

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 1/3941

**PRESENT:** Cr Tim Horan, Mayor, in the Chair, with Crs. J Canham, T. Cullen, B. O'Brien, A. Karanouh and D. Schieb.  
Also present were the General Manager, Mr Griffiths, the Director of Engineering, Mr Russell, the Director of Corporate Services, Mr. Warren and Mrs.Moorhouse.

**3.0 APOLOGY**

**7285 RESOLVED** on the motion of Crs Horan and Cullen that an apology for non attendance be accepted from Councillor Webb.

The Mayor informed Councillors that he had been speaking to Cr. Webb, who was improving, however was not well enough to be home for this meeting. Cr. Horan said it did seem very likely that he would be home for Christmas and said that if anyone wanted Cr. Webb's contact number he would be pleased to supply it.

**4.0 DELEGATIONS**

The meeting noted that Mr Dan O'Connor from Statewide would be at the meeting from 11.00 a.m. to 12 noon to carry out an OH&S Risk Management Induction.

**5.0 DECLARATIONS OF INTEREST**

The following declarations of interest were recorded:

○ **Cr. O'Brien**

Item 10.6 Footpath Dining Committee Member 2828

Item 15.1 Application for Assistance from Business Assistance Fund – Relative

○ **Cr. Karanouh**

Item 10.6 Footpath Dining – Owner of Café

○ **Mr. Griffiths**

Item 10.4 Water Rates for Sporting Bodies – Former Treasurer of Coonamble Golf Club – perception of interest.

**6.0 CONFIRMATION OF THE MINUTES**

**7286 RESOLVED** on the motion of Crs. O'Brien and Cullen that the minutes of the Special Meeting of Coonamble Shire Council held on 1st October 2008 be confirmed.

**7287 RESOLVED** on the motion of Crs. Canham and Karanouh that the minutes of the Ordinary Meeting of Coonamble Shire Council held on 1<sup>st</sup> October 2008 be confirmed, subject to the following addition:

***Page 6/3911 Minute No. 7230***

***The motion was moved and seconded by Crs. Cullen and Canham respectively.***

## **BUSINESS ARISING FROM THE MINUTES**

### **(a) Murdi Paaki Regional Enterprise Corporation Ltd**

Councillor Cullen asked if a business plan has been received for the proposed establishment of an 'Intensive Farming' Enterprise at Coonamble. The General Manager informed the meeting that following a letter from MPREC to the October meeting, Council gave its approval to the project 'in principle' which was necessary for the preparation of a Business Plan.

### **(b) Report on Applications to Close/Purchase Lanes**

The Director of Engineering referred to this matter which called for a report to today's meeting, however due to a heavy workload in the preparation of tender reports, the report has not yet been prepared. Mr. Russell said it would be submitted to the December meeting.

Cr. Schieb referred to the lane running off Mendooran Street alongside K H Glover's business premises and said that because traffic can travel both ways, it is dangerous. The Director of Engineering said that closing and purchase of lanes can become expensive, due to the purchaser being responsible for survey and registration costs.

## **7.0 RESOLUTION BOOK UPDATE**

**7288 RESOLVED** on the motion of Crs O'Brien and Canham that the Resolution Book Update be received and dealt with.

### **(a) Minute No. 5166 – Fluoridation of Shire Water Supplies**

In response to a question from the Mayor, the Director of Engineering stated that NSW Health will provide grant funding of 100%. Mr. Russell pointed out Council may be responsible for some minor costs and the training costs for staff to operate the equipment.

### **(b) Minute No. 7187 – Demolition of Structure – Maule Lane**

The General Manager replied to a question from Cr. Canham, saying an Urgent Order was issued on 30 October, 2008 requiring the work to be carried out in 30 days. Council noted that if this Order is not complied with, Council will proceed with demolition and sundry debtor the owner for the costs incurred.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 3/3943

**(c) Minute No. 7265 – Skate Park**

Councillor Canham referred to security lighting at the Coonamble Skate Park – he suggested that because of incidents at the Coonamble Roadhouse, the lights remain on. Cr. Schieb questioned whether that may cause inconvenience to residents of the area.

**7289 RESOLVED** on the motion of Crs Canham and Karanouh that the security lighting at the Coonamble Skate Park remain switched on to better illuminate the area.

**Question from Ordinary Minutes – Minute No. 7268**

Councillor Schieb referred to an item in the Ordinary Minutes of 1/10/2008 concerning the Donations Vote – 2008/2009. The Mayor pointed out that Council had already dealt with business arising from the minutes, however he allowed Cr Schieb's question.

Cr. Schieb asked whether it may be prudent to advertise Council's Donation Vote (which currently is \$14,000) in February each year, inviting applications from organizations. The General Manager stated that Council had already gone down this track and got three responses, with all other requests coming in throughout the year.

Cr. Schieb referred, in particular, to works that the Rodeo Committee may wish to have carried out at the Showground – the General Manager said that major projects, such as these, are considered at Council's Management Plan Workshop and, where possible, included in the Management Plan for the next three years. Mr. Griffiths pointed out that these contributions are not "donations".

**8.0 MAYOR'S ACTIVITY REPORT**

The Mayor presented a report on his activities from the date of the last Council Meeting. In informing Councillors about the visit to Coonamble of the Bluett Award Judges, he congratulated management and the former Council on works achieved during the judging period, saying although Coonamble finished "runner up" to Gilgandra he was very proud of the outcome.

Cr Horan also reported on his attendance at functions held during the Women's Gathering weekend – saying it was an interesting experience and extremely good for Coonamble. The Mayor referred to Hon Verity Firth's attendance and reported that he and Council's Tourism Development Manager gave her a tour of the tent city and the town. The Minister also visited the High School and met Mr. Peter Flowers, Principal, who pointed out problems facing education in our community.

This is **Page 3/3943** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 4/3944

The Mayor also referred to the visit to Campbelltown to attend the Festival of Fisher's Ghost. He said it was a honour to open the Art Competition and see the many entries from Coonamble Artists on display.

In referring to the Community Reference Group meeting, Cr. Horan informed the meeting that the position occupied by Tanya Hind had been wound up and he congratulated Tanya and the Group on their work over the past three years.

**7290 RESOLVED** on the motion of Crs. Horan and Canham that the Mayor's Activity Report be received and adopted.

**7291 RESOLVED** on the motion of Crs. Horan and O'Brien that a letter congratulating Mrs. Amanda Colwell and her Committee on the success of the Women's Gathering be forwarded from Council.,

**7292 RESOLVED** on the motion of Crs. Horan and Karanouh that a letter thanking Campbelltown City Council be forwarded for its hospitality to the Coonamble delegates during their recent visit.

**9.0 CORRESPONDENCE**

**7293 RESOLVED** on the motion of Crs. Karanouh and Canham that the Correspondence be received and dealt with.

**Section A – Matters for Action by Council:**

**9.1 WATERFORD RYAN L11 (28723)**

Forwarding copy of Lease Agreement between Council and the Coonamble Wanderers Tennis Club for perusal and approval.

Council noted that the General Manager has informed Waterford Ryan that the document is satisfactory and it would be executed following this meeting when authority had been obtained to affix the Common Seal.

**7294 RESOLVED** on the motion of Crs. Karanouh and Schieb that authority be given to affix the Common Seal to the Lease Agreement with the Coonamble Wanderers Tennis Club.

**9.2 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY E5-3 (298001)**

Stating that following on from the successful luncheon seminar held earlier in the year for Councillors and Senior Managers it was decided to continue the seminars with other relevant topics.

This is **Page 4/3944** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 5/3945

Extending an invitation to Council to attend a luncheon seminar, the aim of which will be to discuss *Best Management Practice for Water in the Central West Catchment and Your LGA*. Advising that the Seminar will be held on Friday, 28 November – 11.45 a.m. for a midday lunch at the Keston Rose Garden Café, Mudgee Road, Wellington. Seeking RSVP from Council.

**7295 RESOLVED** on the motion of Crs. Canham and Karanouh that Council not send a representative to the luncheon in Wellington on 28 November, 2008.

**9.3 DIRECTOR GENERAL, DEPARTMENT OF LOCAL GOVERNMENT  
S6 + L10-1 (29008)**

Reminding councils that the revised Model Code of Conduct for Local Councils in NSW came into effect from 27 June 2008 and the Department has now revised and updated the guidelines that support the Model Code. Stating the information contained in the guidelines is designed to achieve two objectives:

- To assist in the interpretation of the standards in the Model Code in each topic area;
- To provide councils with suggestions for enhancing their codes of conduct.

Advising the guidelines contain interpretive information and, in some cases, suggestions for additional information that councils could include in their codes. Saying the guidelines also provide information on the reporting of alleged breaches and dealing with complaints.

A copy of the Guidelines for the Model Code of Conduct for Local Councils in NSW was included with the Business Paper.

The General Manager went through topics listed in the Guidelines giving comprehensive coverage of issues that were of paramount importance to the role and responsibility of councillors. Mr. Griffiths answered questions from Councillors and stressed the importance of complying with these guidelines.

The General Manager at length on the following topics:

- General Conduct Obligations
- Conflict of Interests
- Personal Benefit
- Interaction between Councillors and Staff
- Access to Information and Council Resources
- Reporting Breaches
- Complaint Handling Procedures

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 6/3946

**7296 RESOLVED** on the motion of Crs. Canham and Karanough that Council note the guidelines and substance of the Code to ensure there are no misunderstandings on what is required from Councillors and Staff under the Code of Conduct.

At this juncture, 10.37 a.m. Council adjourned for morning tea and resumed at 11.00 a.m.

**STATEWIDE OH&S RISK MANAGEMENT INDUCTION**

Upon resumption, Mr. Dan O'Connor was present at the meeting to give a presentation on Occupational Health and Safety Risk Management Induction. The presentation covered Council's commitment to risk management/OH&S and discussed risk assessments.

Upon completion of the presentation, Mr. O'Connor answered questions from Councillors.

Mr O'Connor left the meeting at 11.47 a.m.

**Correspondence (Continued)**

**9.4 MINISTER FOR SPORT AND RECREATION G5-14 (28997)**

Advising that NSW Sport and Recreation's Capital Assistance Program (CAP) is open for applications, closing 14 November 2008. Stating that eligible applicants are local government authorities and incorporated not-for-profit organizations wishing to develop facilities that will increase participation in sport, recreation and physical activity. Pointing out that \$30,000 is the maximum grant available in 2008. Advising that if Council submits multiple applications, it must also provide its priorities.

**7297 RESOLVED** on the motion of Crs. O'Brien and Canham that Council authorise the General Manager to apply for a Department of Sport and Recreation Capital Assistance Grant for provision of pool blankets for the Gulargambone Pool.

**9.5 RURAL ELECTRONIC PRODUCTS R3**

Advising currently installing a SBS Radio system for Gilgandra, having completed one at Lightning Ridge some time ago. Saying that SBS Radio carries some programs for the Aboriginal community in Australia. Stating they are happy to complete all necessary applications for Council, i.e. prepare pricing and carry out installation to get the station on air at no cost to Council.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 7/3947**

Pointing out that a so-called “self help” installation in a community means in this case, that SBS pays for the infrastructure up to \$25,000 at present for radio of the type described – an “Incorporated Body” (such as Council, Progress Assn. etc) must hold the licence (about \$25/year) and pay for electricity to run the transmitter – (approximately \$100/year altogether). Urging Council to take advantage of the 100% funding offer while it is available.

The General Manager stated that the whole SBS Radio issue appears to take a different turn every couple of months and this is the latest episode in the saga. Mr. Griffiths said that given that the cost to Council would be only approximately \$100/year, it would appear prudent to participate as funding for the infrastructure will expire shortly.

**7298 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council agree to participate in the SBS Radio Program in both Coonamble and Gulargambone subject to there being no capital or installation costs to Council.

**9.6 LIVESTOCK & BULK CARRIERS ASSOCIATION (LBCA) S1 (29039)**

Congratulating the Mayor on his re-election to Council and thanking him for participating in the recent workshop held at the Saleyards. Advising the purpose of the letter is two fold:

- Firstly the LBCA would like to thank council on its agreement to address issues raised relating to truck safety issues at the Saleyards;
- Secondly it is to initiate follow up to the recent joint Council/LBCA workshop in Coonamble that identified some of the key challenges facing the saleyards from a transport safety/interface perspective.

Thanking Council employees Greg Robinson and Amanda Glasson for organizing the workshop which was attended by 20 people. Advising that debate covered a range of issues and appreciating Council's commitment to assess and address the challenges associated with being part of the strategic network of NSW meat and livestock centres that will service this important industry in the future. Referring to Council's agreement to establish a working group with LBCA to review key challenges raised and to formalize these into a report for further consideration.

Looking forward to receiving Council's views and how the proposed working group will operate, including the involvement it might seek from the LBCA over the next six months during the transition period to the new trucking industry fatigue management laws.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 8/3948

**7299 RESOLVED** on the motion of Crs. Cullen and Canham that Council refer the matter to the Saleyards Committee for development of a report as requested.

**9.7 GULARGAMBONE CENTRAL SCHOOL D7 (29069)**

Advising that its Presentation Night will be held on Thursday 11 December and seeking a donation from Council towards awards for the students.

The General Manager informed the meeting that in past years Council has contributed \$100 to each of the five Schools within the Shire towards their Presentation Night Awards.

**7300 RESOLVED** on the motion of Crs.Cullen and Canham that Council agree to sponsor each of the five Schools' Presentation of Awards Function by donating \$100 to each.

**9.8 WIN TELEVISION NSW PTY LTD W1 (29068)**

Advising that WIN Television, in association with local councils throughout the viewing area, is embarking on a Water Wise Campaign during the 2008/2009 summer. The cost to Council is \$450 + GST/month x 3 months.

The General Manager pointed out that Council did not participate in a Waterwise Campaign in 2007/2008, however in the 2006/2007 year it was involved in the one conducted by WIN Television. Mr. Griffiths said that advice from water supply staff is that no real benefit is achieved and it may be more prudent for Council to concentrate on water wise messages in the local press and radio.

**7301 RESOLVED** on the motion of Crs Cullen and Canham that Council decline the offer to participate in the Waterwise Campaign being conducted by WIN Television and concentrate on local press and radio announcements throughout the summer period.

**9.9 COONAMBLE SHIRE EMPLOYEES SOCIAL CLUB D7 (**

Advising that the combined Councillor/Indoor Staff Christmas Party will be held on Friday 19 December at the Coonamble Golf Club, commencing 6.30 p.m. Seeking a donation of \$200 from Council towards expenses. Extending an invitation to Councillors and requesting that the RSVP be returned promptly.

**7302 RESOLVED** on the motion of Crs. Cullen and O'Brien that in accordance with past practice Council agree to contribute \$200 towards the Councillor / Indoor Staff Christmas Party to be held on 19 December, 2008 and that Councillors who intend to attend provide RSVPs promptly.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 9/3949

**9.10 WESTERN INSTITUTE OF TAFE – COONAMBLE CAMPUS M3-1  
(29104)**

Advising that the Graduation Ceremony will be held on Wednesday, 17 December at 9.30 a.m. in the Coonamble Bowling Club Auditorium and seeking support by way of a donation towards the cost of prizes and/or a prize for presentation at the Award Ceremony. Formally inviting the Mayor to attend the Ceremony and asking him to present an award.

The General Manager stated that it has been usual practice for Council to purchase a prize for presentation at the Awards Ceremony.

**7303 RESOLVED** on the motion of Crs. Canham and O'Brien that a prize up to the value of \$100 be purchased for presentation at the TAFE Graduation Ceremony on Wednesday, 17 December, 2008 and that an acceptance be submitted on behalf of the Mayor (or his representative).

**9.11 MS DIANA BEAUCHAMP D5-6 (29128)**

Stating that she visited Coonamble for the Moorambilla Festival, this being her third trip and, as usual, had a wonderful time. Saying she was shocked that there was no official council representation at any of the events. Pointing out that Michelle Leonard opens the festival and then thanks everyone at the event close – saying it continuously surprises her that no town official ever publicly thanks Michelle. Saying Council's lack of public acknowledgement of this wonderful event will not affect her choice to attend in the future, but from an observer's point of view it seems "really slack".

The General Manager pointed out that Council provides funding in excess of \$10,000 per year to this event which brings some 150 visitors to the town and this is the largest package of financial support for any event, including the Rodeo & Campdraft, which brings 3,000 people to the town. Mr. Griffiths said that a number of Councillors attend the Moorambilla events however no invitation was received from the Moorambilla Committee requesting official representation and it is not the place of Council to interject at any of the events.

The General Manager further stated that Moorambilla was the only one of the four major events not to send an invitation to the Mayor and Councillors. He said that the LGSA Cultural Award in 2007 was for Council's support to Outback Arts who auspiced the grants for the Moorambilla Festival and provided logistical support.

**7304 RESOLVED** on the motion of Crs. O'Brien and Canham that a response be forwarded to Ms Diana Beauchamp pointing out Council's inability to thank the organizer when it is not formally invited to participate.

This is **Page 9/3949** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 10/3950

**9.12 ELECTION FUNDING AUTHORITY OF NSW E2 + C13 (29133)**

Informing the General Manager that a letter has been written to each of the recently elected councillors advising them of their obligations under the Election Funding & Disclosure Act 1981 with respect to the bi-annual reporting conditions. Asking that this letter be presented at a meeting to ensure that all councillors have received the correspondence and they are aware of their obligations under the Act. Stating there are significant penalties for any councillor who fails to lodge a declaration every six months. Pointing out that General Managers have no obligation regarding the administration of these provisions and saying they should not undertake to submit declarations on behalf of councillors.

**7305 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Councillors individually note their obligations under the Election Funding and Disclosure Act 1981 in respect of the bi-annual reporting requirements.

**9.13 NSW RURAL FIRE SERVICE – COMMUNITY SAFETY OFFICER P1-4 (29135)**

Submitting the following concerns in relation to the Coonamble Streets Ahead proposal to conduct the Community Markets on 15 November 2008 in Macdonald Park:

1. Available car parking for marketers
2. Available & "safe" car parking for the public going to the markets
3. Should the public use the parking at the Bowling Club, does that interfere with any functions at the Club
4. Cleanliness of the public toilets in Macdonald Park.

Pointing out that parking and traffic in this area can become very congested on a Saturday morning, especially with the pool, supermarkets, Ag-n-Vet and the Bowling Club all open for business and saying it may lead to further unnecessary traffic congestion and "public impatience". Stating that in his opinion, Smith Park is a better site for the markets, plenty of parking space without congestion of other busy areas.

The General Manager reminded Council that, at the October meeting, it instructed that the proposal to conduct the Markets in Macdonald Park be put on exhibition calling for public comment (closing date for submissions was Friday 24 October 2008). Mr. Griffiths said that this was the only submission received, however Coonamble Streets Ahead had already advertised the Markets at the "new location" in Macdonald Park.

Council noted that as the markets are set down for Saturday 15 November, 2008, a letter was sent to Streets Ahead authorizing the use of Macdonald Park on this occasion.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 11/3951

**7306 RESOLVED** on the motion of Crs. Cullen and Schieb that Council note the submission received concerning the change of venue from Smith Park to Macdonald Park, endorse the action taken by the General Manager in authorizing the use of Macdonald Park and that Council monitor traffic movements in the area for the duration of the Community Markets on 15 November, 2008 **AND FURTHER** that a letter be written to the NSW Rural Fire Service regarding this submission.

**9.14 KELVIN BAXTER TRANSPORT PTY LTD R8-6 (29144)**

Advising they are submitting an application to operate under Higher Mass Limits (HML) through the RTA's Intelligent Access Program (IAP). Enclosing letter from RTA detailing a list of routes that have been requested which are Shire Roads that have not been assessed for B-Triple and A-B-Triple combinations. Seeking approval from Council to travel these roads to access Graincorp receival site for transportation of grain off property that has direct access to Coonamble/Walgett Road. Stating RTA has advised that this road is already approved.

The General Manager informed the meeting that following application from a Transport Company in Queensland, Council at its February 2008 meeting, approved the use of B-Triple and A-B Triple vehicles on all roads within its Shire and Mr. Baxter has been advised accordingly.

**7307 RESOLVED** on the motion of Crs. Canham and O'Brien that Council defer consideration of this request until dealing with the report by the Director of Engineering later in the day.

**9.15 KIRK MAY, FIVE D D5-23 (29150)**

Informing Council that at this stage he is unable to commit to proceeding with the project in the absence of a pre-commitment from a suitably qualified supermarket retailer. Saying he is grateful for the consistent support, encouragement, assistance and personal attention given by the Mayor, General Manager and Economic Development Officers. Stating that, without regret, he has spent a great deal of his own funds in securing land, legal costs, drafting project layouts and entering into discussions with prospective operators. Pointing out that it is often the case that requires a few attempts over a period of years to bring a project to reality, perhaps this will be the path for a new supermarket for Coonamble. Hoping to leave this matter in such a way that Council accepts his gratitude for its support and that again, at some future date, he make an attempt when circumstances are more conducive.

The General Manager stated that Mr. May had an Option to Purchase Council land for the proposed development of a supermarket, which was due to This is **Page 11/3951** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 12/3952**

expire on 2 May 2009. Mr. Griffiths said that as part of that Option, two bonds of \$1,750 were lodged and presumably these are now forfeited. The General Manager said that given Mr May has been forthright in his dealings with Council it may be prudent to allow one of the bonds to be returned to Five D.

**7308 RESOLVED** on the motion of Crs. Cullen and Canham that Council agree to refund one bond of \$1,750 paid by Mr. Kirk May as part of his Option to Purchase land which was earmarked for the proposed supermarket.

At this juncture, 11.59 a.m., Council's Economic Development Manager, Ms. Amanda Glasson, arrived at the meeting.

**15.0 ECONOMIC DEVELOPMENT MANAGER'S REPORT**

**7309 RESOLVED** on the motion of Crs. Schieb and Karanouh that the Economic Development Manager's Report be received and adopted.

Ms Glasson spoke briefly on the following issues:

- Abattoir – two new enquiries – proponents are dealing with owners.
- Proposed aquaculture project – still being investigated.
- Business Awards 2008 – attended Regional Awards Gala Dinner, where Secombe & Coghill were winners in the Professional Services Division. Cr. Karanouh's Global Village was Highly Commended, along with Saltbush Meats and Murdi Paaki Regional Enterprise.
- Shop Local Campaign – 38 businesses have agreed to participate
- Three enquiries have been received concerning new businesses
- Sand extraction from Castlereagh River – a forum is being arranged between representatives of at least three Government departments and the consultant so that a Study of the River can be carried out.
- Back on Track – redevelopment of Coonamble Railway Station – Coonamble RTC may be the auspicing body.
- Mr Ray Christison of High Ground Consulting has been appointed as Heritage Adviser.
- Airport land development – inquiries have been made re legal capacity of Council to sell land surrounding the airport for rural/residential or commercial purposes – appropriate zoning needs to be addressed in terms of Land Use Study and the LEP.

**7310 RESOLVED** on the motion of Crs. Horan and Cullen that Council write to the local businesses who won Awards and congratulate them on their success, noting those who achieved recognition at the Regional Awards.

At this juncture Cr O'Brien declare an interest and left the meeting.

**15.1 APPLICATION FOR ASSISTANCE – BUSINESS ASSISTANCE FUND – O'BRIEN AND SONS TRANSPORT, GULARGAMBONE**

An application for assistance from Council's Business Assistance Fund has been received from O'Brien & Sons Transport of Gulargambone - a locally owned business having been in operation in Gulargambone since 1975. The business is currently undertaking an expansion of operations to become a Roads and Traffic Authority Authorised Vehicle Inspection Station for all vehicles, including motor bikes, cars and heavy vehicles.

**7311 RESOLVED** on the motion of Crs. Karanouh and Cullen that Council agree to financially assist O'Brien & Sons Transport with a contribution of \$1,500 from its Business Assistance Fund towards the extension of his business.

Councillor O'Brien returned to the meeting.

**15.2 MINUTES OF BUSINESS ACTION GROUP MEETING**

**7312 RESOLVED** on the motion of Crs. O'Brien and Schieb that the minutes of the Business Action Group meeting held on 16 October 2008 be received and adopted.

The General Manager informed the meeting that Council's position with the Group is to act in an advisory capacity, nothing more and it was noted that Council's Economic Development Manager is again typing the minutes. The EDM stated that previously the minutes were not being prepared in a timely fashion, therefore matters were not receiving appropriate attention.

The Mayor suggested that Council should not be seen to be involved in any other than an advisory capacity, however if staff was required to type minutes he requested that any actions by Council be recorded as 'recommendations'.

The General Manager referred to Item 2.3 – Community Noticeboard – and advised that it is not permissible to erect a notice board on private land to advertise community events.

Item 2.5 Parking was also addressed – it was noted that problems continue with shop owners/staff parking in the main street. Councillors noted that two parking infringements were issued by Council's Ranger during the week.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 14/3954

The Mayor said that when the Business Action Group first approached Council to impose the parking restrictions, this was the main reason for the request. He reminded Councillors that the restrictions are still in force and they will be policed by Council's Ranger. Cr Karanouh said that one of the persons fined last week shops in Coonamble on a regular basis.

Cr O'Brien stated that a resident of Gulargambone visited Coonamble recently do carry out business, but found that a lot of shops, the Post Office and a bank closed for lunch. Cr O'Brien said that this is not the case in other small towns and referred to Gilgandra where all shops remain open.

**7313 RESOLVED** on the motion of Crs. Cullen and O'Brien that Council write to the Business Action Group requesting that it contact business owners encouraging them to remain open during lunch time.

At this juncture, Mr. Matthew Cock was present at the meeting. The Mayor informed the meeting that Matthew has just received advice he has passed his exams and is now a qualified Health and Building Inspector. The Mayor congratulated Matthew, who has been in Council's employ for three years, on his achievement. The General Manager said that the consultancy position will now be phased out over time and he has already spoken to Mr. Brian Vaughan, who is happy to work in with Council's requirements.

Matthew thanked Council for the opportunity to work in the position while he completed his studies and said he is looking forward to continuing his role as a qualified officer. At this stage, Matthew left the meeting and Council's Tourism Development Manager was in attendance.

## **16.0 REPORT BY TOURISM DEVELOPMENT MANAGER**

### **(a) Women's Gathering 2008**

Steve advised that a presentation on the Women's Gathering has been compiled by Mr Les Lane. The TDM handed out a Summary of the event which was the 16<sup>th</sup> Annual NSW Women's Gathering hosted by Coonamble. He informed Council that the event was generally successful, however there were catering issues. Mr. Baldwin said there were 240 full registrations with 60 – 70 attending day events. He said tent city was a successful venture, with 72 tents being occupied – the cost associated with this was approximately \$16,000.

The Tourism Development Manager informed the meeting that in February/March advertisements were placed for catering services. In May 22 community groups were approached, with only three responses. He said that in hindsight catering arrangements could have been managed better, however the Committee tried to keep as much as possible 'local'.

This is **Page 14/3954** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 15/3955

The Mayor said that overall it was a good weekend and Cr. O'Brien congratulated the Tourism Development Manager on his energy and enthusiasm. Council noted that the Women's Gathering 2009 would be hosted in June.

The Tourism Development Manager briefly went through his report and answered questions from Councillors.

**7314 RESOLVED** on the motion of Crs. O'Brien and Canham that the report by the Tourism Development Manager be received and adopted.

At this juncture, 1.02 p.m. Council adjourned for lunch and resumed at 2.03 p.m.

**Correspondence (continued)**

**9.16 DIRECTOR GENERAL, NSW DEPARTMENT OF PLANNING C2  
(28994)**

Referring to Council's letter concerning the Campervan Motorhome Club of Australia Ltd's (CMCA's) "RV Friendly Town Scheme" and "Leave No Trace" Code of Conduct which promote tourist travel and camping in self-contained vehicles, including camping in those vehicles in rest areas and other camping sites with no infrastructure.

Stating that if Council has questions about the scope or application of Section 632 of the Local Government Act or considers there may be a case for that provision being amended, it should contact the Department of Local Government or if it has concerns regarding camping in rest areas along arterial roads (in RVs or otherwise) it may wish to raise the issue with the Roads and Traffic Authority. Pointing out that the Local Government Regulation 2005 is due for repeal on 1 September 2010 and the Department will ensure that Council and the CMCA are consulted.

The General Manager informed the meeting that this matter arose following receipt of a letter from Gowest which referred to a presentation from Phillip Berry, Manager Member Benefits of Campervan Motorhome Club of Aust Ltd. Mr. Griffiths said Gowest was of the opinion that opportunities were being presented in our region, referring to Cobar and Lightning Ridge who were already participating. The General Manager pointed out that the initiatives Gowest was promoting were:

- CMCA/KEA Campers Dump Point Subsidy Scheme – offering Council a 'Dump-Ezy' dump point front of face unit free of charge.
- Leave No Trace Scheme – allowing self contained vehicles to use camping areas that have no infrastructure without any environmental impact.

This is **Page 15/3955** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 16/3956**

- RV Friendly Town scheme – CMCA initiative aimed at assisting mobile travellers. Participating towns can display the RV Friendly Town sign (referring to Cobar and Lightning Ridge).

Mr. Griffiths pointed out that Council wrote to Gowest saying that use of facilities other than formal caravan parks within the Shire is a concern and has been referred to the Department of Local Government in respect of 'illegal camping'. He said that Council also was of the opinion that it should support the already established two caravan parks within the Shire.

The meeting noted that Council did write to the Department of Local Government which referred its concerns to the Department of Planning, hence the subject letter of response.

The General Manager informed the meeting it has been suggested that a section of Namoi Street behind the CBD be signposted as Carvan/Campervan Parking Area however the practicalities of such an area have yet to be investigated.

**7315 RESOLVED** on the motion of Crs. O'Brien and Schieb that Council request a report on the practical aspects of directing Caravans and Campervans to a section of Namoi Street immediately behind the CBD, with suitable signage.

**9.17 COONAMBLE STREETS AHEAD COMMITTEE R8-10 (29195)**

Advising that Coonamble Streets Ahead is again organizing the annual Christmas Party which will be held on Thursday, 18 December 2008 commencing at 6.00 p.m. Requesting closure of Castlereagh Street (from the Peace Tree to the intersection with Aberford Street) to all traffic between 5.30 p.m. and 9.30 p.m.

**7316 RESOLVED** on the motion of Crs. Cullen and O'Brien that Council agree to the closure of the section of Castlereagh Street required for the Christmas Party and provide the necessary barricades, subject to approval having been obtained from Coonamble Police.

**9.18 YOUTH WEEK SECRETARIAT G5-9 (29181)**

Inviting Council to apply for funds as a contribution towards Youth Week events, noting that it will be held from Saturday 28 March to Sunday 5 April, 2009. Advising that the grant available to Coonamble Shire for 2009 is \$1,230 (ex GST). Funding must be applied for by Friday 5 December 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 17/3957

**7317 RESOLVED** on the motion of Crs. O'Brien and Cullen that application be made for the \$1,230 (ex GST) funding that has been allocated for Coonamble Shire for Youth Week 2009, noting that the grant is provided on a \$ for \$ basis.

**9.19 GULARGAMBONE PLAYGROUP D7 (29193)**

Seeking sponsorship for the annual Christmas Lights Competition and saying it is the 13<sup>th</sup> year that the competition has been conducted.

The General Manager said that last year Council contributed \$110.00 towards the Competition.

**7318 RESOLVED** on the motion of Crs. O'Brien and Canham that Council agree to contribute \$110 towards the Christmas Lights Competition conducted by the Gulargambone Playgroup, noting that the Donations Vote is severely depleted.

**9.20 FEDERATION OF PARENTS AND CITIZENS ASSOCIATIONS OF NSW  
E5-2 (29187)**

Stating the Federation is aware that the State Government has directed local governments to prepare new Local Environment Plans (LEP) and have them gazetted by 31 March 2009. Advising the Federation's Council at a recent meeting resolved to ask all local governments to include the following clause in its LEP:

*In respect of certain urban uses in non-urban zones: Educational establishments (schools), places of public worship (churches) and child care centres are no longer permissible in rural and environmental zones.*

Advising the request is based on the following:

- Schools, churches and child care centres are commonly comprised of larger buildings which are often incompatible with the generally sloping and/or vegetated nature of these lands;
- Non-urban zones are usually isolated/distant from communities they serve thus increasing vehicular trips/traffic;
- Future needs will be provided where the population growth occurs, thus reducing traffic and increase walking ability.

Further stating that the Federation believes this restriction will have beneficial implications in the following areas:

- Protecting the environment – taking cars and buses off the road by placing schools within the community;
- Health – it is healthier for students to walk to school;
- State budget - \$440m is currently being spent per annum on the student transport scheme and 75% of this is spent on taking students to schools out of their immediate community;

This is **Page 17/3957** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 18/3958**

- State-wide change needed – implementation across the State, not just in individual local government areas.

The General Manager pointed out that serious consideration should be given to any such provision being inserted into the LEP and suggested that inclusion could have severe negative impacts on future proposals for development. Mr. Griffiths suggested it would have to be agreed that the transport subsidy being paid to services such as the school bus from Gulargambone to Gilgandra is an utter waste and has severe negative impacts on small communities such as Gulargambone.

**7319 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council not agree to the inclusion of the proposal from the Federation of Parents and Citizens Associations to exclude development of schools, etc. in non-urban zones.

**Section B: Matters for information only.**

**9.21 NSW DEPARTMENT OF PRIMARY INDUSTRIES I6 (28993)**

Advising that the draft NSW Land based sustainable Aquaculture Strategy has been prepared under a joint State Government agency initiative chaired by the Department of Premier & Cabinet, involving various Government Departments. Advising that should Council wish to view the documents they are available on [www.dpi.nsw.gov.au/fisheries/aquaculture](http://www.dpi.nsw.gov.au/fisheries/aquaculture).

**9.22 COONAMBLE GARDEN CLUB R2 (28986)**

Advising members fully support the restoration and retention of the Coonamble Railway Station building. Saying they have several realistic visions of ways in which this building could enhance the town. Stating it would be a great asset to the local community, benefiting locals and tourists alike.

**9.23 COUNTRY WOMEN'S ASSOCIATION (COONAMBLE EVENING BRANCH) R2 (28987)**

Expression support for the restoration and renovation of Coonamble Railway Station building, pointing out that the building is considered to be significant in the history of Coonamble.

**9.24 BACK ON TRACK COMMITTEE R2 (28988)**

Enthusiastically supporting the restoration of the Coonamble Railway Station building which is unique and important to Coonamble's heritage. Stating the building will be an asset to the community.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 19/3959

**9.25 GULARGAMBONE CENTRAL SCHOOL**

**E1 (28989)**

Expressing full support for the proposal to provide a bus to assist persistent non-attending students to attend school. Saying it would have a positive impact on these students' attendance levels.

**9.26 GULARGAMBONE RURAL TRANSACTION CENTRE COMMITTEE  
L3 (28992)**

Thanking Council for the new bridge over the Castlereagh River. Saying they are happy to have it completed so quickly, especially before harvest and the "big rain".

**9.27 SIR RODEN CUTLER CHARITIES INC D7 (28985)**

Enclosing its contribution of \$500 towards transport and accommodation costs of the team of athletes and carers from Coonamble who will attend the Tri State Games to be held in Mildura in November.

**9.28 CENTRAL NSW TOURISM**

**T3-2 (29029)**

Advising that the AGM of Central NSW Tourism will be held on Wednesday 26 November 2008 at 2 p.m. at the Cowra Japanese Garden Cultural Theatre and Conference Centre. Stating that Local Government members are eligible to have two voting delegates and are encouraged to attend. Saying that a detailed agenda will be forwarded prior to the meeting. Stating that a lunch will be served for 1 p.m. and, for catering purposes, a response should be forwarded to the Secretariat.

The General Manager informed the meeting that a letter has been forwarded to Central NSW Tourism advising that Council's two representatives are Cr. Schieb and the Tourism Development Manager, requesting that the agenda be forwarded direct to the delegates.

**9.28 COONAMBLE DENTAL SURGERY**

**M5-4 (29075)**

Responding to Council's suggestion regarding bulk billing and advising the Practice has always accepted Government vouchers and treats patients under the Medicare Enhanced Primary Care Program, the Medicare Teen Dental Program and Veterans Affairs pensioners. Pointing out that patients who are members of private health funds are able to claim directly from their funds through the Practice's "Hicaps" system.

Advising there is no availability for "bulk billing" Medicare for general dental services however there is a system in NSW for funding of only emergency and palliative care for holders of Health Care Cards. Stating the Practice participated in this limited system in 2006/2007 but had to withdraw because it did not have a compliance certificate for the new Xray unit.

This is **Page 19/3959** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 20/3960

Pointing out the Surgery has continued to provide relief of pain and palliative services “for about the cost of a slab of beer and packet of smokes”. Saying it is possible that extended services for Health Care Card Holders may become available again in the near future through Medicare and in the meantime Health Care Card holders from Coonamble and other towns and Shires within GWAHS area are able to access comprehensive general dental services and extended care through the GWAHS Dental Clinics in Dubbo.

**9.29 KEVIN HUMPHRIES MP F5-2 (29059)**

Advising that he has made representations to The Hon Carmel Tebbut MP, Minister for Commerce, on Council’s behalf concerning the Natural Disaster Mitigation Program past the 2008/2009 financial year. Saying that a response will be forwarded when received.

**9.30 MRS JOYCE McDOWELL T6 (29084)**

Thanking staff for lopping the trees in Maule Street and for tidying the area up – saying it was a wonderful job and the section from Maule Lane to Aberford Street is now something to be proud of. Also extending thanks to former Councillor Jackson and Councillor Kananouh for their assistance.

**9.31 MINISTER FOR LOCAL GOVERNMENT C13 (29091)**

Taking the opportunity to convey her vision for the local government sector. Pointing out that as Minister for Local Government her priorities will be to help ensure councils are able to be responsive to their community’s needs – both now and for the future. Believing this will entail continued strategic planning, better community engagement, strong governance at the local level, a focus on results and the development of a culture of continuous improvement.

Pointing out that she has written to elected councillors regarding their role as a community leader, as well as a member of the Council’s governing body, asking that they ensure Council has a strong strategic direction in order to provide the services the community requires. Saying that she looks forward to working with Council on the delivery of quality services to the people of NSW in a sustainable manner.

**9.32 DEPARTMENT OF IMMIGRATION & CITIZENSHIP N4 (29078)**

Advising the Department continues to be committed to strengthening social cohesion, community harmony and cross cultural understanding and in particular, recognizing how relevant these issues are in addressing the distinct pressures facing many of Australia’s Muslim communities. Providing information highlighting some of the positive achievements of community projects funded under the Department’s National Action Plan to Build on Social Cohesion, Harmony and Security, which is a whole-of-government program involving federal, state and territory governments.

This is **Page 20/3960** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 21/3961

**9.33 AUSTRALIAN RAIL TRACK CORPORATION LTD (ARTC) R2  
(29095)**

Advising that the Melbourne-Brisbane Inland Rail Alignment Study is being carried out by ARTC. Stating that the Government has now commissioned ARTC to undertake a study to determine the optimum alignment for an inland railway following a 'far western' corridor through NSW and to conduct a financial and economic assessment of the project. Enclosing a leaflet giving information about the Study.

The letter from ARTC was included in the business paper.

**9.35 GREATER WESTERN AREA HEALTH SERVICE (GWAHS) M5  
(29096)**

Responding to Council's letter of concern regarding the proposed new Cluster Structure and stating the proposal to establish a Northern Cluster with Dubbo Base Hospital providing a hub and spoke model of services to the North West sector of the State does not replicate the Macquarie Area Health Service, nor is it a reversion to a system that has been discarded.

The General Manager said that because this is a lengthy letter a copy was enclosed with the business paper for Councillors' information.

**9.36 CR RAY DONALD, CHAIRMAN, "C" DIVISION SHIRES ASSOCIATION  
S3-3**

Advising that he would like to address Council at its December meeting and stating he will speak with the General Manager at a later date to discuss a time.

The General Manager reminded the meeting that this is in response to Council's request to have Cr. Donald address a meeting on issues concerning the "C" Division Shires Association and how it works with Councils in its Division.

**9.37 ORANA AREA CONSULTATIVE COMMITTEE D5-20 (29162)**

Thanking Council for its support of the Local Business Awards culminating in the 2008 Orana Regional Business Excellence Awards. Mentioning, in particular, the support and work of Lee and Amanda which was greatly appreciated. Stating the success of the Regional Business Awards could only have been possible by Council's continuing support and passing on congratulations and thanks. Saying sponsors in particular are very positive about the contribution they were able to make in the region. Looking forward to continuing support from Council in 2009.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 22/3962

**9.38 COONAMBLE RODEO ASSOCIATION S5 (29156)**

Advising that the Rodeo Association met to discuss and prioritise what developments it sees as necessary for its event to continue expanding. Listing short term, medium term and long term projects.

A copy of the correspondence was included with the business paper.

The General Manager stated that Council requested the Coonamble Rodeo Association to forward a copy of its 10 year Business Plan to enable development of a Management Plan for the Coonamble Showground. He said the information provided is obviously not a business plan.

**9.39 AUSTRALIAN RURAL MENTAL HEALTH STUDY (ARMHS) M5  
(29161)**

Advising about the Australian Rural and Remote Mental Health Study being conducted by researchers from the University of Newcastle's Centre for Rural and Remote Mental Health Research in Orange, the University of Sydney's Departments of Rural Health in Lismore and Broken Hill and the Australian Centre for Agricultural Health & Safety in Moree. Pointing out the survey is entirely voluntary and is designed to collect data about households from individuals over the age of 18 years. Saying that people will be invited to take part in the study by letter and follow up phone call – their names will be selected at random from the Australian Electoral Roll. Stating that the survey will be coordinated at the Centre for Rural & Remote Mental Health in Orange.

The General Manager informed Council that a telephone request was received for Council to display posters in the Administration Building Foyer, Libraries and Notice Boards,

**7320 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the information contained in Item Nos. 9.21 to 9.39 inclusive be noted.

**URGENT BUSINESS – CORRESPONDENCE**

**7321 RESOLVED** on the motion of Crs. Cullen and Canham that the following items be classified 'urgent business' and dealt with.

**9.40 OCHRE HEALTH/CASTLEREAGH MEDICAL CENTRE M5-1 (29228)**

Referring to a meeting between representatives of Ochre Health and the General Manager on 21 October 2008 to discuss Council's request for a mutually acceptable means of ensuring the long term viability of the doctors' residences. Summarising Ochre's proposal to Council as follows:

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 23/3963

- Council provide a third family residence for the Ochre doctors.
- Contribution to rental of the three properties towards essential maintenance obligations be based on outgoings outlined in Council's letter – excluding rates and water charges, \$3510/annum; \$67/week.
- Rental be set aside in a separate fund to be specifically spent on maintenance of the three properties and interest accrue on the balance of funds
- Ochre be invited to assist Council in determining the annual forward expenditure plan for the three properties.
- Ochre is prepared to make an advance contribution to the fund if there is any shortfall in cash flow for urgent works, such contribution to be recouped by deduction from future rental contributions.
- Council approach CAMS to contribute in like manner to the outgoings.

A copy of this letter was provided to each Councillor.

The General Manager informed the meeting that during discussions with Ochre Health they raised the issue of equity and are trying to have Council place them in a similar position to CAHS whereby subsidy is delivered for doctor housing. Mr. Griffiths said that at present they claim to be paying in excess of \$200 per week rental for one house and therefore they are already paying \$70 per week per house.

The General Manager said this appears to be illogical and, in any event, Council does not own any additional housing to provide, nor does it have the financial capacity to purchase a further residence. Mr. Griffiths said it is possible that two staff houses will be required should recruitment be successful for the vacant engineering position.

Council noted that the two houses are provided free of charge to Ochre Health for doctor accommodation at the moment.

**7322 RESOLVED** on the motion of Crs Karanouh and Schieb that Ochre Health be advised that the status quo remain, i.e. that Ochre Health doctors occupy the two Council dwellings free of charge, however it be noted that Council will not have funding available for any major refurbishment of either dwelling and it be further noted that Council does not have a third house available for doctor accommodation.

**9.41 COONAMBLE PUBLIC SCHOOL P&C COMMITTEE D7 (29216)**

Inviting Council to be part of the Coonamble Public School Christmas Festival and requesting donation of a family season pass for Coonamble Pool as a prize at the Festival which is set down for Friday 28 November, 2008.

This is **Page 23/3963** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 24/3964

The General Manager informed the meeting that the cost of a family season ticket is \$180.00 and there is no capacity within the Donations Vote to assist with the request.

**7323 RESOLVED** on the motion of Crs. Canham and Cullen that Council decline the request for a Family Season Ticket to Coonamble Pool for the Coonamble Public School Christmas Festival raffle.

**9.42 COONAMBLE PUBLIC SCHOOL G2-1**

Inviting Councillors and Management to attend a Ceremony to officially launch the new watering systems for Coonamble Public School and Koonambil. Advising the Federal Leader of the National Party, Warren Truss and Federal Member for Parkes, Mark Coulton will be performing the official ceremony which is to be held at Coonamble Public School at 12 noon on Friday 14 November, 2008. Stating the launch will be followed by a light luncheon at Coonamble Public School – confirmation of attendees is required by 12 November.

The General Manager informed the meeting that this invitation arrived on Monday 10 November.

**7324 RESOLVED** on the motion of Crs. Horan and Cullen that the Coonamble Public School be informed that the Mayor, General Manager and Cr. Karanouh will attend the function on Friday, 14 November.

**9.43 REGIONAL EXPRESS HOLDINGS LTD (REX) A5 (29233)**

Forwarding media release relating to change in Air Link Operations and advising as part of the regular and ongoing review of its network Rex has announced plans to terminate all the RPT operations of its wholly owned subsidiary Air Link Pty Ltd. Advising that effective from 20 December 2008 Air Link will no longer operate the smaller routes currently serviced by 9 seat and 5 seat piston engine aircraft. Stating that routes affected are those linking Dubbo to Bourke, Cobar, Coonamble, Lightning Ridge and Walgett as well as the Mudgee to Sydney run.

Stating the Federal Government will be terminating the en-route rebate by commencing a phase out of all marginal routes that would not be commercially viable without this incentive.

The General Manager informed Council that a meeting has been arranged with Mr Warren Truss and Mark Coulton at 1.00 p.m. on Friday, 14 November, 2008 at the Council Office. Councillors noted that the Mayor and General Manager of Walgett Shire Council would also be attending the meeting.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 25/3965

**7325 RESOLVED** on the motion of Crs. Cullen and Schieb that Council liaise with other affected Councils and the Local Member, with a view to having the phase out of the en-route rebate reversed.

**9.44 “C” DIVISION SHIRES ASSOCIATION OF NSW S3-3 (29237)**

Advising that the next ‘C’ Division Conference will be held in Lightning Ridge, hosted by Walgett Shire Council, on Wednesday 4 February 2009 – venue being the Lightning Ridge Bowling Club. Requesting that if Council has any motions to be considered they must be submitted no later than Friday 12 December as staff will be on leave over Christmas/New Year. Stating the business paper should be ready for distribution the week commencing 12 January 2009.

The General Manager said that obviously the question of air services is a topic that will be worthy of discussion at the ‘C’ Division Conference and it will be represented to the December 2008 meeting for inclusion of other motions.

**7326 RESOLVED** on the motion of Crs. Canham and O’Brien that Councillors formulate motions for the “C” Division Conference and submit them to the December 2008 meeting.

**9.45 DEPARTMENT OF LOCAL GOVERNMENT C13 (29239)**

Advising of the release of the *Councillor Guide* and web-based *Information Directory for Councillors* which are key components of the Department’s Councillor Development Strategy. Stating the Department is keen to obtain feedback on both the Guide and the Directory and there is a form included in each to be completed and returned.

The General Manager said that copies of the Guide on compact disc have been provided to all Councillors.

**7327 RESOLVED** on the motion of Crs. Karanouh and O’Brien that the contents of the Councillor Guide and Information Directory for Councillors be noted.

**9.46 AUSTRALIAN GOVERNMENT PRODUCTIVITY COMMISSION D9 (29249)**

Thanking all who contributed to the Inquiry into Government Drought Support and inviting further participation. Advising that submissions on the Draft Report to the Commission have to be received by Friday 19 December 2008 and those appearing at public hearings should lodge their submission at least two days before the hearing date.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 26/3966

Advising that the Commission will hold both public hearings and roundtables on this Draft Report to provide participants with the opportunity to elaborate on their submissions and to discuss issues with Commissioners (Mike Woods, Neil Byron and Bob Granger. Advising that a Roundtable will be held in Dubbo on Friday 12 December, 2008 between 9.30 a.m. and 2.00 p.m. at the Cattleman's Country Motor Inn, 8 Whylandra Street.

The General Manager stated that Councillors would be aware of the Draft Report however should submission be desired it is imperative that producer support be given to staff to develop it.

**7328 RESOLVED** on the motion of Crs. Cullen and Canham that the General Manager coordinate a meeting with Crs. Cullen and Schieb and Council's Economic Development Manager, Mrs. Lee O'Connor within the next week to collate information to prepare a submission to the Dubbo Roundtable on 12 December, 2008.

**9.47 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW**

Forwarding a copy of the legal advice obtained by the Associations in respect of the Local Government Amendment (Legal Status) Bill 2008 which was introduced to the NSW Legislative Assembly by the Minister for Local Government on 22 October 2008.

A copy of this communication, together with a copy of the Legal Opinion, was provided to each Councillor. The General Manager commented that this is obviously an ill-conceived piece of legislation that seeks to appease the Unions to allow disposal of the electricity sales section of distributors and appears to again place local government at a disadvantage.

**7329 RESOLVED** on the motion of Crs. Karanouh and Canham that Council monitor the passage of the legislation and the further legal advice being sought by the Local Government and Shires Associations.

**10.0 REPORT BY GENERAL MANAGER**

**7330 RESOLVED** on the motion of Crs. O'Brien and Canham that the report submitted by the General Manager be received and dealt with.

**10.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY**

**7331 RESOLVED** on the motion of Crs. Canham and Cullen that Council note Development Application Nos. 034/2008, 036/2008 and 039/2008 have been approved under delegated authority for the period and there were no Complying Development Applications approved during October 2008.

This is **Page 26/3966** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 27/3967

**10.2 JANUARY COUNCIL MEETING**

The General Manager reported that for many years Council has not held an ordinary monthly meeting in January. He pointed out that a number of people, including some councillors and staff, take holidays at this time of year and there is usually a “general shut-down” of a lot of suppliers. Mr. Griffiths said it is always a quiet period with not a great deal for Council to attend to, with other professionals – such as solicitors – normally being inactive.

**7332 RESOLVED** on the motion of Crs. Cullen and Schieb that Council not hold an ordinary monthly meeting in January 2009 and the first meeting for the New Year be held on Wednesday 11 February 2009.

**10.3 PROPOSED CLOSURE OF OFFICE – CHRISTMAS/NEW YEAR PERIOD**

The General Manager reported that it has been Council policy in the past to close the Office between Christmas and New Year. Mr. Griffiths said these days have been granted in recognition of indoor staff working unpaid overtime during the year. He pointed out that this year Christmas Day falls on a Thursday and the holiday period concludes on Thursday, 1<sup>st</sup> January 2009 (inclusive), with staff returning to work on Friday 2 January.

The General Manager stated that if Council decides to grant indoor staff the Christmas/New Year break, which entails three working days (i.e. 29 – 31 December) it may be prudent to include Friday, 2 January 2009 as annual leave or, possibly as a rostered day off, with staff returning to work on Monday, 5 January.

**7333 RESOLVED** on the motion of Crs. Cullen and O’Brien that Council agree to give staff the extra time off (including the additional day as annual leave or under rostered day off arrangement) and that the Office close from 5.00 p.m. Wednesday, 24 December 2008, re-opening 8.30 a.m. Monday, 5 January 2009 .

At this juncture, the General Manager left the meeting, having declared a “perceived interest” as former Treasurer of one of the Clubs involved in the following matter.

**10.4 WATER RATES FOR SPORTING BODIES**

At its meeting on 8 November 2006 (Minute No. 5802) Council resolved that up to \$1,000 per annum be contributed towards the cost of water for the Coonamble Jockey Club, Coonamble Golf Club and Gulargambone Golf Club to assist with each Club’s water charges and that this arrangement be reviewed annually.

Council noted that the Coonamble Jockey Club used its total contribution however it appears that the Coonamble and Gulargambone Golf Clubs have made a concerted effort to reduce their consumption which is commendable.

**7334 RESOLVED** on the motion of Crs. Cullen and O'Brien that Council make a contribution of up to \$1,000 each to the Coonamble Jockey Club, the Coonamble Golf Club and Gulargambone Golf Club to assist with water charges and a review be presented to Council at the November 2009 meeting.

Mr. Griffiths returned to the meeting.

### **10.5 DELEGATIONS OF AUTHORITY**

At this juncture, the General Manager conducted an Induction Program for Councillors. He informed the meeting that the Local Government Act permits delegation of duties to the General Manager at Section 377 which states:

*(1) A council may, by resolution, delegate to the General Manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:*

There are some 20 functions that are prohibited from being delegated.

The General Manager pointed out that the efficient operation of Council depends on staff being able to carry out routine matters without referring them to Council and he attached to the business paper a list of delegations to the Mayor and General Manager as seen appropriate for a council of this size. However Mr. Griffiths pointed out an omission from the Mayor's Delegation of a \$20,000 Emergency Fund Limit which allows the Mayor to authorise urgent works and services.

Examples of delegations to the Director of Corporate Services, Director of Engineering Services and other staff which the General Manager intends to issue to those staff members were also included for Councillors' information. The General Manager informed Council that a number of other staff will be issued with delegations by the General Manager to allow duties to be performed (e.g. Contract Ranger, Overseers and the like).

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 29/3969

**7335 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council:

1. Adopt the delegations suggested to the Mayor with the inclusion of a clause "Emergency Works & Services – The Mayor has the authority to authorise up to \$20,000 for urgent works and services"
2. Adopt the delegations suggested to the General Manager.
3. Note the delegations to be issued by the General Manager to other staff.

At this juncture, Crs. O'Brien and Karanouh left the meeting as they had declared an interest in the following matter.

**10.6 DRAFT POLICY – FOOTPATH DINING, SIGNAGE DISPLAY & STREET TRADING**

The General Manager informed Council that following concerns of Councillors and comments from the public this draft policy has been formulated to give certainty to local businesses and direction to staff in administering various uses of footpaths. He said one of the primary considerations in regulating footpath usage is to ensure that the public is not impeded going about day to day business. Council noted that Coonamble is fortunate in having wide footpaths that can be enhanced by the display of goods, alfresco dining and advertising boards.

Mr. Griffiths stated that one of the main objectives of the policy is to encourage local businesses to utilise footpaths to attract custom, and he suggested that this has a positive effect on all users and, with the attraction of additional people, comes the added benefit of extra patronage.

The General Manager pointed out the importance Council being specifically indemnified from any liability arising from the use of the footpath for purposes authorised under this policy by way of notation on businesses' insurance policies.

Mr. Griffiths pointed out that the cost of licensing a business, inspecting their insurance policy and ensuring compliance would amount to around \$150 however it is suggested that an Application Fee of \$30 should be charged, along with the following:

- Street Dining \$10.00 per table per year
- Display of Goods \$ 2.00 per lineal metre of property frontage per year
- Advertising Boards \$ 2.00 per sign per year.
- Street Vending \$75.00 per year
- Busking No charge
- Raffle Ticket Selling No charge.

This is **Page 29/3969** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

Councillor Schieb referred to an incident whereby a policy indemnifying a Company had been sighted by representatives, then cancelled and suggested that insurers should contact Council in such cases.

**7336 RESOLVED** on the motion of Crs. Canham and Schieb that Council:

- (1) Place the policy, including the suggested fees, on public exhibition for a period of twenty eight days, calling for submissions.
- (2) Distribute copies of the draft policy to businesses who currently utilise Council's footpaths.
- (3) Request the Business Action Group to comment on the draft policy.
- (4) Consider the policy again, together with any submissions, at the February 2009 Council Meeting with the view to adoption.

Councillors O'Brien and Karanouh returned to the meeting.

#### **10.7 SECURITY SHUTTER – MAIN STREET BUSINESS**

The General Manager reported that numerous complaints have been received in respect of the appearance of the Plaza Theatre following the installation of a roller shutter to the Castlereagh Street frontage. He pointed out that Council has the following policy in respect of fixed bars on commercial premises:

*“Prohibiting beyond 9 October 2002 any vertical or horizontal security grille, bar or steel mesh on commercial windows or doors that face a public road or lane. Commercial property owners desiring to improve security to premises can affix or install vertical or horizontal roller shutters that can be activated during times outside normal trading hours. This policy was adopted to allow commercial property owners to improve security without detracting from the streetscape”.*

Council noted that the works carried out at the Plaza Theatre conform with Council's "exempt and complying" development policy and, as such, no development application was necessary. The General Manager stated that Council previously declined to approve a similar installation on a commercial premise that was the subject of a "change of use" development application. Mr. Griffiths said it did, however, agree to a security grille on a side window of a local service station following a spate of incidents.

**7337 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council:

- (1) Modify its Fixed Bars on Commercial Premises policy and the Exempt and Complying Development policy to ensure that any future proposals are the subject of an application to be considered by Council.
- (2) Place the amended policies on public exhibition for a period of twenty eight days, inviting submissions from the public.

This is **Page 30/3970** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 31/3971**

- (3) Adopt an interim policy that gives effect to the modification in (1) above to take effect from the date of this meeting.
- (4) Formally adopt the amended Policies, in conjunction with consideration of submissions received, at the February 2009 Council Meeting.

**10.8 ILLEGAL DEVELOPMENT – ‘PILLICAWARRINA’**

The General Manager reported on this matter which dates back several years when illegal land forming works were carried out by Waterman Agriculture Pty Ltd (around the 1996-1997 period). Mr. Griffiths said that Council subsequently received a development application for such works which was duly refused as an ‘existing development’ cannot be granted approval.

Mr. Griffiths informed the meeting that in November 2007 Waterman Agriculture Pty Ltd advised, by way of letter, that the works were carried out prior to the current LEP being gazetted and legal advice sought by it espoused:

1. The works were completed prior to Council’s LEP being gazetted, i.e. Council was not the determining authority.
2. Council must consider the advice of the appropriate State Government Agency, i.e. DLWC. This was not done.
3. They were not seeking “retrospective consent” as their submission can be split into two parts. The first one was the work completed prior to the LEP coming into effect and the second was works they wish to undertake. None of this work was ever commenced.
4. Their development application was lodged on behalf of Waterman Agriculture Pty Ltd and Marismas Investments Pty Ltd., the owner of the land in Coonamble Shire. The determination of that application does not mention the landowners and is therefore legally null and void.

The General Manager reported that these are matters that would need determination by the Court, however since that time a significant portion of the “Pillcawarrina” property has been acquired by the Department of Environment and Conservation. Mr Griffiths said the acquired land effectively eliminates any opportunity Waterman Agriculture Pty Ltd has to divert water from the river system as it no longer owns that land. He pointed out that the only opportunity for water to be harvested would be during extreme flood situations and even then it is doubtful that significant quantities could be acquired.

Council noted that all water licenses were also acquired by the Department and the purpose of the acquisition of both water licenses and portion of the property is the protection of the immediate environment and the Murray Darling Basin generally.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 32/3972**

The General Manager reported that technically the breach of the land forming provisions of Council's LEP may still have occurred, however it is now considered that rectification would not be achieved through legal remedy due to the non-consequential effects.

Mr. Griffiths pointed out that there is little doubt the prospect of legal action will cost in the vicinity of \$50,000 for Council and potentially a similar amount for the landowner. He said it may be that such costs are payable by the losing party and should this be Council, a total cost of \$100,000 plus many hours of staff time, would result.

**7338 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council cease all legal actions to remedy the illegal land forming works on "Pillicawarrina" and advise the property owner that no further action will be taken however, litigation would be recommenced should use of the illegal land forming works be reactivated.

**URGENT BUSINESS – SUPPLEMENTARY REPORT – GENERAL MANAGER**

**7339 RESOLVED** on the motion of Crs. Canham and Cullen that the following matter be classified 'urgent business' and dealt with.

**10.9 LEASE OF COONAMBLE SWIMMING POOL KIOSK**

The General Manager reported that the lessee of the kiosk has advised she no longer wishes to operate the service at the pool and by mutual agreement, staff has agreed to terminate the lease following claims it may not be legally signed.

Council noted that the kiosk lessee is responsible for the entry of patrons to the pool, including the checking of season passes and the issuing of tokens. The employment of staff for such purpose is costly and counterproductive. The General Manager stated that over the past three years the cost of ensuring an operator is available has risen significantly due to limited response when expressions of interest are invited. Mr Griffiths said investigations indicate that the kiosk can stand alone in terms of a financial return provided it is run as a business.

The General Manager suggested that Council could consider the removal of charges on both Coonamble and Gulargambone pools, but pointed out it would incur a loss in income (based on the 2008 figures) of around \$21,000. He said that whilst it would be desirable to make it a free service the cost is beyond that which could be considered 'reasonable'.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 33/3973**

Cr. Karanouh said that if Council decided on free entry to the pool it would have to take into account the number of people swimming at the one time and look at appropriate supervising by lifesavers – it may be that Council would have to provide extra supervisory staff. He also suggested that because of extra use there would need to be additional chlorine added to the pools.

Cr. Schieb suggested that the price is a family season ticket (\$180.00) is excessive and possibly prevented some families from attending. The General Manager stated that these fees are set in conjunction with the management plan and placed on public exhibition prior to adoption.

The General Manager said that the manning of the kiosk is a pressing issue because a Swimming Carnival is to be held at the Pool next weekend. Cr. Karanouh suggested that the Lions Club be approached to run the kiosk for the carnival if other arrangements could not be made.

Cr. O'Brien said she would like to see free admission to the Gulargambone Pool because it would probably encourage children who presently swim in the river to go to the pool.

In closing the debate Council noted that supervision of patrons would be extremely difficult, as children especially would be in and out of the pool to shops in the vicinity.

**7340 RESOLVED** on the motion of Crs. Canham and Karanouh that Council continue with the present arrangement whereby council pays the Kiosk Lessee to administer entry to the pool, delegate authority to the Mayor and General Manager to determine the expressions of interest and review the position at the end of the current swimming season.

**11.0 REPORT BY DIRECTOR OF CORPORATE SERVICES**

**7341 RESOLVED** on the motion of Crs Cullen and Karanouh that the report by the Director of Corporate Services be received and dealt with.

**11.1 RATE COLLECTIONS**

**7342 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the Total Combined Rate Collections to 31 October 2008 be noted.

**11.2 LIST OF INVESTMENTS**

**7343 RESOLVED** on the motion of Crs. Canham and Cullen that that the Investments held at 31 October 2008 be noted and it also be noted that Council's Investments comply with s625(2) of the Local Government Act 1993 and Council's Investment

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 34/3974

Councillor O'Brien suggested that Council approach Reliance Credit Union With a view to obtaining a better rate than it is currently offering.

**11.3 ESTIMATED RESERVES AT 30 SEPTEMBER 2008**

**7344 RESOLVED** on the motion of Crs. O'Brien and Canham that the Estimates Reserves at 30 September, 2008, as reported by the Director of Corporate Services, be noted.

**11.4 RETURNS – DISCLOSING INTEREST – COONAMBLE SENIOR CITIZENS ASSOCIATION**

The Director of Corporate Services advised that primary returns disclosing interest completed by members of the Coonamble Senior Citizens Association members are tabled. He again reminded Council that Section 449 of the Local Government Act 1993 requires councillors and designated persons to complete the returns and Section 450A(2) requires the General Manager to keep a register of returns and table them at the appropriate meeting of Council.

**7345 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council note the tabling of the primary returns disclosing interests of members of the Coonamble Senior Citizens Association.

**12.0 REPORT FROM DIRECTOR OF ENGINEERING**

**7346 RESOLVED** on the motion of Crs. Canham and Cullen that the report by the Director of Engineering be received and dealt with.

**12.1 WATER TREATMENT TENDER TO8/03**

The Director of Engineering reported that Council's Management Plan for 2008/09 includes the development of water treatment to remove iron from Coonamble's potable water. He said that a tender for the supply of oxidation and filtration equipment closed on 17<sup>th</sup> September 2008 and he is making a recommendation in respect of awarding a contract for the filters.

Mr. Russell said that Council was fortunate enough to find what appeared to be a cost effective solution to the problem of iron in the water in the filters offered by Infinity Environmental. He said as a result, a trial of this technology was conducted early in 2008, with good results being achieved over 8 million litres of water processed during the trial.

The Director of Engineering said that Council tendered the supply of oxidation and filtration equipment that would form the central component of the proposed treatment plant and tenders were received from 12 companies.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 35/3975**

Council noted that the installation of a water treatment plant requires approval of the Department of Water and Energy (DWE) and any contract awarded for the supply of treatment equipment will have to subject to approval being received from DWE for its installation.

The Director of Engineering referred Council to his report to Closed Session which contained all dollar figures (excluding GST). He said that the anticipated total capital cost of three water treatment plants (one at each bore) is in the order of \$1.5 million. Mr Russell said there are sufficient reserves in Coonamble Water to allow Council to fund this project without loans and Council should note that the tender provided for rise and fall on the tendered price to allow for the anticipated time delay in detailed design and subsequent approval by DWE.

Mr. Russell pointed out the additional capital invested in the Coonamble water business will result in \$70,000 - \$85,000 additional depreciation annually, but at the same time, the interest on investments is expected to reduce by approximately \$100,000 as a result of Council spending existing reserves to fund the project.

It was noted, despite Councils recent efforts to gradually increase the water rates, the implementation of the water treatment project is expected to require an increase of approximately 20% on the current rates and the current level of reserves would enable this increase to be phased in over time.

**7347 RESOLVED** on the motion of Crs.Cullen and Schieb that Council:

- (1) Accept the tender (Option 1) from Infinity Environmental at a cost of \$211,700 (plus GST) per installation.
- (2) Qualify the acceptance that Council reserve the right to terminate any agreement with Infinity Environmental, without right of claim for damages by Infinity Environmental, in the event that:
  - (a) a Court of Australia finds them in breach of any legal obligation that would prevent the legal sale of the equipment offered;
  - (b) the proposed treatment process is not approved by the Department of Water and Energy as an appropriate treatment process for Coonamble's potable water supply.
- (3) Phase in a 20% increase in water rates over four years.
- (4) Authorise the affixing of the Common Seal to relevant contract documents.

## **12.2 HIGHER MASS LIMITS**

The Director of Engineering reported that in February 2008 Council resolved to approve the use of unconventional heavy vehicles (B Triple and AB Triple) on all roads at General Mass Limits (GML). Mr. Russell pointed out that, at that time, Council also resolved the use of Higher Mass Limits (HML) would not be approved.

Mr. Russell referred to his report at that time which stated “that Council should reject any applications for HML routes until they can be convinced that it is not going to be detrimental to its long term maintenance costs, and that it will be beneficial to the local and regional economy. In any case, the RTA would have to approve the use of the Castlereagh Highway for HML before any real benefit could be obtained.”

Council noted that following a number of HML applications and advice from the RTA that the Castlereagh Highway is now HML approved, the Director of Engineering feels it may be beneficial to review Council’s position on the use of HML within the Shire.

Mr Russell informed the meeting that an inspection of the roads around the Coonamble grain silo has been undertaken by himself and the Engineering Officer - Construction, and there does not appear to be any physical impediment to their approval as HML routes. He said that an inspection has not yet been undertaken of the Pilliga Rd, however it is anticipated that this may not be as straight forward due to the length and engineering complexity of the route.

The Director of Engineering suggested that Council’s policy should be relaxed somewhat to allow the use of HML in the immediate vicinity of the Coonamble saleyards and grain silos for the purpose of providing more cost effective transport where possible.

**7348 RESOLVED** on the motion of Crs. Cullen and Schieb that Council:

- (1) Approve the use of HML vehicles on roads in the immediate vicinity of Coonamble grain silos and saleyards;
- (2) Develop a policy for the future assessment of other HML routes within the Shire.

### **ITEM NO. 9.14 KELVIN BAXTER TRANSPORT PTY LTD**

This matter was deferred for consideration in conjunction with the Director of Engineering Services’ report on Higher Mass Limits.

**7349 RESOLVED** on the motion of Crs. Canham and Karanouh that Mr. Baxter be advised that Council has approved the use of HML vehicles on roads in the immediate vicinity of Coonamble grain silos and saleyards.

This is **Page 36/3976** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

### **12.3 POOL REVIEW**

The Director of Engineering reminded Council that it undertook an initial review of its pool operations in October, when it resolved to open the Coonamble Pool for the following hours for the early season:

- *Monday-Friday* 6:00am –11:00am & 1:00pm–6:00pm
- *W/ends and P/Holidays* 1:00pm – 6:00 pm

and the Gulargambone Pool for the hours:

- *Tuesday-Friday* 6:00am–7:00am & 1:00pm –6:00pm
- *W/ends and P/Holidays* 1:00pm - 6:00pm

He said Council resolved to undertake a further review of the operation in November.

The Director of Engineering reported that last year the total cost of operating the Coonamble Pool was \$216,000 (excluding the cost of installing heating) and the total operating cost of all pools was \$325,000. He stated this was a significant increase on the cost some five years ago, with cost having escalated annually.

At the October Council meeting it was resolved to open the Coonamble pool until 11am, with a two hour close down during the middle of the day. Observations from staff suggest that the two hours from 9am to 11am attract little use, however there may be an increase during school holidays and warmer weather. The Director of Engineering reported that as a result, he proposes to retain the Coonamble pool “season opening” hours that were resolved in October for the remainder of the season as it is felt this is a reasonable compromise between service to ratepayers and cost.

**7350 RESOLVED** on the motion of Crs. Karanouh and O’Brien that Council:

- (1) Open Coonamble Pool for the remainder of the season for the following hours:

Monday-Friday	6am to 9am and 1pm to 6pm
Weekends/Public Holidays	1pm to 6pm
- (2) Open Gulargambone Pool for the remainder of the season for the following hours:

Tuesday-Friday	6am to 7am and 1pm to 6pm
Weekends/Public Holidays	1pm to 6pm

At this juncture, 4.46 p.m., the Mayor called for a short adjournment and the meeting resumed at 4.56 p.m.

#### **12.4 WORKS PROGRAM UPDATE**

The Director of Engineering provided an update on progress of major works. He informed Council that Tourable Bridge is open for traffic and touched briefly on the following projects:

- Coonamble Showground pavilion – internal fit out due to commence mid November.
- Footpath reconstruction in McDonald Park complete.
- Fluoridation system awaiting connection.
- Bridge works nearing completion
  - Teridgerie Bridge (Baradine Rd) complete and open to traffic – due to be officially opened on 3 December.
  - Frasers Bridge (Shire Road 3) complete and open to traffic.
  - Wambelong Bridge (Shire Road 6) complete and open to traffic
  - Gulargambone Bridge complete and open to traffic – due to be officially opened on 3 December.
  - Urawilkie Bridge (Pilliga Rd) structural works complete
  - Yarraman Bridge (Shire Road 7) complete and open to traffic
  - Kennedys (Shire Road 8) complete and open to traffic
  - Tourable (Shire Road 1) structural works complete
  - Billeroy (Shire Road 1) structural works complete

**7351 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the Director of Engineering Services' report on the current position of works be noted.

#### **12.5 MACDONALD PARK FENCE**

The Director of Engineering informed the meeting that a quote in the amount of \$18,500 (plus GST) for the cost of replacing the fence on the western side of Macdonald Park has been obtained and the Bowling Club has committed to fund half of this amount, subject to Council committing to the balance. Mr. Russell pointed out that Council at its October meeting resolved not to commit unbudgeted funds unless their source could be identified and said that the proposed fencing works are not included in the current Management Plan.

The Director of Corporate Services advised that leave entitlements of a recently staff retirement were only partly funded by reserves and an additional \$10,000 could be sourced from the ELE Reserve if Council so decides.

**7352 RESOLVED** on the motion of Crs. Cullen and Canham that Council replace the western boundary fence at Macdonald Park at an estimated cost of \$18,500 (plus GST), with 50% of funds to be provided by Coonamble Bowling Club and the remainder to be sourced from Revenue with a further \$9,250 of the retirement payment to a long serving employee being funded from the ELE Reserve.

**URGENT BUSINESS – SUPPLEMENTARY REPORT – DIRECTOR OF ENGINEERING**

**7353 RESOLVED** on the motion of Crs. Cullen and Canham that the following matter be classified ‘urgent business’ and dealt with.

**12.6 WATER MAIN REPLACEMENT TENDER**

**7354 RESOLVED** on the motion of Crs. Cullen and O’Brien that Council:

- (1) Accept the tender from Kanal Construction Pty Ltd. for a reduced scope of work based on its revised offer at an estimated cost of \$115,000 plus GST
- (2) Purchase materials required for the above works at an estimated cost of \$60,000 plus GST.

**13.0 MANAGEMENT PLAN REVIEW & QUARTERLY BUDGET REVIEW TO 30 SEPTEMBER 2008**

Council noted that in accordance with Section 407 of the Local Government Act 1993 and Section 203 of the Local Government (General) Regulation 2005 the General Manager must report to Council within two months of the end of each quarter the extent to which the performance targets of Council, set by the Management Plan, have been achieved and submit a review of the estimates of income and expenditure for Council’s consideration.

The Director of Corporate Services referred to the report contained in the Business Paper, together with an update of the Management Plan and Budget, which were presented at the meeting.

Mr. Warren drew Council’s attention to some items and explained the budget and answered questions from Councillors. He also provided a list of budget variations for Council’s consideration and stated that in his opinion, as Council’s responsible accounting officer, having regard to the original estimate of income and expenditure and the quarterly review of these estimates at 30 September 2008, that Council is in a satisfactory financial position.

**7355 RESOLVED** on the motion of Crs. Canham and Cullen that Council:

- (1) Note the Management Plan Review;
- (2) Approve the variations to votes as listed in the budget review documents;
- (3) Note, that in the opinion of the responsible accounting officer, Council is in a satisfactory financial position;
- (4) Note the position of Council’s estimated Reserves at 30 September 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

Page 40/3980

**14.0 REPORTS FROM VARIOUS COMMITTEES**

**7356 RESOLVED** on the motion of Crs. Canham and O'Brien that the minutes of meetings of various committees be received and dealt with.

**14.1 MINUTES OF CONSULTATIVE COMMITTEE MEETING**

**7357 RESOLVED** on the motion of Crs Canham and O'Brien that the minutes of the Consultative Committee meeting held on 26 August, 2008 be received and noted.

**14.2 MINUTES OF COONAMBLE SENIOR CITIZENS ASSOCIATION**

**7358 RESOLVED** on the motion of Crs O'Brien and Canham that the minutes of the Coonamble Senior Citizens Association meeting held on 20 October, 2008 be received and noted.

**17.0 REPORT BY SALEYARDS MANAGER**

**7359 RESOLVED** on the motion of Crs Karanouh and O'Brien that the report by the Saleyards Manager for the month of October be received and adopted.

**18.0 CONTRACT RANGER'S REPORT**

**7360 RESOLVED** on the motion of Crs. O'Brien and Canham that the information contained in the Contract Ranger's report for the month of October, 2008 be received and adopted.

**19.0 CLOSED SESSION**

**7360 RESOLVED** on the motion of Crs. Canham and Schieb that Council resolve into Closed Session in accordance with Section 10A 2(c) *"information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business"*

**7361 RESOLVED** on the motion of Crs. Canham and Schieb that the press and public be excluded from the meeting.

**RESUME OPEN MEETING**

**7362 RESOLVED** on the motion of Crs. Canham and Karanouh that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATION OF CLOSED SESSION**

**7363 RESOLVED** on the motion of Crs. Schieb and Karanouh that Council adopt the recommendation from Closed Session, as set out hereunder:

**19.1 SUPPLY OF LOAM TO COUNCIL**

**THE COMMITTEE RECOMMENDS** that the General Manager be authorised to investigate this matter further, possibly negotiate with relevant parties and report back to Council on the position.

**GENERAL BUSINESS**

**Cr. Schieb:** Requested advice on costs associated with Council's column in the Coonamble Times – the General Manager advised that it costs Council \$371/week, which is discounted from \$550/week.

Requested that the Director of Engineering investigate the recycling of glass at the Coonamble Waste Depot and perhaps place an advertisement in the local press making residents aware of their responsibilities when dumping glass in the recycling bin. Mr. Russell pointed out that Council is looking at being involved in a Regional Recycling Tender being run by Dubbo City Council. The General Manager stated that to become involved in recycling it would cost ratepayers between \$60 - \$80 annually. It was agreed that a report on this matter be presented at a future meeting.

**Cr. Karanouh:**

Reported that when an accident occurred in Hollywood Lane no four wheel drive ambulance was available to transport the injured party. The Mayor informed Cr Karanouh that Council lobbied to have the four wheel drive ambulance returned to Coonamble Station, but its request was denied. The Director of Engineering agreed to raise the matter again at the next LEMC meeting

Requested that Council remove the palm trees from the main street – replacing them with something else. Pointing out that their root systems have taken over and nothing grows.

**7364 RESOLVED** on the motion of Crs. Horan and Cullen that this matter be referred to the Business Action Group for its input and suggestions as to what should be done to improve the gardens in the main street.

**Cr. O'Brien** Requested that the unoccupied and dilapidated structure located at No. 45 Coonamble Street, Gulargambone be demolished as children are entering the building and lighting fires.

**7365 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council begin proceedings to have this unoccupied and unsightly structure demolished.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 42/3982**

**Cr. O'Brien** Informed the meeting that Council resolved some time ago to remove the recycling facility located on the Corner of Coonamble Street and Armitree Street, Gulargambone however it is still there and children are breaking glass over the road. The Director of Engineering apologised for not having this job done and said it will be done immediately.

**Cr. Horan** Reported that he is disappointed with cut-backs being made following receipt of tenders for building of the Coonamble Hospital. Cr. Horan said the community is not getting what was originally promised.

Reported that the Murdi Paaki Partnership Coonamble/Gulargambone Reference Group has donated \$10,000 to Gulargambone for the provision of blankets to heat Gulargambone Pool. He suggested that application be made to the Department of Sport and Recreation under the Capital Assistance Program for funding, noting that the cost would be approximately \$32,000 on a \$ for \$ basis, noting that the contribution falls short by \$6,000.

**7366 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council submit an application to the Department of Sport and Recreation under the Capital Assistance Program for funding to purchase blankets for the Gulargambone Pool, noting that the cost is approximately \$32,000 on a dollar for dollar basis and the shortfall of \$6,000 be funded from the Farming Reserve if no other sources are identified.

Councillor Canham requested that his name be recorded as voting against this resolution.

**PROVISION OF OVERTIME PAYMENTS TO COUNCIL**

Councillor Schieb requested a list of overtime paid by Council to employees. It was pointed out that an amount could be provided to Council monthly, but it would not be broken up into various functions, etc.

**A MOTION**

**PROPOSED** by Cr Schieb **SECONDED** by Cr Karanouh that a list of overtime paid in each pay period be submitted to Council at each monthly meeting, **WAS LOST.**

This concluded the business and the meeting closed at 6.25 p.m.

These Pages (Page 1/3941 – 43/3983) were confirmed on the ..... day of .....2008 and are a full and accurate record of proceedings of the ordinary meeting of Coonamble Shire Council held on 12 November 2008.

This is **Page 42/3982** of minutes of ordinary meeting of Coonamble Shire Council held on 12<sup>th</sup> November, 2008.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12<sup>th</sup>  
NOVEMBER, 2008 COMMENCING AT 9.17 A.M.**

**Page 43/3983**

MAYOR

MAYOR

GENERAL MANAGER