

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 21 SEPTEMBER 2017
COMMENCING AT 8.30 AM**

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PRESENT: Cr Peter Shinton (Chairman), Cr Brady, Cr Capel, Cr Clancy, Cr Doolan, Cr Hill, Cr Iannuzzi, Cr Lewis, Cr Todd, Acting General Manager and Director Development Services (Leeanne Ryan), Director Corporate and 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 Brady declared a non pecuniary interest in Item 47 due to his position on the Coonabarabran Showground Trust.

8.30 am

Forum

Mr Cleon Pearson addressed Council regarding the general appearance of Coolah, particularly the southern end that has been neglected.

Ms Carol Richard addressed Council regarding the dying trees in Binnia Street, Coolah. Request for Council to water the trees prior to them dying and requiring replacement.

REPORTS

Item 1 Election of Deputy Mayor

The Acting General Manager declared the position of Deputy Mayor vacant.

The Acting General Manager called for nominations for the position of Deputy Mayor.

The Acting General Manager announced that one nomination had been received for the position of Deputy Mayor, that of Councillor Todd.

The Acting General Manager declared Councillor Todd elected unopposed to the position of Deputy Mayor for the period 21 September 2017 to September 2018.

81/1718 A motion was moved by Councillor Clancy seconded by Councillor Todd

that the next Deputy Mayoral Election be held in line with the Mayoral election in September 2018.

The motion was put and carried by majority

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

Noted.

82/1718 A motion was moved by Councillor Iannuzzi seconded by Councillor Capel

that the Council Seal be placed on the BlazeAid Volunteers Certificate of Appreciation for presentation on Friday, 22 September 2017.

The motion was put and carried by majority

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

83/1718 RESOLVED that the resolutions contained in the Minutes of the Confidential Extraordinary Council meeting held on 14 August 2017 be endorsed.

Doolan/Clancy

The motion was put and carried by majority

Item 4 Minutes of Ordinary Council Meeting – 17 August 2017

84/1718 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 17 August 2017 be endorsed.

Hill/Todd

The motion was put and carried by majority

Business Arising

85/1718 A motion was moved by Councillor Clancy seconded by Councillor Todd that Resolution 74/1718 of 17 August 2017 – *‘Item 1C Organisational Structure Review Report – August 2017’* be deferred for discussion in closed committee of the September Ordinary Council meeting.

The motion was put and carried by majority

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

86/1718 A motion was moved by Councillor Shinton seconded by Councillor Capel that the minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 24 August 2017 be accepted **with the exception of Item 4.**

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.

The motion was put and carried by majority

9.15 am

Cr Brady left the room.

9.17 am

Cr Brady re-joined the meeting.

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

87/1718 RESOLVED:

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

Hill/Capel

The motion was put and carried by majority

9.27 am

Cr Doolan left the room.

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

Received.

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

Received.

9.32 am

Cr Doolan re-joined the meeting.

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

88/1718 RESOLVED that Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on Monday, 21 August 2017.

Lewis/Hill

The motion was put and carried by majority

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

89/1718 RESOLVED:

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.

Todd/Doolan

The motion was put and carried by majority

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**Item 11 Minutes of TRRRC 355 Advisory Committee Meeting – 6 September 2017
90/1718 RESOLVED:**

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.
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.

Hill/Capel

The motion was put and carried by majority

Item 12 Request for Leave of Absence – Councillor Wendy Hill

91/1718 RESOLVED that Council accepts the notification from Councillor Hill and grants a Leave of Absence from the Ordinary November 2017 Council meeting.

Iannuzzi/Todd

The motion was put and carried by majority

Item 13 CCTV for Coonabarabran CBD

92/1718 A motion was moved by Councillor Brady seconded by Councillor Todd that Council report on the cost and complexity of installing Free Wi-Fi and CCTV Cameras in and around the CBD of Coonabarabran.

The motion was put and carried by majority

Item 14 Old Police House Building

93/1718 A motion was moved by Councillor Clancy seconded by Councillor Todd 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.

The motion was put and carried by majority

Item 15 Three Rivers Retirement Village

94/1718 A motion was moved by Councillor Clancy seconded by Councillor Doolan that when Council is considering conditions attached to their offer to provide the Three Rivers Regional Retirement Community project in Dunedoo, with a facility of \$420,000 to assist with any financial shortcomings to complete the project, a condition be noted ie: All external financial funds must be exhausted before any drawdown on Council's funds will be considered.

The motion was put and carried by majority

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Item 16 Social Media Investigation

95/1718 A motion was moved by Councillor Iannuzzi seconded by Councillor Doolan that 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 **FURTHERMORE**, that the tabling of these reports are to be placed on the Hub for all Councillors with report (iii) to be received by 4pm on 26 September 2017 and reports (i) and (ii) to be received by 4pm on 10 October 2017.

The motion was put and carried by majority

Item 17 Public Toilets Opened at Night

96/1718 A motion was moved by Councillor Todd seconded by Councillor Lewis that one public toilet cubicle be left open at night for users in all towns in the Warrumbungle Shire **FURTHERMORE**, that signage be erected directing the public to the available toilet.

The motion was put and carried by majority

Item 18 Councillor Anne-Louise Capel Log of Activities Report

Noted.

Item 19 Councillors' Monthly Travel Claims

Received.

Item 20 Ambassadors - Australia Day 2018

97/1718 RESOLVED that Council participates in the Australia Day Program in 2018 hosting two (2) Ambassadors from the Australia Day Council.

Todd/Hill

The motion was put and carried by majority

10.32 am

Cr Brady left the room.

10.34 am

Cr Brady re-joined the meeting.

Item 21 Strategic Policy Review – Code of Conduct

98/1718 RESOLVED that Council adopts the revised Code of Conduct and the Policy is included in the Strategic Policies Register.

Clancy/Brady

The motion was put and carried by majority

10.44 am

99/1718 RESOLVED that standing orders be suspended to break for morning tea.

Brady/Hill

The motion was put and carried by majority

11.09 am

100/1718 RESOLVED that standing orders be resumed.

Brady/Hill

The motion was put and carried by majority

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

101/1718 RESOLVED that Council endorses the revised Flying of the Australian and Aboriginal Flags Policy and that the Policy is included in the Strategic Policy Register.

Hill/Brady

The motion was put and carried by majority

Item 23 Strategic Policy Review – Interaction between Councillors and Staff

102/1718 RESOLVED that Council endorses the revised Interaction between Councillors and Staff Policy and that the Policy is included in the Strategic Policy Register.

Clancy/Brady

The motion was put and carried by majority

Item 24 Strategic Policy Review – Statement of Business Ethics

103/1718 RESOLVED that Council endorses the revised Statement of Business Ethics Policy to be included in the Strategic Policy Register.

Capel/Brady

The motion was put and carried by majority

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

104/1718 RESOLVED that Council notes the progress of the Three Rivers Regional Retirement Community Project.

Capel/Brady

The motion was put and carried by majority

Item 26 Council Resolutions Report September 2017

Received.

Item 27 Monthly Report from Human Resources – September 2017

Received.

Item 28 Rates Exemption – Local Government Act 1993

Received

105/1718 A motion was moved by Councillor Lewis seconded by Councillor Iannuzzi that in regard to CWA properties not receiving a rate exemption the CWA and all other not for profit organisations be advised that they are able to apply for a donation toward their rates.

The motion was put and carried by majority

Item 29 Update of Financial Assistance Grants Program 2017/2018

106/1718 RESOLVED 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 **FURTHERMORE**, that a consultant be engaged to facilitate preparation of Council's submission in 2018/2019.

Capel/Doolan

The motion was put and carried by majority

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Item 30 Strategic Policy Review – Asset Management

107/1718 RESOLVED that Council endorses the revised Asset Management Strategic Policy to be included in the Strategic Policy Register.

Capel/Hill

The motion was put and carried by majority

Item 31 Strategic Policy Review – Capital Funds Allocation

108/1718 RESOLVED that Council endorses the Capital Funds Allocation Policy to be included in the Strategic Policy Register.

Capel/Hill

The motion was put and carried by majority

Item 32 Strategic Policy Review – Disposal of Council Assets

109/1718 RESOLVED that Council endorses the Disposal of Council Assets Policy to be included in the Strategic Policy Register.

Clancy/Hill

The motion was put and carried by majority

Item 33 Strategic Policy Review – Internally Restricted Assets

110/1718 RESOLVED that Council endorses the Internally Restricted Assets Policy to be included in the Strategic Policy Register.

Clancy/Hill

The motion was put and carried by majority

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

111/1718 RESOLVED that Council endorses the revised Investment Policy (including Ethical) to be included in the Strategic Policy Register.

Capel/Brady

The motion was put and carried by majority

Item 35 Strategic Policy Review – Media Policy – Councillors

112/1718 RESOLVED that Council endorses the Media Policy - Councillors to be included in the Strategic Policy Register.

Brady/Capel

The motion was put and carried by majority

Item 36 Strategic Policy Review – Public Art

113/1718 RESOLVED that Council endorses the revised Public Art Policy and that it is included in the Strategic Policy Register.

Brady/Capel

The motion was put and carried by majority

Item 37 Bank Reconciliation for the Month Ending 31 August 2017

114/1718 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 31 August 2017.

Doolan/Hill

The motion was put and carried by majority

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

115/1718 RESOLVED that Council accept the Investments Report for the month ending 31 August 2017.

Capel/Hill

The motion was put and carried by majority

Item 39 Rates Report for Month Ending 31 August 2017

Received.

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

116/1718 RESOLVED 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.

Doolan/Hill

The motion was put and carried by majority

Item 41 Naming of Laneway in Binnaway

A motion was moved by Councillor Lewis seconded by Councillor Hill 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

117/1718 An amendment was moved by Councillor Clancy seconded by Councillor Doolan that Council reject the decision of the Geographical Names Board and seek to have the laneway off Bullinda Street between David Street and Renshaw Street in Binnaway named Meyers Lane.

The motion was put and lost

The amendment was put and carried

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

12.02 pm

Cr Brady left the room.

12.04 pm

Cr Brady re-joined the meeting.

Item 42 Naming of Water Treatment Plant at Mendooran

118/1718 RESOLVED that the Water Treatment Plant at Mendooran be named 'Charlie Nott Water Treatment Plant'.

Hill/Lewis

The motion was put and carried by majority

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Item 43 Road Naming Request – Allambie Court

119/1718 RESOLVED 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.

Iannuzzi/Brady

The motion was put and carried by majority

Item 44 Strategic Policy Review – Liquid Trade Waste Regulation

120/1718 RESOLVED that Council endorses the revised Policy for Liquid Trade Waste Regulation, and Liquid Trade Waste Frequently Asked Questions.

Iannuzzi/Capel

The motion was put and carried by majority

**Item 45 2017/18 Technical Services Works Program – Road Operations, Urban
Received.**

**Item 46 Acquisition of Lot 2, Section 23, Deposited Plan 758051 – Part Baradine Hall
121/1718 RESOLVED:**

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.
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.

Lewis/Brady

The motion was put and carried by majority

12.39 pm

Councillor Brady declared a non pecuniary interest in the next item to be considered by Council due to his position on the Coonabarabran Showground Trust and left the room.

Item 47 Compulsory Acquisition – Coonabarabran Visitors Information Centre Car Park

122/1718 RESOLVED:

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*.
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.

Capel/Hill

The motion was put and carried by majority

12.40 pm

Cr Brady re-joined the meeting.

Item 48 Compulsory Acquisition – Part Crown Road Adjacent to Lot 102, DP1201959

123/1718 RESOLVED:

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.

Capel/Clancy

The motion was put and carried by majority

Item 49 LEP Review and Planning Proposal

124/1718 RESOLVED that Council 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.

Doolan/Capel

The motion was put and carried by majority

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Item 50 Strategic Policy Review – Installation of Manufactured or Relocatable Dwelling or Building

125/1718 RESOLVED that Council adopts the modified Installation of Manufactured or Relocatable Dwelling or Building Policy and it be included in Council's Strategic Policy Review.

Capel/Brady

The motion was put and carried by majority

Item 51 Development Applications

126/1718 RESOLVED that Council notes the Applications and Certificates approved, during August 2017, under Delegated Authority.

Brady/Hill

The motion was put and carried by majority

Item 52 Questions for the Next Meeting

Received.

12.58 pm

127/1718 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.

Brady/Capel

The motion was put and carried by majority

2.33 pm

128/1718 RESOLVED that Council move out of closed Committee.

Brady/Capel

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.

Item 1C Binnaway Saleyards

Received.

Item 2C Proposals for the Recruitment of a General Manager

129/1718 A motion was moved by Councillor Doolan seconded by Councillor Clancy that Council engage Blackadder Associates to undertake the recruitment process of a General Manager.

The motion was put and carried by majority

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

This matter is to be deferred to the October 2017 Ordinary Council meeting following the receipt of further information.

85/1718 A motion was moved by Councillor Clancy seconded by Councillor Todd that Resolution 74/1718 of 17 August 2017 – *'Item 1C Organisational Structure Review Report – August 2017'* be deferred for discussion in closed committee of the September Ordinary Council meeting.

The motion was withdrawn

1.40 pm

Mayor, Peter Shinton requested that staff leave the room.

130/1718 A motion was moved by Councillor Iannuzzi seconded by Councillor Capel that Leeanne Ryan remains as Acting General Manager until the position is filled or up until the 31 January 2018.

The motion was put and carried by majority

There being no further business the meeting closed at 2.34 pm.

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CHAIRMAN