

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 20 JULY 2017 COMMENCING AT
8.30 AM** **PAGE 1**

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

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

APOLOGIES: Councillor Denis Todd and Councillor Anne-Louise Capel
1/1718 RESOLVED that the apologies of Councillor Denis Todd and Councillor Anne-Louise Capel be accepted.

Brady/Hill

The motion was put and carried by majority

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

**8.30 am
Forum**

Ms Mary Warren of the Dunedoo Mendooran Aged Hostel Committee addressed Council regarding the Dunedoo Retirement Village. Ms Warren tabled a petition, letters of support and relevant documentation.

8.49 am

Ms Sue Stoddart of the TRRRC Committee addressed Council regarding the Dunedoo Retirement Village.

**8.51 am
REPORTS**

Item 1 Mayoral Minute – Mayors Activity Log from 9 June 2017 to 12 July 2017
Noted.

Item 2 Request for Leave of Absence – Councillor Anne-Louise Capel
2/1718 RESOLVED that Council accepts the notification from Councillor Capel and grants a Leave of Absence from the Ordinary July 2017 Council meeting.

Brady/Clancy

The motion was put and carried by majority

Item 3 Minutes of Ordinary Council Meeting – 15 June 2017

3/1718 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 15 June 2017 be endorsed.

Hill/Brady

The motion was put and carried by majority

Item 4 Minutes of Traffic Advisory Committee Meeting – 22 June 2017

4/1718 RESOLVED:

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 22 June 2017.

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2. That the Minutes reflect the following amendment to the Outstanding Matter of No 1 Break Road:
*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.*
3. That a double barrier line or painted median is used to delineate lanes on the approach to the intersection of Dandry Road and the Newell Highway rather than a broken centre line previously recommended.
4. That further investigation of a proposal from Coonabarabran Pony Club to conduct a parade in John Street, Coonabarabran on 29 September 2017 is undertaken as the event appears to be a Class 2 event, which should be referred to RMS. A report is brought back for consideration at the next meeting.
5. That the following changes are made to signs in Tucklan Street, Dunedoo:
 - Remove – No Parking signs with time limits 8.00 am to 9.00 am and 2.30 pm to 3.30 pm, school days;
 - Install – No Stopping signs with time limits 8.00 am to 9.00 am and 2.30 pm to 3.30 pm, school days.

Shinton/Hill

The motion was put and carried by majority

Item 5 Minutes of Consultative Advisory Committee Meeting – 6 June 2017
Received.

Item 6 Minutes of Warrumbungle Aerodromes Advisory Committee Meeting – 9 June 2017

5/1718 RESOLVED:

1. That Council accepts the Minutes of the Warrumbungle Aerodromes Advisory Committee meeting held at Coonabarabran on 9 June 2017.
2. That quotations be obtained for lighting the windsock on the western side of Coolah Aerodrome **FURTHER** that solar powered LED lighting be included in options.
3. That an invitation be extended to include a representative from the Rural Fire Service (RFS) on the Warrumbungle Aerodromes Advisory Committee.
4. That investigation is carried out into the provision of a turning circle at the eastern end of Baradine Aerodrome.

Hill/Doolan

The motion was put and carried by majority

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Item 7 Minutes of Robertson Oval Advisory Committee Meeting – 19 June 2017

6/1718 RESOLVED that Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 19 June 2017.

Lewis/Doolan

The motion was put and carried by majority

Item 8 Minutes of Bushfire Appeal Advisory Panel – 26 June 2017

Minutes left in suspense pending further advice. **FURTHER**, that the Minutes be brought back to the August Ordinary Council meeting.

Item 9 Minutes of Orana Arts Inc Meeting – 30 June 2017

Noted.

9.07 am

Cr Doolan left the room.

Item 10 General Manager's Review Committee

7/1718 A motion was moved by Councillor Iannuzzi seconded Councillor Clancy

that the General Manager's review committee be expanded to include at least 6 Councillors.

The motion was put and carried by majority

9.11 am

Cr Doolan re-joined the meeting.

9.12 am

Cr Brady left the room.

9.14 am

Cr Brady re-joined the meeting.

Item 11 Approval of Facilitators for General Manager Reviews

8/1718 A motion was moved by Councillor Iannuzzi seconded Councillor Clancy

that Council pre-approves facilitators of future General Manager reviews.

The motion was put and carried by majority

Item 12 Establishment of Audit Committee

9/1718 A motion was moved by Councillor Iannuzzi seconded Councillor Clancy

that the establishment of an Audit Committee by 31 October 2017 be left on the table following a report and costings to be brought back to the August Ordinary Council meeting.

The motion was put and carried by majority

Item 13 Councillors Monthly Travel Claims

10/1718 A motion was moved by Councillor Iannuzzi seconded Councillor Clancy

that all Councillors make public their monthly travel claims effective immediately.

The motion was put and carried by majority

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Item 14 Beni Crossing Road

11/1718 A motion was moved by Councillor Lewis seconded Councillor Iannuzzi that Council approach RMS to change the status of Beni Crossing Road to a State Road.
The motion was put and carried by majority

Item 15 Intersection at Warrumbungle Way and the Black Stump Way

12/1718 A motion was moved by Councillor Lewis seconded Councillor Clancy that the upgrade of intersection at the Warrumbungle Way and the Black Stump Way just north of Black Stump Rest Area be investigated with a report to be brought back to Council.

The motion was put and carried by majority

Item 16 B Double Stock Truck Access

13/1718 A motion was moved by Councillor Lewis seconded Councillor Clancy that Council approach Dubbo Regional Council and relevant authorities to approve B Double access for stock trucks only on Forest Road between Mendooran and Dubbo **FURTHER** that it is requested the stop sign on the railway crossing be replaced with a give way sign or flashing lights.

The motion was put and carried by majority

Item 17 Councillor Anne-Louise Capel Log of Activities Report

Noted.

Item 18 Councillor Wendy Hill Log of Activities Report

Noted.

Item 19 General Manager Log of Activities Report

Noted.

9.54 am

14/1718 RESOLVED that Council go into Committee to discuss issues raised by Cr Clancy regarding the probity leading to the engagement of and payment to the demolition Contractor for the old Dunedoo Hospital and TRRRC Development.

The Directors and Minute Takers were requested to leave the room.

Clancy/Doolan

The motion was put and carried by majority

10.09 am

15/1718 RESOLVED that Council move out of closed Committee.

Doolan/Hill

The motion was put and carried by majority

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10.09 am

Cr Iannuzzi has not returned to the meeting.

10.15 am

Cr Iannuzzi re-joined the meeting.

10.17 am

Cr Iannuzzi left the room and abstained from voting.

Item 20 Three Rivers Regional Retirement Centre

16/1718 RESOLVED:

1. That Council extend an internal loan up to \$420,000 to the TRRRC Project to address funding shortfalls.
2. That Council engage Tender 4 as the preferred tender to undertake works as per the Tender Specifications for the TRRRC Project, **FURTHERMORE** that a Contract be entered into with Tender 4 and that the Council Seal and signatures be executed as and if required.
3. That the tenderer price will be firm.
4. That the financial information be made available to Council via regular updates.
5. That Council provide a media release to local newspapers detailing the financial status as to the funding streams.

Lewis/Hill

The motion was put and carried by majority

10.18 am

17/1718 RESOLVED that standing orders be suspended to break for morning tea.

Brady/Hill

The motion was put and carried by majority

10.37 am

18/1718 RESOLVED that standing orders be resumed.

Brady/Hill

The motion was put and carried by majority

The General Manager tabled an email received from the Dunedoo District Development Group supporting the construction of the Three Rivers Regional Retirement Centre.

Item 21 Minutes of TRRRC 355 Advisory Committee Meeting – 3 May 2017

19/1718 RESOLVED:

- 1) That Council accepts the Minutes of the TRRRC 355 Advisory Committee meeting held at Dunedoo on 3 May 2017.
- 2) That Council be approached to fund the intersection requirements put forward by RMS as per design.
- 3) That Council be approached for support towards a short term loan funding the difference in the cost to building and the grants.

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- 4) That Council be approached to approve the lowest tender for the Three Rivers Regional Retirement Community being Boulus Constructions from Armidale.

Hill/Doolan

The motion was put and carried by majority

Item 22 TRRRC 355 Advisory Committee Minutes – 5 July 2017

20/1718 RESOLVED:

- 1) That Council accepts the Minutes of the TRRRC 355 Advisory Committee meeting held at Dunedoo on 5 July 2017.
- 2) That a vacancy in the Three Rivers Regional Retirement Committee be advertised when it is confirmed.
- 3) That Warrumbungle Shire Council commence a marketing campaign to update to community and a stall be present at the August Dunedoo Farmers Market with flyers about project updates and also Expressions of Interest applications.

Hill/Brady

The motion was put and carried by majority

Item 23 2017 Local Government NSW Annual Conference

A motion was moved by Councillor Clancy seconded by Councillor Hill that the Mayor and General Manager be accompanied by two (2) Councillors to attend the 2017 LGNSW Conference to be held in Sydney 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.

This motion was withdrawn.

21/1718 A motion was moved by Councillor Clancy seconded by Councillor Hill that the nomination of two (2) Councillors to attend the 2017 LGNSW Conference to be held in Sydney in December 2017 be brought back to the next meeting.

The motion was put and carried by majority

Item 24 2017 National Local Roads and Transport Congress

22/1718 RESOLVED that the Mayor and General Manager be accompanied by Councillor Todd to attend the Australian Local Government Association (ALGA) 2017 National Local Roads and Transport Congress to be held in Albany, Western Australia 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.

Clancy/Hill

The motion was put and carried by majority

Item 25 Rail Futures Conference – Melbourne 2017

A motion was moved by Councillor Iannuzzi seconded by Councillor Clancy 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.

This motion was withdrawn.

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23/1718 A motion was moved by Councillor Iannuzzi seconded by Councillor Lewis that approval of Councillor Denis Todd to attend the Rail Futures Conference in Melbourne in September 2017 be brought back to the next meeting.
The motion was put and carried by majority

Item 26 Regional Growth Fund Announcement – 12 July 2017
Received.

Item 27 Council Resolutions Report July 2017
Received.

Item 28 Monthly Report from Human Resources – July 2017
Received.

Item 29 Bank Reconciliation for the Month Ending 30 June 2017
24/1718 RESOLVED that Council accepts the Bank Reconciliation Report for the month ending 30 June 2017.

Doolan/Clancy
The motion was put and carried by majority

Item 30 Investments and Term Deposits for Month Ending 30 June 2017
25/1718 RESOLVED that Council accepts the Investments Report for the month ending 30 June 2017.

Hill/Brady
The motion was put and carried by majority

Item 31 Rates Report for Month Ending 30 June 2017
Received.

Item 32 2016 Census of Population and Housing (Census)
Received.


Item 33 Australia Day 2017– Shire Wide Awards
Received.

Item 34 Buy Local Policy
26/1718 RESOLVED that Council receives the current policy and endorses with an amendment as per the following Option B:

Option B

An increase in the dollar range and additional banding minimising the additional cost at higher level purchases.

Dollar Range	% Advantage
Up to \$5,000	10%
\$5,001 to \$10,000	5%
\$10,001 to \$150,000	3%

	Procurement Policy (including Local Preference Policy)
	Strategic

1. Purpose

Warrumbungle Shire Council is committed to providing goods and services that meet the expectations of the community and stakeholders in the Shire at an affordable cost.

2. Objectives of the Policy

The policy aims to ensure Council's procurement of goods and services is legal, ethical and to Council's best advantage. The expected outcomes of this policy are:

- Open and fair competition
- Value for money
- Encouragement of local business
- Enhancement of the local economy
- Ethical behaviour and fair dealing
- Compliance with relevant legislation.

3. Policy Scope

Council procurement covers a wide range of goods and services necessary to discharge its functions and to meet the aspirations of the community it serves. Procurement procedures are undertaken on a daily basis by a wide range of staff employed by Warrumbungle Shire Council. This policy provides overall guidance to those staff members required to acquire goods and services. This policy also provides guidance to elected representatives when they are required to make procurement decisions.

4. Background

Relevant Legislation and Guidelines are:

- a) Local Government Act 1993 No 30
- b) Local Government (General) Regulation 2005 (*as amended*)
- c) Work Health and Safety Act 2011 No 10
- d) Government Information (Public Access) Act 2009
- e) Competition and Consumer Act 2010 (Cth)
- f) Tendering Guidelines for NSW Local Government, NSW Division of Local Government, October 2009.
- g) NSW Government Code of Practice for Procurement, January 2005.

5. Definitions

Procurement

'All activities involved in acquiring goods or services either outright or by lease (including disposal and lease termination). Includes acquiring consumables, capital equipment, real property, infrastructure, and services under consultancies, professional services, facilities management and construction' (*source DLG Tendering Guidelines for NSW Local Government, October 2009*).

Local Supplier

1. An organisation that operates from permanently staffed premises within the boundaries of the Warrumbungle Local Government Area and has operated from those premises for a minimum period of three (3) months before submitting a quotation or tender.
2. An organisation that is more than 49.9% owned by an individual (or individuals) that live within the boundaries of the Warrumbungle Local Government Area and has done so for a minimum period of three (3) months before the organisation submits the quotation or tender.

6. Policy Statement

The cost of obtaining and providing goods and services, including disposal of assets, will be determined by either a quotation process or a tender process. Staff and elected representatives will use the process that best meets the objectives of this policy.

In accordance with Section 355 of the Act, Council may choose to engage in joint purchasing arrangements with other councils or groups of councils such as voluntary regional organisations of councils.

Council will give preference to local suppliers where evaluation criteria outlined in Section 6.4 are utilised. Furthermore, all suppliers whether by tender or quotation will be advised of the evaluation criteria and Council's preference to use local suppliers.

6.1 Tenders

Council will seek tenders where required by the Act and when deemed appropriate by the General Manager. The tendering process will follow the guideline document produced by the DLG called 'Tendering Guidelines for NSW Local Government, October 2009'. Particular attention will be paid to the process checklist included in the guidelines.

Clause 166 of the Regulation identifies the types of tendering methods available to Council. Council must decide by resolution whether it is going to use an open or selective tendering process.

6.1.1 Tender Documentation

Whether open tenders are invited or tenders are invited from a selected list from a call for expression of interest, the following sections will appear in the overall tender document.

- Advertisement
- Information for Tenderers
- Conditions of Tender
- General Conditions of Contract
- Job Specific Requirements (or Services to be Provided)
- Specifications
- Tender Schedules
 - Pricing Schedule
 - Schedule of Insurances
 - Project Schedules
 - Consultants / Contractors Resources.

The following templates have been developed to assist staff in the tendering process and preparation of tender documentation. The templates are available on Council's intranet.

- Example Advertisement,
- Information for Tenderers
- Include Selection Criteria.
- Condition of Tendering
- Relevant Conditions of Contract

6.1.2 Non Refundable Fee for Tender Documents

The cost of producing a set of tender documentation and advertising a tender will be recovered by the imposition of a nominal fee. The fee will be set by the relevant Officer to recover the expected costs. The fee will be included in the advertisement and will be non refundable.

6.1.3 Consideration of Tender Information in Closed Council

In accordance with Section 10A, if tender information being considered by Council will either prejudice the commercial position of a tender or confer a commercial advantage on a competitor or reveal a trade secret, Council is obligated to consider the matter in closed Council.

6.1.4 Invitation to Tender to Recognised Contractors on Council's List

From the Guidelines, 'Clause 169 of the Regulation allows Council to establish a list of contractors who are interested in tendering for proposed contracts of a special kind'.

'Selective tender lists of recognised contractors are established where there is a continuing workload in a particular category of work and this workload justifies the cost of setting up and maintaining the list.' (*p36 DLG Tendering Guidelines*).

Currently, Warrumbungle Shire Council prepares a list of earthmoving contractors and truck contractors for provision of services to Council. It is expected that in due course other kinds of lists such as trade services will be developed.

'Overall management of the selective tender list system should be designed to give a fair distribution of opportunities to all recognised contractors over time. However, the contractor's past performance is a prime consideration. Other factors that may be taken into account include the location of the work, special requirements of the work, skill level of the contractor and commitments of the contractor.' (*p36 DLG Tendering Guidelines*).

6.1.5 Tender by a Regional Procurement Company

Council may from time to time become a member of one or more procurement companies. The purpose of membership is to join with other councils for procurement to attract price savings for a particular product or service.

The procurement company undertakes the administrative process associated with tendering and Council has the opportunity to procure products and services at the tendered price. However, being a member does not allow Council to delegate its responsibility for determining the outcome of a tender process.

That is, Council by resolution is required to formally accept or reject a particular tender proposal by the procurement company.

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6.1.6 State Government Procurement Contract

Council is able to access products and services through providers that are recognised by the State Contracts Control Board and the Commonwealth Department of Administrative Services.

“State Contracts are the principal method of purchasing for Government agencies across New South Wales. Over 100 State Contracts have been approved under the authority of the State Contracts Control Board (SCCB). A complete list and information about all NSW Government State Contracts can be found on the NSW Procurement sister website www.nswbuy.com.au.” (website – www.nswprocurement.com.au).

6.1.7 Prescribed Organisations

Local Government Procurement Partnership is a prescribed provider pursuant to Clause 163 of the Regulation.

6.2 Quotations

The cost of obtaining and providing goods and services must be determined by quotation where a tender process is not used. The quotation process must keep in mind the objectives of this policy.

The ordering of any goods or services as a result of quotation must be authorised by a staff member with the appropriate level of delegation.

The scale, complexity and political sensitivity of the procurement will usually determine if formal or informal quotations are sought and the number of quotations. Table 1.0 outlines minimum procedural requirements in relation to procurement by quotation.

Table 1.0 – Monetary Thresholds for Quotation Procedures

Purchase Value	Procedure
Purchase value less than \$10,000	Verbal request for quotation permitted however, quotation must be in a documented form. At least one quotation must be received.
Purchase value between \$10,001 and \$70,000	The quotation must be sought by formal request. Documentation associated with the request must include a brief outline of the services to be provided. At least three quotations must be sought and at least one formal quotation must be received.
Purchase value between \$70,001 and \$149,999	The quotation must be sought by formal request. Documentation associated with the request must include a specification or brief for the services, assessment criteria, pricing schedule and closing date. At least three quotations must be sought and at least two quotations must be received in the prescribed format.

6.3 Order Splitting

Purchase Orders must not be split to avoid the monetary thresholds outlined in Table 1.0.

6.4 Evaluation Criteria

Value for money assessment of tenders and relevant quotations will be based on set performance criteria as well as price. The criteria must be included with documentation made available to potential service providers. The relevant Council officer will establish the criteria and weight them accordingly, however the list of criteria included in Table 2.0 must be included as a minimum. The weighting attached to each criterion will not be made known to potential service providers. A score will be given by the assessment panel against each criterion and when the score and weighting are multiplied out an overall assessment score will be determined.

The evaluation criteria used to assess tenders and relevant quotations must include 'local benefit' criteria as indicated in Table 2.0. Local benefit criteria will have a maximum weighting of 10% of the total evaluation criteria.

Table 2.0 - Minimum List of Performance Criteria for Assessment of Tenders and Relevant Quotations

Assessment Criteria	Weighting	Score	Assessment Score
Track record in completion of similar projects.			
Suitability of proposed personnel, plant, equipment and subcontractors.			
Suitability of proposed works methodology.			
Details and logic of the proposed method of works.			
Local Benefit (<i>maximum weighting 10 points out of 100</i>).			
Locally sourced materials (grown, manufactured, assembled, made within the Warrumbungle Shire Local Government Area) specific to the contract.			
Locally sourced labour (actual / potential as result of the contract).			
Locally sourced services (eg. fuel, accommodation) as a result of the contract.			
Assessment Criteria	Weighting	Score	Assessment Score
Supplier is a business operating within the Warrumbungle Shire Local Government Area			

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6.5 Local Preference

For all quotations and tenders for the supply of goods, material and / or services for Warrumbungle Shire Council up to an amount of \$5,000 a price advantage of 10% is given to local suppliers. Amounts from \$5,001 up to \$10,000 a price advantage of 5% is given to local suppliers. Amounts of \$10,001 to \$150,000 a price advantage of 3% is given to local suppliers. That is, in the process of determining the successful supplier, an amount of 10%, 5% or 3% will be nominally deducted from the local supplier price for the purpose of price comparison only

7. Responsibilities

Department and staff responsible for the day to day application of the policy eg. enforces the policy.

8. Associated Documents

Other policies, procedures, forms and Council reports eg Workforce Management Plan, Operational Plan and Delivery Program.

9. Getting Help

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

Position: Directors, Chief Financial Officer.

Department: Corporate and Community Services, Technical Services, Development Services.

10. Version Control

Review Date: This Policy has a life of two (2) years. It will be reviewed in February 2019.

Staff Member Responsible for Review: Director Corporate and Community Services.

Policy Name	Action	Resolution No.	Date
Procurement Policy (including Local Preference Policy)	Endorsed	319	17 March 2011
Procurement Policy (including Local Preference Policy)			

Iannuzzi/Hill

The motion was put and carried by majority

11.04 am

Cr Clancy left the room.

Item 35 Disability Inclusion Access Plan (DIAP)

27/1718 RESOLVED that Council receives and adopts the amended Warrumbungle Shire Disability Inclusion Action Plan 2017.

Lewis/Iannuzzi

The motion was put and carried by majority

11.06 am

Cr Clancy re-joined the meeting.

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Item 36 Voice Recording of Council Meetings

28/1718 RESOLVED that Council receives quotations for the purchase and installation / portable recording equipment in to the Council Chambers in Coonabarabran and Coolah. **FURTHERMORE**, that a policy for the audio recording of Council meetings be developed and brought back to Council following the review by OLG of the Local Government Act 1993 in relation to the Model Code of Meeting Practice.

Lewis/lannuzzi

The motion was put and carried by majority

Item 37 Strategic Policy – Signs as Remote Supervision

29/1718 RESOLVED that Council endorses the following Signs as Remote Supervision to be included in the Strategic Policy Register.

	Signs as Remote Supervision Policy
	Strategic

1. Purpose

Council recognises that signs are used to convey various messages to reduce risk associated with a particular activity, service or feature undertaken in a public area. The purpose of this policy is to indicate Council's commitment to use of signs as a form of supervision and how the signs will be managed.

2. Objectives of the Policy

To minimise the risk of injury as a result of activities occurring in a public space, which are not directly supervised or controlled by Council, through the use of signage.

3. Policy Scope

This policy applies to activities that may occur in public swimming pools, parks and reserves.

4. Background

There are many examples of liability claims lodged against Councils throughout NSW based on signage. Claims generally centre on complaints from, or injuries to, third parties due to the absence of appropriate signage, insufficient signage, or the wording or the location of signage being deficient.

5. Definitions

Supervision – refers to those activities undertaken in a public space where a Council Officer is in attendance.

Remote Supervision – refers to signs which provide information to users of a public space.

6. Policy Statement

Council will manage signage used as remote supervision in accordance with the following principles:

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- Council will install and manage signs that are used to provide safety advice in a public space in accordance with principles outlined in the document 'Signs as Remote Supervision Best Practice Manual'.
- Signs that do not meet current best practice and/or Australian Standards shall be replaced as funds permit and in priority order based on risk assessment.

7. Responsibilities

All Managers and Directors within Warrumbungle Shire Council.

8. Associated Documents

- *Local Government Act 1993.*
- AS/NZS 31000:2009.
- Policy Document – Risk Management.
- Warrumbungle Shire Council's Risk Matrix.

9. Getting Help

Manager Urban Services.

10. Version Control

This policy shall be reviewed every four years by the Director Technical Services.

Policy Name	Version	Resolution	Date
Signs as Remote Supervision Policy	1	19	16 July 2009
Signs as Remote Supervision Policy	2	126/1314	19 September 2013


Hill/Doolan

The motion was put and carried by majority

Item 38 Technical Services Strategic Policies

30/1718 RESOLVED that Council endorses the following Policies to be included in the Strategic Policy Register:

- 1) Access Across Road Reserves to Properties;
- 2) Contributions for Kerb & Guttering and Paving; and
- 3) Upgrading of Roads Not Constructed or Maintained by Council.

	Access Across Road Reserves to Properties Policy
	Strategic

1. Purpose

To clearly define responsibilities for physical access to properties.

2. Objectives of the Policy

The issues of financial contribution, specifications, and approvals regarding property access are clearly defined.

3. Policy Scope

This policy applies where property owners require vehicle access between property boundary and vehicle carriageway. This policy applies to driveway access and pedestrian access in urban areas. This policy also applies to property access in the rural area between vehicle carriageway and property boundary.

This policy also applies to situations where Council has altered levels and/or drainage conditions on the carriageway which have affected property access levels.

4. Background

Council is a roads authority and has responsibility for management of activities and condition of road reserves. The area of land between property adjoining the road reserve and the formed or constructed carriageway may be used as a driveway entrance or exit to the property. The property owner and Council have different roles in relation to management of driveway entrances.

5. Definitions

Road Reserve – area of land designated as road and controlled by Council.

Property Access – sometimes referred to as driveway, driveway entrance, driveway exit. The area of land used by vehicles to cross between carriageway and property boundary.

Vehicle Carriageway – the section of road reserve used for vehicle travel. Where kerb and guttering exists, it is generally the area of road between kerb faces.

Approved Property Access – are access crossings either constructed by Council or constructed by the property owner in accordance with specifications and formal approval by Council.

Unauthorised Access – are those vehicle crossings that are either:

- 1) Constructed with prior permission and/or not in accordance with Council specifications or;
- 2) Creating an obstruction to a road or stormwater drain.

6. Policy Statement

The property owner is responsible for all costs associated with installation and maintenance of property access between vehicle carriageway and property boundary. Council is not responsible for any costs associated with upgrading or maintenance of property access.

Any upgrade, repair or maintenance works associated with the property access must first be approved by Council. Council may direct a property owner to undertake repairs to a property access where it can be shown that the access presents a public safety hazard or presents a hazard to the integrity of the road.

Roadworks undertaken by Council that change the condition or level of a property access will be remedied by Council.

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The obstruction of drains or gutters with any objects or structures used by the property owner to obtain vehicle access will be considered unauthorised. Unauthorised accesses will be removed by Council staff after the property owner is given twenty eight (28) days notice in writing.

The installation of a second property access by the property owner will not be permitted unless specifically authorised by Council.

7. Responsibilities

The following officers in Council have responsibility for implementation of this policy: Manager Road Operations; Manager Urban Services; Manager Asset & Design and; Director Technical Services.

8. Associated Documents

- *Roads Act 1993.*
- Policy Document – Contributions for Kerb & Guttering and Paving.


9. Getting Help

Manager Urban Services and Manager Road Operations.

10. Version Control

This policy shall be reviewed every four years by the Director Technical Services.

Policy Name	Version	Resolution	Date
Access to Properties	1	116	22 October 2009
Access Across Road Reserves to Properties	2	122/1314	19 September 2013

	Contributions for Kerb & Guttering and Paving Policy
	Strategic

1. Purpose

To advise property owners of potential costs where kerb and guttering and footway paving is constructed adjacent to their property.

2. Objectives of the Policy

To recover contributions for the cost of kerb and guttering and footway paving from adjacent property owners.

3. Policy Scope

This policy applies when Council is constructing new kerb and guttering in an urban area.

4. Background

Council has authority under section 217 of the *Roads Act 1993* to recover the cost of constructing any kerbing, guttering or footway paving from adjoining property owners.

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5. Definitions

Kerb and Guttering – concrete structure generally constructed to control stormwater and define boundary between vehicle carriageway and pedestrian footpath.

Layback Crossings – concrete structure to allow vehicles to cross between carriageway and footpath.

Footway Paving – constructed path for use by pedestrians. Excludes cycleways and shared cycleway pedestrian facility.

6. Policy Statement

The owner of land adjoining a public road is liable to contribute 50% of the actual cost of constructing or paving any kerb, gutter or footway along the front of the land.

The owner of land adjoining a public road with a secondary frontage is liable to contribute 25% of the actual cost of constructing or paving any kerb, gutter or footway along the secondary frontage of the land.

Costs will be recovered on the basis of lineal length of the property frontage or property secondary frontage. Layback crossings constructed as part of the kerb and guttering works are considered part of the lineal frontage.

Council will not recover any costs associated with constructing footway paving adjacent residential properties.

7. Responsibilities

The following officers in Council have responsibility for implementation of this policy: Manager Road Operations; Manager Asset & Design, and; Director Technical Services.

8. Associated Documents

- *Roads Act 1993.*
- Policy Document – Access Across Road Reserves to Properties.


9. Getting Help

Manager Road Operations.

10. Version Control

This policy shall be reviewed every four years by the Director Technical Services.

Policy Name	Version	Resolution	Date
Kerb and Gutter and Layback Crossing	1	129	16 November 2006
Contributions for Kerb & Guttering and Paving	2	124/1314	19 September 2013

	Upgrading of Roads Not Constructed or Maintained by Council Policy
	Strategic

1. Purpose

This policy aims to set out the circumstances and procedures under which property owners are able to undertake roadworks on Council public roads within the Warrumbungle Shire Local Government Area.

1. Objectives of the Policy

The expected outcomes of this policy are as follows:

- To allow property owners to provide access to their land at reasonable cost.
- To minimise requests for Council to further upgrade or maintain a road provided by a property owner.
- An understanding by property owners of the conditions under which they are able to undertake roadworks when Council is not in a position to fund the works.
- That roadworks are undertaken in accordance with set guidelines and standards to minimise risk of injury or damage to users of the road.
- To ensure that the effects on the environment are considered and adverse impacts minimised.
- To ensure that de-facto land developers are required to provide a standard of road identical to that required by subdivision.

2. Policy Scope

This policy covers those public roads vested in Council, but not constructed or maintained by Council. Within the Warrumbungle Local Government Area, there are many hundreds of kilometres of road vested in Council but not maintained by Council.

3. Background

These roads often provide the only legal access to an owner's property; however, they are not constructed or maintained by Council. In effect, these unformed roads are 'paper roads' or roads that are simply marked on a map. Often these roads traverse difficult terrain, such as flood prone areas and rocky ridges.

The relevant legal framework is contained in the *Roads Act 1993*.

- Council has no statutory duty to carry out works of construction or repair of public roads, or to keep them in repair (section 71).
- It is an offence to carry out any work on a public road without the consent of Council (section 138).
- Council can give this consent subject to conditions (section 139).
- Council can revoke this consent at any time and for any reason (section 141).
- If the road is a Crown public road, the Land and Property Management Authority will only permit work on the road if Council accepts the road as public road. Council may impose identical conditions to those that would apply to a public road.

4. Definitions

Crown Roads – public roads vested in the Crown and managed by the Land and Property Management Authority.

Council Public Road – public roads vested and managed by Warrumbungle Shire Council.

Property Owner – owner of land within Warrumbungle Shire Council.

5. Policy Statement

If a property owner intends to gain vehicular access to their land along an unformed road, then the following procedures and conditions will apply:

- A written application to undertake roadworks by the property owner on a Council public road must be lodged clearly stating the reasons for the proposal. In the case of a Crown public road, the application must be accompanied by a letter of approval from the Land and Property Management Authority (Department of Lands).
- The application will be assessed and considered by Council at an Ordinary monthly meeting of Council. If an approval is given, the property owner must undertake the works in accordance with the following standard conditions:
 - In the case of access to a single lot or where vehicle movements are likely to be less than 10 per day on average:
 - Width – 4 metres.
 - Depth of compacted gravel – 100mm.
 - Longitudinal grades greater than 1 in 6 are bitumen sealed.
 - Drainage pipes installed to convey 1 in 10 year storm event.
 - Adequate scour protection and table drains are constructed.
 - In the case of access to multiple lots or where vehicle movements are likely to be between 10 and 50 vehicles per day on average:
 - Width – 6 metres.
 - Depth of compacted gravel – 200 mm.
 - Road grades, horizontal and vertical curves designed for a design speed of 60 kph.
 - Longitudinal grades greater than 1 in 6 are bitumen sealed.
 - Drainage pipes installed to convey 1 in 10 year storm event.
 - Adequate scour protection and table drains are constructed.
 - Preparation of road construction plans.
- The upgrading of a road to Council standards does not automatically imply that Council will maintain that road. A formal resolution from Council is required before Council assumes responsibility for maintenance of the road.

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6. Responsibilities

The following officers in Council have responsibility for implementation of this policy:
Manager Road Operations; Manager Asset & Design, and; Director Technical Services.

7. Associated Documents

- *Roads Act 1993.*

8. Getting Help

Manager Road Operations.

9. Version Control

This policy shall be reviewed every four years by the Director Technical Services.

Policy Name	Version	Resolution	Date
Upgrading of Roads Not Constructed or Maintained by Council	1	143	21 October 2010
Upgrading of Roads Not Constructed or Maintained by Council	2	127/1314	19 September 2013

Hill/Brady
The motion was put and carried by majority

Item 39 2016/17 Technical Services Works Program – Road Operations, Urban Services and Water Services
Received.

Item 40 Council Chambers and Meeting Room Policy Review
31/1718 RESOLVED that Council adopts the modified Council Chambers and Meeting Room Policy and it be included in Council's Strategic Policy Review.

	Council Chambers and Meeting Room Policy
	Strategic

1. Purpose

The purpose of this policy is to identify the usage and access to the Warrumbungle Shire Council's Offices meeting rooms.

2. Objectives of the Policy

The objective of this policy is to clarify the usage and access to the meeting rooms in the Council office buildings.

3. Policy Scope

The policy applies to 14-22 John Street, Coonabarabran and 59 Binnia Street, Coolah and the following meeting rooms:

- Coonabarabran Chambers – when available

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- Gallery Meeting Room Coonabarabran (the gallery end of the main chamber that can be cordoned off with the operable wall in the middle of the room)
- Coolah Chambers – when available
- Coolah Office Meeting Room.

4. Background

In the past the Council Chambers has been used as a meeting room for different community groups, this service was offered to the community while there were no other meeting venues available. This practice raised security and risk issues.

Warrumbungle Shire Council provides the following council alternatives at a fee including:

- Coolah School of Arts HACC Meeting Room
- Coonabarabran Community Services Meeting Room
- Dunedoo Old Bank Building Meeting Room and Managers Office
- Mendooran Community Building Meeting Room.

5. Policy Statement

That the Coonabarabran Council Chambers, Coolah Chambers, Coonabarabran Gallery Meeting Room and Coolah Office Meeting Room be used only for directly related Council business, Council committee meetings, Council community meetings, meetings of councillors and/or staff with community representatives and the annual NAIDOC Flag Raising Ceremony. These meeting rooms may also be used by NSW and Federal Government Agencies or visiting Members of Parliament upon request, subject to availability. Bookings are made through the administration offices of Council in Coonabarabran and Coolah.

For any after hours use a designated staff member needs to be in attendance at the meeting at all times and be responsible for security and control of public access within the building.

6. Responsibilities

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

7. Associated Documents

Warrumbungle Shire Council Meeting Code of Practice.

8. Getting Help

The staff member/s who can assist with enquiries about the Policy:

Position: Manager Property and Risk.

9. Version Control

Review Date: September 2021 or when relevant legislation changes:

Staff Member Responsible for Review: Manager Property and Risk.

Policy Name	Version	Resolution	Date
Council Chambers Usage	1	33	14 August 2007
Council Chambers and Meeting Rooms Usage	2	30/1314	18 July 2013

Hill/Brady


The motion was put and carried by majority

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Item 41 Council Residential Property Policy Review

32/1718 RESOLVED that Council adopts the modified Council Residential Property Policy and it be included in Council's Strategic Policy Review.

	Council Residential Property Policy
	Strategic

1. Purpose

This policy defines the use and availability of residential properties owned by Warrumbungle Shire Council whilst ensuring that the premises are managed in a professional manner within the relevant legislation.

2. Objectives of the Policy

The objective of this policy is to provide clear guidelines for the purpose and access for rental of Council owned residential properties to ensure that utilisation and return on investment provides the best outcome for Council.

3. Policy Scope

The policy applies to all staff and Visiting Medical Officers (VMO) who have the opportunity to live and rent or manage Council owned residential properties. This policy applies to the following residential properties:

- 4 Irwin Street, Coolah
- 17 Cole Street, Coolah
- 84 Martin Street, Coolah
- 137 Martin Street, Coolah
- 139 Martin Street, Coolah
- 141 Martin Street, Coolah
- 143 Martin Street, Coolah
- 8934 Newell Highway, Coonabarabran

4. Background

The Residential Property Policy was a resolution of Council (76/1314) in August 2013 and has had no other versions since.

Warrumbungle Shire Council owns seven (7) residential properties in the township of Coolah and one (1) property just outside Coonabarabran. These properties are available as an incentive to attract professional staff to work in the shire. The property at 141 Martin Street is provided for the local Doctor who has VMO access to the Coolah Multi Purpose Service (Hospital). All properties are leased at an agreed rental rate with terms and conditions as prescribed in the Residential Tenancies Act 2010 No 42 and Residential Tenancies Regulation 2010.

5. Definitions

'Council' means Warrumbungle Shire Council

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'Landlord' means Warrumbungle Shire Council

'Residential Properties' means all properties listed under the Policy Scope

'Property' means to property owned in title by Warrumbungle Shire Council

'Tenant' means:

- (a) the person who has the right to occupy residential premises under a residential tenancy agreement, or
- (b) the person to whom such a right passes by transfer or operation of the law, or
- (c) a sub-tenant of a tenant, and includes a prospective tenant.

'Staff' means any person employed or contracted by Warrumbungle Shire Council as an employee of Council.

'Visiting Medical Officer' (VMO) means the Doctor who holds the current VMO rights at the local hospital as prescribed by the State Government Health Department.

'Market Rate' means a market appraisal conducted by a qualified Valuer/Real Estate Agent

6. Policy Statement

Staff housing is deemed as a positive recruitment strategy to attract professional staff to work for Warrumbungle Shire Council and live within the shire. Council also appreciates the value of a community provided executive style house for VMO's as part of an attractive package for recruitment of a local Medical Service.

It is a condition that the following terms shall be agreed to in the Warrumbungle Shire Councils Residential Tenancy Agreement prior to occupying premises:

1. The employee agrees to sign a Residential Tenancy Agreement, which will initially be for a term of three (3) months then every 12 months under a new Lease Agreement.
2. That the rent as stated in the agreement be at 'market rate' and subject to increase in line with CPI or valuation adjustment yearly.
3. That on cessation of employment the tenant shall return to the Landlord the premises in a clean and habitable condition within 60 days of termination notice or resignation as per the Residential Tenancy Act 2010.
4. A bond (equivalent to four (4) weeks rent) plus two (2) weeks rent in advance will be paid at the commencement of the Lease Agreement then rent will be paid weekly as a payroll deduction. The bond will be forwarded to the Office of Fair Trading as per the Residential Tenancy Act 2010.
5. That market appraisals will be conducted in July of every second year or when a property is vacated by a qualified Valuer/Real Estate Agent and the rent will be adjusted according to the recommendation of the 'market rate'.
6. All properties will be subject to market rate as assessed by local rural estate property agent.
7. All other conditions of tenancy will be in accordance with the Tenancy Agreement and the Residential Tenancies Act and Regulations.

Priority for staff housing will be given to Directors, Managers and staff where skills shortages exist, who have to relocate to the shire, with provision for other staff to apply to the General Manager to rent a vacant property should the opportunity arise.

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7. Responsibilities

The Manager Property and Risk will hold responsibility over this policy

8. Associated Documents

Operational Plan and Delivery Program
Warrumbungle Shire Council Residential Property Procedures
Residential Tenancies Act 2010 No 42
Residential Tenancies Regulation 2010
Local Government Act 1993 No 20

9. Getting Help

The staff member/s who 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	Version	Resolution No.	Date
Residential Property Policy	1	419	26 June 2008
Residential Property Policy	2	76/1314	15 August 2013

Clancy/Brady

The motion was put and carried by majority

Item 42 Increase in Companion Animal Registration Fees

33/1718 RESOLVED that Council adopts the new Registration Fees as per Legislation.

Hill/Brady

The motion was put and carried by majority

Item 43 Development Applications

34/1718 RESOLVED that Council notes the Applications and Certificates approved, during June 2017, under Delegated Authority.

Iannuzzi/Hill

The motion was put and carried by majority

11.37 am

Cr Brady left the room.

11.38 am

Cr Brady re-joined the meeting.

Item 44 Questions for the Next Meeting

Received.

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11.45 am

35/1718 RESOLVED that:

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

Brady/Doolan

The motion was put and carried by majority

12.31 pm

36/1718 RESOLVED that Council move out of closed Committee.

Hill/Doolan

The motion was put and carried by majority

The following resolution of Council while the meeting was closed to the public was reported to the meeting by the Mayor.

Item 1C General Manager Annual Performance Review Report

37/1718 RESOLVED that Council accept and endorse:

- 1. The summary report provided by Mark Anderson Manager, Local Government Management Solutions.
- 2. That the Council award the General Manager a 2.5% increase in his remuneration based on his performance being assessed as 'Exceeding Expectations'; the increase to take effect from 2 May 2017 being the 12 month anniversary of the General Manager's contract.

Hill/Doolan

The motion was put and carried by majority

There being no further business the meeting closed at 12.32 pm.

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CHAIRMAN