people located in the RU1 – Primary Production zone;
- Reclassification of community land to operational land;
- Heritage items and conservation areas; and
- Flood prone areas.

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The meeting concluded with the Councillors, Department of Planning and Environment and Council staff deciding that the WLEP 2013 needed to be reviewed as soon as possible to address the above issues.

Issues

The WLEP 2013 review will address the issues with the current zoning, minimum lot size for subdivision and dwelling entitlements for people located in the RU1 – Primary Production zone and heritage items and conservations areas. Unfortunately, the issues identified with the flood prone areas under the WLEP2013 will not be addressed as part of this review due to time constraints and significant financial costs associated with preparing a flood study for the area.

Options

1. Continue to assess Development within the Warrumbungle LGA in accordance with the current WLEP2013.
2. Council staff reviews the Warrumbungle LEP 2013 with the NSW Department of Planning and Environment's assistance and prepare a Planning Proposal for Gateway Determination.

Financial Considerations

The planning proposal will be prepared in-house with the NSW Department of Planning and Environment's assistance. However, there may be some impact on other town planning activities due to time and resource constraints.

RECOMMENDATION

That Council resolves to allow Council staff and the NSW Department of Planning and Environment to review the Warrumbungle LEP 2013 and prepare a Planning Proposal for Gateway Determination.

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Item 50 Strategic Policy Review – Installation of Manufactured or Relocatable Dwelling or Building

Division:	Development Services
Management Area:	Regulatory Services
Author:	PA to Director Development Services – Kelly Dewar
CSP Key Focus Area:	Local Government and Finance
Priority:	GF4 – Council’s governance practices and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

Reason for Report

Council is undertaking a review of all Strategic Policies to ensure their relevance and current status.

Background

Council’s current Transportable Homes Policy was endorsed on 15 August 2013 (**Resolution 80/1314**). This policy has been updated to the Installation of Manufactured or Relocatable Dwelling or Building Policy, which now includes both manufactured and relocatable buildings.

The enclosed policy has had the following amendments made:

- Acknowledge installation of transportable or relocatable dwellings is different to the construction of a dwelling;
- There are different types of transportable or relocatable buildings;
- Clarification of Definitions under each Act or Regulation;
- Change policy statement to include relocatable dwellings and manufactured buildings;
- Clarification on the occupation of a manufactured or relocatable dwelling;
- Considerations to the suitability and safety of the structure;
- New sections for Relocatable Dwellings and Installation of Manufactured or Relocatable Building (other than a dwelling).

The Policy with the highlighted amendments has been forwarded to Councillors as an enclosure.

Issues

Nil.

Options

Council can either accept the current policy or the policy with modifications.

Financial Considerations

Nil.

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RECOMMENDATION

That Council adopts the modified Installation of Manufactured or Relocatable Dwelling or Building Policy and it be included in Council's Strategic Policy Review.

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Item 51 Development Applications

Division: Development Services

Management Area: Regulatory Services

Author: Administration Officer for Development Services – Kathryn Weatherall

CSP Key Focus Area: Rural and Urban Development

Priority / Strategy: RU 4 – The attractiveness appearance and amenity of our towns and villages need to be improved

Development Applications

(i) Approved – August 2017

Complying Development (Set Criteria) Development Application (Specialised Conditions)	Date Lodged	Date Approved	Applicant's Name	Location	Town	Type Of Development	Stop the Clock Referral Days
DA68/2016	07/10/2016	11/08/2017	Warrumbungle Steel Buildings	14868 Oxley Highway	ROCKY GLEN	New Single Storey Dwelling	270
DA25/2017	21/06/2017	31/08/2017	Dorothy Young	Rifle Range Road	COONABARABRAN	New Subdivision	62
DA30/2017	13/07/2017	01/08/2017	Kathryn Tink	70 Dows Lane	COONABARABRAN	Alterations and Additions to Existing dwelling	15
DA37/2017	27/07/2017	01/08/2017	Denis Armstrong & Maree Angus	6879 Newell Highway	COONABARABRAN	New Swimming Pool	1

***Development from the January 2013 Wambelong Bushfires**

^ Development from the February 2017 Sir Ivan Bushfires

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RECOMMENDATION

That Council notes the Applications and Certificates approved, during August 2017, under Delegated Authority.

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Item 52 Questions for the Next Meeting

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration and EA to General Manager – Glennis Mangan
CSP Key Focus Area:	Local Governance and Finance
Priority:	GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

Reason for Report

At the August Ordinary Council meeting, Councillors Brady, Lewis and Todd presented Council with questions for the next meeting. The questions and answers are outlined below.

Question 1 – Cr Brady

Re-naming of Charles Street (laneway) and the south end of street. St Vincent de Paul Flats – emergency service problem

Response

This matter is the subject of a report in the September business paper.

Question 1 – Cr Lewis

Air Service for Warrumbungle? Can we advertise for Expressions of Interest?

Response

This matter requires further investigation.

Question 2 – Cr Lewis

10 Charles Street erosion of creek bank. Underground utilities exposed. What can Council do to stabilise bank?

Response

The creek at 10 Charles Street is on private land. Council has no responsibility for maintenance works on private land, including works in a creek or creek bank that may be on private land. The sewer line that crosses the creek has been inspected and is not causing bank erosion.

Question 3 – Cr Lewis

Follow up State Planning (LEP) on heavy vehicle bypass.

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Response

No formal advice has been received about a highway bypass for Coonabarabran, however it is understood that RMS have received funds to investigate options. This matter will be considered in LEP review.

Question 1 – Cr Todd

Kenebri Water. Tank stand.

Response

The water tower at Kenebri is constructed from timber and supports two (2) 25,000 litre tanks. The condition of the tower is deteriorating and has reached a point where renewal options are now being investigated. Various options are currently under investigation including the optimum size of the tanks. When all options have been investigated a report will be presented to Council

Question 2 – Cr Todd

Eucalyptus suckers spraying in the table drains.

Response

The spraying of eucalyptus regrowth on roadside verges and table drains is undertaken as required.

Options

Nil.

Financial Considerations

Nil.

RECOMMENDATION

For Council's information.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 September 2017



QUESTIONS FOR THE NEXT MEETING

Councillor: _____

Date: _____

Time: _____

1. _____

2. _____

3. _____
