

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 9TH
APRIL, 2008 COMMENCING AT 9.05 A.M.**

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PRESENT: Cr Tim Horan, Mayor, in the Chair, with Crs. J Canham, T. Cullen, M.Callaghan, M. Webb, D.Taylor and B.Jackson.
Also present were the General Manager, Mr. Griffiths, Director of Corporate Services, Mr. Warren, the Director of Engineering, Mr Russell and Mrs.Moorhouse.

3.0 APOLOGIES

6780 RESOLVED on the motion of Crs. Callaghan and Canham that apologies for non attendance be accepted from Cr. J. Atkinson and Cr. D. Swansborough.

4.0 DELEGATIONS

It was noted that the Business Action Group would be represented at the meeting at 9.30 a.m.

5.0 DECLARATIONS OF INTEREST

Councillor Canham informed the meeting that should any matter concerning the Taxi Rank be raised at the meeting, he would be declaring a declaration of interest

6.0 CONFIRMATION OF THE MINUTES

6781 RESOLVED on the motion of Crs. Taylor and Canham that the minutes of the Ordinary Meeting of Coonamble Shire Council, held on 12 March 2008 be confirmed.

BUSINESS ARISING FROM THE MINUTES

(a) Cartage of Grain – Completion of Coonamble Line

Councillor Cullen asked if a response has been received to Council's letter to the Minister concerning having rail lines open in readiness for this year's harvest. The General Manager responded in the negative.

6782 RESOLVED on the motion of Crs. Cullen and Taylor that a further letter be forwarded to the Minister for Transport, John Watkins, seeking an urgent response to Council's enquiry about the rail system as it affects this year's grain harvest.

(b) Storage Shed – Coonamble Sportsground

Councillor Taylor said he had been approached by Mr. and Mrs Goldsmith, who represent the Coonamble Rugby Club and Coonamble Little Athletics, respectively in connection with the above.

He said that Mrs Goldsmith pointed out that the trolley purchased by Little

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Athletics would not fit in the area suggested for use by Council. Cr Taylor said he informed Mrs Goldsmith that Council's letter merely offered a "suggestion" and that arrangements should be made between sporting clubs regarding use of the shed. Cr. Taylor said he informed both Mr and Mrs Goldsmith that the resolution to relocate the shed would stand.

The General Manager referred to a comment from Cr Callaghan that all of the information relative to this matter had not been provided and asked her to clarify. Cr. Callaghan said that she was not aware of the existence of the trolley and wondered whether others knew – other Councillors and staff said they were aware.

6783 RESOLVED on the motion of Crs. Taylor and Webb that Council note the information contained in Mrs. Goldsmith's letter that the trolley was too large to use the area suggested by Council, i.e. in the building housing the canteen **AND FURTHER** that arrangements for the accommodation of equipment be left to the discretion of the individual Clubs.

**DEPUTATION CONCERNING 2HR PARKING RESTRICTIONS –
COONAMBLE CBD**

At this juncture, 9.18 a.m., Mr. Al Karanouh and Mr Noel Murray, were received to the meeting to discuss the 2 hour parking trial in the CBD area.

Mr. Karanouh presented a petition with approximately 600 signatures and said the imposition was completely unnecessary. He said that it is never hard to get a parking space and, in his opinion, the rumours circulating that people go on to other towns because of lack of parking space and/or shops closed over lunch, are untrue. Mr. Karanouh said his business has not been affected by the trial, however he requested that Council discontinue the trial immediately.

The Mayor thanked Mr Karanouh for presenting the petition and informed him that the trial will continue and Council will consider all submissions, both for and against, at the end of June, prior to making a decision on the future of the parking restrictions.

Mr. Noel Murray addressed Council informing it that the parking restrictions do affect business in the street. He said businesses continue to close and this is one restriction that is totally unnecessary. Mr Murray acknowledged that some people do the wrong thing by parking in front of other business premises, however he said that advice from the Office of Industrial Relations indicates that employers cannot tell employees where to park.

BUSINESS ACTION GROUP (BAG) – MR ALLAN DODD

At this juncture, 9.27 a.m., Mr. Allan Dodd, representing the Business Action Group, arrived at the meeting. He informed Council that at the last meeting of the Group a motion was passed to have the 2 hour parking restrictions lifted and not continue with the trial.

Mr Dodd acknowledged that the initial request for the parking restrictions to be imposed came from BAG, which has now done a complete turnaround. He thanked Council for taking action to have the trial put in place, then suggested that they be removed.

Council was advised that the Business Action Group format has changed – Mr Dodd said a full time Chairperson has been appointed, which gives people a contact point and hopefully a direction. Councillor Cullen requested that members of the Business Action Group support Council in its endeavours to promote Coonamble and the CBD. The Mayor said he was disappointed at the outcome of the parking issue – mainly because it has been a long standing “hot topic” and when Council stepped in to accord with BAG’s wishes it has become the target.

Upon thanking the delegation, the Mayor reminded them to be aware of the Guyra Experience this evening at 6.00 p.m. at the Coonamble Bowling Club. Messrs. Karanouh, Murray and Dodd left the meeting at 9.35 a.m.

7.0 RESOLUTION BOOK UPDATE

6784 RESOLVED on the motion of Crs Taylor and Webb that the Resolution Book Update be received and dealt with.

(a) Rural Addressing Program – Min No. 3944

The Director of Engineering informed the meeting that property owners have responded positively to Council’s invitation to comment concerning addresses allocated to individual properties. Mr Russell said the closing date for submissions has now closed and he will have a report to the May meeting.

The Director advised that Walgett Shire Council suggested that Coonamble not use the names Carinda Road, Pilliga Road or Come-by-Chance Road and have given reasons for the request. Mr. Russell said that Council will not change Carinda or Pilliga Road names, but it was proposed to change Come-by-Chance to Wingadee Road.

(b) Progress with Purchase of House – Gulargambone

The General Manager informed Council that the Contract has been signed and the deposit paid. Mr. Griffiths said he had been informed unofficially that the doctors presence has been cut back to one day/week and that the Service is not being patronized. The General Manager said he would pursue this matter and advise Councillors.

(c) December 2007 Flood – Min No 6676

The Director of Engineering advised Council that in regard to road grants, he has been unofficially informed that just under \$1.8m has been approved, however with regard to repairs to fencing and storm water drains, no information is yet to hand.

8.0 MAYOR'S ACTIVITY REPORT

The Mayor informed Council that he did not prepare a written report, as it had been a quiet month, however he gave a brief verbal report.

- (a) In company with the General Manager he attended a meeting with representatives of Central West Tourism
- (b) Together with the General Manager, he gave a radio interview which went well.
- (c) He suggested provision of incentives for early or immediate payment of rates and inclusion of combined water/rates account .

The Director of Corporate Services said that Council's present system will not support combined accounts. The General Manager informed Council he had had previous experience regarding incentives relating to payment of rates and that administration outweighed expected benefits..

6785 RESOLVED on the motion of Crs. Taylor and Webb that Council note the verbal report from the Mayor on his activities since last meeting be received and noted.

9.00 CORRESPONDENCE

6786 RESOLVED on the motion of Crs. Taylor and Canham that the Correspondence be received and dealt with.

9.1 HELEN DOWTON E300 (27435)

Giving notice of her intention to resign her position of RTA Administration Officer on 4 April, 2008 as she will be relocating to Toowoomba. Thanking Council for the opportunity to develop her administrative skills and gain invaluable experience over the past five years.

6787 RESOLVED on the motion of Crs. Webb and Callaghan the resignation be accepted and a letter of thanks be forwarded to Mrs. Dowton for her service in the RTA Agency Office.

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9.2 KRISTY HEANEY R8-6-3 (27421)

Saying she is the owner of Fusion Hair Studio at 34 Castlereagh Street and expressing concerns regarding the proposed two hour parking for herself and her clients. Saying also she trades one late night for working clientele and would not look forward to walking out to the car park in the dark.

6788 RESOLVED on the motion of Crs. Canham and Callaghan that Council note the comments and advise the writer they will be taken into account when Council is determining the issue of the two hour parking restrictions in June 2008.

9.4 ANDREWS.NEIL PTY LTD T4-2 (27420)

Advising they have been engaged by Warrumbungle Shire Council to prepare a comprehensive land use strategy and new Local Environmental Plan and that the project is funded by the Department of Planning under the Planning Reform Fund. Requesting Council's review of the Local Profile Report and Issues Paper and advice on matters of relevance and importance to Council to be dealt with in the Land Use Strategy. Stating it is also a request pursuant to section 62 of the Environmental Planning and Assessment Act for advice on matters to be considered in the draft Local Environmental Plan which will be prepared on the basis of the adopted Land Use Strategy.

6789 RESOLVED on the motion of Crs. Webb and Callaghan that staff examine the proposal and make comments on matters that may affect this Local Government Area.

9.5 COONAMBLE HIGH SCHOOL D7 (27406)

Advising that students involved in the Leadership Program at Coonamble High School will be traveling to Gallipoli to participate in the 2008 Anzac Day Dawn Service and the 2008 Australian Commemorative Service at Lone Pine. Saying the group is still looking for support and would appreciate anything that the community can do to assist, with the following suggestions :

- Sponsor one student representative council member for the Turkey leg of the journey \$550;
- Sponsor the purchase of a wreath and be included on the card \$100;
- Make any donation.

6790 RESOLVED on the motion of Crs. Jackson and Canham that Council agree to provide a wreath to be laid at the Coonamble War Memorial on Anzac Day and contribute \$100 to the Coonamble High School.

9.5 PRINCIPAL, ST BRIGID'S SCHOOL R4-2 + PR141 (27506)

Responding to Council's letter regarding water and sewer usage plus the unexpected account received. Advising no information was forwarded prior to the account arriving and the school does not have a water meter (acknowledged in the letter as a council oversight). Realizing "user pay" system is being put in place by the Government, but saying surely schools as a vital service now and for the future should be exempt. Stating that if the school is forced to pay, Council write-off past amounts and record only the amount for 2008. Regarding a decision for the size of the service, requesting that a representative from Council visit the school to discuss this matter and the location of a meter.

The General Manager informed Council that St Brigid's School has not been charged for water and sewer for the past three years due to the installation of a water meter being omitted. Mr. Griffiths said that in the three years leading up to the 2005/06 year the School paid a non-rateable sewerage charge of \$1,155/year, with no water charges being levied.

Council was advised that the water and sewer account referred to is for 2005/06, 2006/07 and six months of 2007/08 and was for a total of \$1,752.00. The General Manager pointed out that the annual charge for both water and sewerage is almost half that previously paid.

- 6791 RESOLVED** on the motion of Crs. Taylor and Callaghan that Council
- (1) Authorise the Director of Corporate Services to negotiate with the School for a lesser amount, viz \$700 for the two years and advise St Brigid's School that the first quarter account for this year is payable; and
 - (2) Inform the School that the previous charge was \$1,155/year and point out the significant reduction in annual fees that has resulted

The Director of Corporate Services informed Council that non-ratable properties, such as Schools, etc. are entitled to non-rateable status for general rates only, they are not exempt from "user charges".

**9.6 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW L9
(27515)**

Advising that the Executives have approved an application by Gosford City Council for assistance under the Legal Assistance Policy in its matter against Tauszik who was prosecuted for the removal of three large Norfolk Island pine trees from the front of his property. Advising he was convicted and fined \$25,000, ordered to replant two trees and pay council's costs in the matter.

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Further advising that Tauszik appealed and the Court of Criminal Appeal found that consent for the removal of the trees had to be obtained by way of the TPO, not the EP&A Act, therefore the removal of the trees was not an offence under the Gosford Planning Scheme Ordinance. Saying that a prosecution under the TPO had to commence within six months of the offence being committed and the Court found that council was now statute barred from bringing proceedings against Mr Tauszik.

Saying Gosford City Council has incurred costs of \$547,351 and this Council's proportion of the costs is \$2,166.10 (based on Coonamble's share of the Associations' total membership subscriptions). Forwarding a tax invoice for \$2,166.10.

6792 RESOLVED on the motion of Crs. Cullen and Taylor that Council decline to contribute towards the legal costs of Gosford City Council on this occasion.

**9.7 SUPERINTENDENT ANTHONY PLACE, NSW RURAL FIRE SERVICE
B13 (27542)**

Advising that he is the Fire Control Officer for this district and enclosing a new Council delegation in connection with his appointment. Requesting that Council confirm this at its meeting and return the Delegation to him for inclusion in the Service Level Agreement.

6793 RESOLVED on the motion of Crs. Taylor and Webb that the General Manager, pursuant to Section 378 (1) of the Local Government Act 1993 (NSW) delegate to the Fire Control Officer, Superintendent Anthony Place, power and authority, subject to compliance with any policy, regulation or resolution of Council, or directive of an authorised officer of Council:

- a) To carry on the regular fire protection services and operations of Council, limited to any single expenditure amount being no greater than \$10,000 and within the sums voted by the Council for expenditure within the positions area of responsibility, and
- b) To act as an authorised person within the meaning of the Local Government Act 1993, and
- c) To organize the repair/maintenance of Council plant and machinery provided for bushfire related purposes, and
- d) To authorise the carrying out of works on a contract basis for other business, individuals or government instrumentalities in accordance with Council's guidelines and fee schedules for such work, and
- e) To enter upon any land in accordance with the powers granted under any Act administered by Council, for the purpose of carrying out duties on Council's behalf; and that such delegation take effect from 25 February 2008 until 30 June 2010.

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9.8 CARMEL HURST H2-2 (27538)

Writing as a concerned resident of Gulargambone in connection with the careless disposal of “party packs” which usually contain a needle and alcohol wipes. Stating that these packs are obtainable from the Gulargambone Multi Purpose Centre. Making the point that the general public should be safe from the used needles and saying that used needles and party packs are found all over town even in places where children play.

The General Manager informed Council that the issuing of “party packs” does not fall under the control of Council however, safety of persons at the pool is its responsibility.

6794 RESOLVED on the motion of Crs. Canham and Taylor that Council refer the issue to Greater Western Area Health Service for more diligent issuing of “party packs” in the towns of Coonamble and Gulargambone.

**9.9 COONAMBLE ENVIRONMENTAL GROUP INC C6-12
(27553)**

Advising that work was completed on the 3 kilometre corridor fence line on the Baradine Road in 2002 with funding from Greening Australia. Stating that following the 2007 flood damage to part of the fence line the Group was advised that the fence could be lifted and repaired. Advising that in January Council’s fencing contractor bulldozed damaged fencing into piles without contacting the Environment Group. Saying the small amount of funds held by the Group will be used to repair the corridors on the Tooraweenah Road fence line which can be lifted and repaired. Asking Council to replace the fencing bulldozed by the Shire contractor on the Baradine Road saying that the fencing will protect the small already established trees.

The General Manager informed the meeting that investigation into the claims has revealed that 1.34 kilometres of fencing was washed into a tangled mess with Council’s exterior Common fence (now replaced) and this would not have been capable of being “pulled up”. Mr. Griffiths said that seventy (70) metres of fencing adjacent to the Common is still intact, as is a further 1.51 kilometres adjacent to RLPB land.

The meeting noted that contact was made with the contractor named in the letter who said he did not inspect the fence closely and said, in passing, that it “may be able to be pulled up”.

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6795 RESOLVED on the motion of Crs. Taylor and Webb that Council advise the Coonamble Environment Group Inc that it will attempt to include its fencing in a grant application under the Natural Disaster Declaration however it will not accept responsibility for the fencing should that application not be successful as information gathered suggests the fence could not be lifted.

9.10 UNIONS NSW E3 (27546)

Advising that the union movement in NSW has a long expressed opposition to the privatization of NSW electricity assets which is supported by a number of community groups, economists, academics and environmental groups. Calling on Council to pass a similar resolution to the one passed by Bega Valley Shire Council.

Councillors noted that a copy of the media release by Bega Valley Shire Council was attached to the business paper.

6796 RESOLVED on the motion of Crs. Cullen and Canham that Council support Unions NSW in expressing opposition to the privatization of NSW electricity assets.

Section B – Matters for Information:

9.11 DEPARTMENT OF PLANNING E5-2 (27442)

Advising that some Departmental regional boundaries and team names have changed and the Department has clarified the responsibilities of its regional teams. Stating that Coonamble Shire is located within the Western Region area led by Lindsay Usher and it should be noted all Departmental regional offices remain open and there will be no dilution of the existing level of service to councils by the Department.

9.12 GRAFFITI HURTS AUSTRALIA V1 (27432)

Advising that Graffiti Hurts Australia aims to provide and support local governments across the nation with resources and programs to engage the community in reducing the amount of graffiti prevalent within shire areas. Stating that a number of local councils across Australia have shown their support for the organization by becoming Local Government Supporters at a fee of \$2,500 per year.

The General Manager suggested that Council take no action in this matter.

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9.13 KEVIN HUMPHRIES MP L9-1 (27423)

Forwarding letter from the office of The Hon Paul Lynch, MP, in response to representations made on behalf of Council regarding proposed changes to planning laws. Stating the matter will be brought to the attention of the Minister shortly and a response forwarded.

9.14 COONAMBLE HEADQUARTERS RURAL FIRE BRIGADE L3 (27400)

On behalf of the Brigade thanking Council for its support of the brigade, without which it would not have completed the training and meeting room facilities.

9.15 MELBOURNE – BRISBANE INLAND RAIL ALLIANCE (MBIRA) R2 (27394)

Providing an update on MBIRA activities and advising that with the recent change in Federal Government the Alliance has needed to take stock and assess the make up of the new Government before deciding on a new course of action. Advising that the secretariat has written to the Minister to seek clarification on the attitude of the Government towards the project and probable timelines and is trying to set up a meeting with the newly formed Infrastructure Australia. Saying the MBIRA is committed to keeping members updated on progress and welcomes feedback and assistance.

9.16 MARK COULTON MP F5-2 (27488)

Thanking Council for its letter regarding the continuation of the Commonwealth Flood Mitigation Program. Stating he understands Council's concerns over the possible cessation of the program and saying he has made direct representations to the Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Anthony Albanese, seeking clarification as to whether the program will continue.

9.17 CASTLEREAGH LOCAL AREA COMMAND P5 (27508)

Forwarding a copy of the minutes of the Police Accountability Community Team (PACT) meeting held on 17 March 2008 and reminding Council that the next meeting will be held on Monday 16 June 2008 in the meeting room at Walgett Police Station commencing 11 a.m.

9.18 OUTBACK ARTS A11 (27521)

Enclosing copy of minutes of the Outback Arts Board meeting held via teleconference on 6 February 2008.

9.19 PATRICIA WATERFORD, DUBBO H5 (27536)

Congratulating Council on the magnificent display of the Crucifixion over the main street on Good Friday. Saying she was traveling with family and friends from Sydney to Lightning Ridge and was most impressed with the display – a reminder of what Easter is about.

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The General Manager informed Council that a copy of Mrs Waterford's letter has already been forwarded to Mr. Ellis Ryan, who arranges the display on behalf of the Coonamble Easter Committee each year.

9.20 NSW ELECTORAL COMMISSION E2 (27437)

Referring to his offer of 12 October 2007 for Council to share a Returning Officer and an office infrastructure and to share those costs with another council or councils in a 'region'. Stating that other councils were not prepared to make a commitment to the regional concept without the benefit of comparative costings as opposed to the cost of a "stand alone" election. Advising that he will be sending cost estimates to all councils based on whether they are "stand alone" councils or part of a region.

**9.21 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW L9
(27547)**

Inviting expressions of interest from councils to host the 2009 LGSA Tourism Conference, with the closing date of 28 April, 2008. Stating that Councils interested in hosting the 5th local government tourism conference would need to address criteria in the Host Requirements document and advising that past conferences have been held in Forbes, Penrith, Griffith and Northern Rivers. Pointing out that the conference is to alternate between metropolitan, regional and coastal locations.

9.22 BIAMI PTY LTD A2 (27544)

Introducing themselves as an organization with a strong Aboriginal component existing to propel the emerging alliance between Australia's Indigenous people and corporate Australia in their mutual quest to utilize business opportunities, including the natural resources of the nation, work together in harmony and care for the land and environment. Listing projects they can assist with and inviting Council to contact them at any time.

9.23 MINISTRY OF TRANSPORT A5

Writing in relation to the Ministry of Transport's call for licence applications for the Coonamble – Sydney regulated route licence to commence when the current licence expires on 29 March 2008. Advising that Air Link has been selected as the operator of the new licence, which will commence on 30 March 2008 and expire on 29 March 2013. Acknowledging Council's input to the licensing process and advising it has been incorporated into the assessment process.

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9.24 NSW GOVERNMENT DEPARTMENT OF PLANNING B11 (27470)

Enclosing copies of two important documents released by the Minister for Planning:

- The Local Government Performance Monitoring Report 2006/07;and
- Independent Report on Submissions from the Public Exhibition of the Discussion Paper.

Thanking council for its participation in the debate on planning reforms and looking forward to this Council's comments on the Exposure Bill at the appropriate time.

The General Manager informed the meeting that these documents will be made available for perusal by interested Councillors upon request.

**9.25 LOWER MACQUARIE COMMUNITY & FARMERS GROUP INC E5
(27503)**

Bringing Council up to speed on recent happenings affecting the lower Macquarie River System, including the Macquarie Marshes.

The General Manager advised that because this is a very lengthy letter a copy had been attached to each Councillors' business paper for perusal in full.

9.26 GILGANDRA SHIRE COUNCIL G2-1 (27523)

Inviting the Mayor and General Manager to the Official Opening of the Gilgandra Dental Surgery and Medical Accommodation on Tuesday 15 April 2008 – 11.30 a.m. – Gilgandra MPS. Advising the facility will be officially opened by Sen Michael Forshaw (Senator for NSW), the Hon Christine Robertson MLC and Cr Doug Lummis (Mayor of Gilgandra Shire Council). Closing date for replies 11 April, 2008.

Council noted that the General Manager would not be available to attend the official opening, however Mr. Griffiths suggested that an elected member be nominated to represent Council.

6797 RESOLVED on the motion of Crs. Taylor and Webb that the information contained in Item Nos. 9.11 to 9.26 inclusive be received and noted.

URGENT BUSINESS - CORRESPONDENCE

6798 RESOLVED on the motion of Crs. Webb and Taylor that the following items be classified "urgent business" and dealt with:

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9.27 COONAMBLE STREETS AHEAD COMMITTEE D5-2 (27566)

Advising that after recently conducting the AGM the Committee has been unable to fill positions of Chairperson and Vice Chairperson. Suggesting that over recent years involvement of Council representatives has been lacking, particularly with attendance at monthly committee meetings and input into projects/activities.

Saying that each year the Committee receives \$4,500 in funds from Council which it puts towards a number of substantial and long term community projects and it is vital to have Council representation. Asking Council to nominate a representative to attend and participate in the Committee and help promote the vital role the Committee plays in community projects.

The General Manager informed the meeting that Council's representatives on the Streets Ahead Committee are Councillors Callaghan and Atkinson.

Councillor Callaghan said the unfortunately it was difficult to always attend meetings, although she and Cr. Atkinson spoke regularly with members and kept abreast of business and projects.

6799 RESOLVED on the motion of Crs Webb and Callaghan that Council advise the Streets Ahead Committee that Council representatives are not "working members" of the Committee, but purely there in an advisory capacity and that should the positions on the Committee not be filled at the re-called AGM, the Committee should be disbanded.

9.28 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW D5-22 (27563)

Advising that at the Associations' Leaders' Forum on Planning held in January 2008, it was resolved to hire a communications consultant to continue and expand the public campaign against some of the State Government's proposed changes to the planning system, particularly the revised development contributions framework. Attaching an invoice in the amount of \$652.97, which is Council's suggested contribution calculated on member subscriptions.

The General Manager informed the meeting that at the Leaders' Forum attended by Deputy Mayor Webb and himself, those delegates voted in favour of a motion to seek funding for this matter.

6800 RESOLVED on the motion of Crs. Canham and Webb that Council agree to contribute the amount of \$652.97 to the LGSA Campaign against the State Government's proposed changes to the planning system.

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9.29 PHILIP FORGIONE E1930 (27557)

Tendering his resignation from Council's service, effective from 14 April 2008. Advising that he and his family have relocated to Queensland. Thanking Council for the opportunities and support he was given throughout his employment.

The General Manager advised Council that Mr. Forgione commenced work with Council on 30 November, 1983.

6801 RESOLVED on the motion of Crs. Canham and Webb that Mr Forgione's resignation be accepted, Council thank him for his service and wish him and his family all the best for the future.

9.30 DEPARTMENT OF LOCAL GOVERNMENT I5 + I10-1 (27574)

Advising that the Review of NSW Local Government Investments report has been issued. Stating the Review investigated the impact on councils that invested in structured financial products. Saying the NSW Government has adopted all the recommendations from the report, which include:

- Amendments to the Ministerial Investment Order;
- Grandfathering existing investments that are excluded by the proposed changes to the Ministerial Investment Order;
- Excluding the manufacturers and distributors of investment products from acting as investment advisors to councils;
- Suspending investments with specific credit ratings until December 2009;
- Ensuring councils are more fully aware of their obligations under the Local Government Act 1993 and the NSW Trustee Act 1925; and
- Issuing investment policy guidelines for councils.

The General Manager informed Councillors that a copy of the report can be accessed from the Department of Local Government's website at: www.dlg.nsw.gov.au.

6802 RESOLVED on the motion of Crs. Taylor and Webb that Council instruct the Director of Corporate Services (through the General Manager) to ensure the new guidelines for investments are complied with.

9.31 COONAMBLE CWA G2-1 (27564)

Inviting the Mayor, Councillors and Staff to the CWA Hall on Friday, 2 May 2008 at 9 a.m. to hear Anne Williams speak on *WHAT IS CARBON FARMING?* Advising it will be a 30 minute lecture, followed by 30 minute question time and morning tea will be served. Gold coin entry.

6803 RESOLVED on the motion of Crs Webb and Cullen that the information be noted.

9.32 DEPARTMENT OF LOCAL GOVERNMENT C13 (27586)

Advising that '*Becoming a Councillor*' publication is now available on the Department of Local Government's website under DLG Publications. Encouraging councils to promote the publication to their communities and make copies available to members of the public interested in standing for election.

The General Manager informed Council that a copy of the publication was downloaded from the Department's website and extra copies printed. Mr Griffiths said should any councillor wish to peruse the publication it will be made available. He pointed out that its availability will also be publicised in the local press and handed out upon request.

6804 RESOLVED on the motion of Crs. Webb and Callaghan that Council confirm the actions of the General Manager in making copies of the document '*Becoming a Councillor*' available.

9.33 DEPARTMENT OF LOCAL GOVERNMENT E2 (27583)

Advising that the report on findings from the 2004 Local Government Elections results Survey has been completed and the report is available from the Department's website at www.dlg.nsw.gov.au under DLG Publications. Thanking councils for responding to the survey.

The General Manager provided a copy of this report at the meeting.

6805 RESOLVED on the motion of Crs Webb and Taylor that the information be noted.

9.34 ELECTORAL COMMISSION, NSW L9 (27580)

Attaching notice and nomination forms relating to the 2008 election of the Executive Members and Office Bearers of the Shires Association of NSW and requesting that the election be drawn to Council's attention.

6806 RESOLVED on the motion of Crs. Taylor and Webb information be noted.

9.35 CENTRAL WEST CATCHMENT MANAGEMENT AUTHORITY

Inviting representatives to attend a luncheon seminar on Friday 18 April – 11.45 a.m. – The Cactus Café, Wellington. Advising that the aim of the function is to inform and discuss how councils can effectively use the current planning reform process to improve natural resource outcomes across LGAs and the catchment.

6807 RESOLVED on the motion of Crs. Taylor and Webb that Council not be represented at the luncheon seminar on Friday 18 April, 2008 at Wellington.

10.0 REPORT BY GENERAL MANAGER

6808 RESOLVED on the motion of Crs. that the report submitted by the General Manager be received and dealt with.

10.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

RESOLVED on the motion of Crs. Taylor and Callaghan that Development Application No. 006/2008, 007/2008 and 011/2008, together with Complying Development Application Nos. 004/2008 and -008/2008, as detailed in the report, be noted.

10.2 DRIVEWAY ENTRANCES – URBAN AREAS

The General Manager informed Council that this issue has arisen as a result of a complaint received from a resident regarding payment for a driveway. Mr. Griffiths stated that no policy exists in the written form however, it has been the practice for many years to require payment for a driveway in an existing kerb and gutter when a rear lane access is available. However, he stated there has been one instance where that informal policy has not been adhered to, but it appears this may have been attributable to misinformation.

Council acknowledged that many examples of residences without driveways can be found within Coonamble and it seems that when kerb and guttering was laid, laybacks were offered and declined. Mr. Griffiths informed Council that legislation covers contributions from landowners for kerb and guttering in addition to footpaths however, it appears silent on laybacks.

6809 RESOLVED on the motion of Crs. Taylor and Webb that Council adopt a policy and place on public exhibition for a period of twenty eight days, as follows:

- (1) Payment for laybacks is required in all instances where alternative access (such as laneways) is available;
- (2) Council provide, at no charge, layback access to all residential properties where no existing alternative is available.

10.3 RECOGNITION OF LONG SERVING STAFF

The General Manager reminded Council that at the March meeting it resolved to review its policy on recognition of long serving staff members. Mr. Griffiths stated that again the current policy is unwritten, however practice is that for 30 years' service a watch is presented at retirement and the employee is invited to attend luncheon with councillors on a meeting day following the 30 year anniversary. The General Manager informed the meeting that enquiries were made of three adjoining Councils however, no formal policies had been adopted.

6810 RESOLVED on the motion of Crs. Cullen and Webb that Council place on public exhibition for a period of twenty eight days the following policy in recognition of long standing staff:

- “For 15 years' continuous service
Certificate of Appreciation (upon resignation/ retirement)
- For 20 years' continuous service
Luncheon with Council (upon resignation/ retirement)
- For 25 years' continuous service
Gift to the value of \$200 (upon resignation/ retirement)
- For 30 years' continuous service
Gift to the value of \$400 (upon resignation/ retirement)
- 30 plus years continuous service
Gift to the value of \$500 (upon resignation/ retirement)”.

10.4 LOCAL GOVERNMENT ELECTIONS – PROSPECTIVE COUNCILLORS

The General Manager reminded Councillors that local government elections will be held on September 13, 2008 and it is imperative for the long term future and viability of this Council to ensure the best candidates are attracted to serve as councillors.

Mr Griffiths informed the meeting that the LGSA have advised that a power-point presentation is being finalized which will allow facilitators to address the main issues relating to standing for Council and the associated responsibilities of becoming a councillor. He also referred to the publication “*Becoming a Councillor*” which is now available (referred to in Urgent Business – Correspondence) and will be available, upon request, to interested persons.

The General Manager said he was of the view that Senior Staff can adequately present the power-point presentation to prospective candidates.

6811 RESOLVED on the motion of Crs. Taylor and Callaghan that Council instruct the General Manager to arrange a pre-election power-point presentation for prospective councillors on Wednesday 25 June 2008 at 7 p.m. in the McCullough Hall, that advertising be carried out in the local press and through the radio and that interested persons be invited to attend Council Meetings as observers.

11.0 REPORT BY DIRECTOR OF CORPORATE SERVICES

6812 RESOLVED on the motion of Crs Taylor and Webb that the report by the Director of Corporate Services be received and dealt with.

11.1 RATE COLLECTIONS

6813 RESOLVED on the motion of Crs. Taylor and Webb that the Total Combined Rate Collections to 31st March 2008 be noted.

11.2 LIST OF INVESTMENTS

6814 RESOLVED on the motion of Crs. Taylor and Webb that that the Investments held at 31st March 2008 be noted.

11.3 STATEMENT OF RESERVES

6815 RESOLVED on the motion of Crs. Taylor and Webb that Council note the Reserves held at 31st March 2008.

The Director of Corporate Services informed the meeting that movements within the Reserves will be obvious next month, following the quarterly review.

URGENT BUSINESS – REPORT BY GENERAL MANAGER TO CLOSED SESSION

6816 RESOLVED on the motion of Crs. Taylor and Webb that this item be classified 'Urgent Business' and dealt with.

CLOSED SESSION

6817 RESOLVED on the motion of Crs. Taylor and Webb that Council resolve into Closed Session in accordance with Section 10(2) (g) "*advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*" of the Local Government Act 1993 .

6818 RESOLVED on the motion of Crs. Taylor and Webb that the press and public be excluded from the meeting.

RESUME OPEN MEETING

6819 RESOLVED on the motion of Crs. Webb and Taylor that Council resume Open Council.

This is **Page 18/3715** of minutes of ordinary meeting of Coonamble Shire Council held on 9TH April 2008.

RECOMMENDATION FROM CLOSED SESSION

6820 RESOLVED on the motion of Crs. Webb and Taylor that Council adopt the recommendation from Closed Session, as follows:

1. LEASE OF PORTION OF LANE – DISPUTE WITH BUCKLEY

THE COMMITTEE RECOMMENDS that Council write to Mr Buckley in terms outlined in the letter from David Ryan of Waterford Ryan, advising that the lease signed by himself and Council in September 2007 has been terminated.

At this juncture, 10.45 a.m. Council adjourned for morning tea and resumed at 11.05 a.m. The General Manager was not present upon resumption of the meeting as he travelled to Nyngan to present Council's submission to the Ministerial Working Party Inquiry into Policing in the western area of New South Wales.

12.0 REPORT FROM DIRECTOR OF ENGINEERING

6821 RESOLVED on the motion of Crs. Taylor and Webb that the report by the Director of Engineering be received and dealt with.

12.1 ALCOHOL FREE ZONES

The Director of Engineering informed Council that its "Alcohol Free" Zones were due to expire on 30 June 2008 and if Council wishes to renew the zones, Mr. Russell advised the process to be followed in accordance with Section 644 of the Local Government Act 1993.

6822 RESOLVED on the motion of Crs. Taylor and Webb that Council renew the existing alcohol free zones over all public land within the town limits of Coonamble, Gulargambone and Quambone (including roads, footpaths, car parks, playgrounds and sporting fields) **AND FURTHER** that the alcohol free zones commence from 1 July 2008 and remain in force for a period of three years on a twenty four hour basis.

12.2 WORKS PROGRAM UPDATE

The Director of Engineering informed Council that demolition of the Showground Grandstand was completed over the weekend 5/6 April. Mr. Russell said McDonald Park Toilets are nearing completion and are expected to be completed toward the end of April, with work then to commence on Smith Park Toilets. He said the Trial Water Treatment Plant is nearly ready to operate and it is hoped that some indication of the likelihood of its success before the next Council meeting.

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Council noted that bridge works are progressing well and the Director of Engineering provided the following update:

- Teridgerie Bridge (Baradine Rd) structurally complete with approach roadworks commenced.
- Frasers Bridge (Shire Road 3) is also structurally complete awaiting approach roadworks.
- Wambelong Bridge (Shire Road 6) - contractor has experienced difficulties with the piling and is currently looking at alternative piling rigs with further progress expected within the next week
- Gulargambone Bridge demolition has commenced, with piling works expected to start within the next two weeks - precasting of components is continuing.

6823 RESOLVED on the motion of Crs. Taylor and Webb that the Works Program update provided by the Director of Engineering be noted.

At this juncture, Councillor Jackson presented a letter to Council from Cr. Dennis Todd, Warrumbungle Shire Council, suggesting a name for the recently completed bridge over Teridgerie Creek. He put forward the name of Lucy Morrissey who was postmistress at Teridgerie for many years and felt that Lucy Morrissey Bridge would be an appropriate name. Cr. Todd, in his letter, congratulated Council on completing the bridge.

Council agreed that Cr Todd's letter be registered in Council's system and included on the agenda for the May meeting.

15.0 REPORT BY SALEYARDS MANAGER

6824 RESOLVED on the motion of Crs Taylor and Canham that the report by the Saleyards Manager for the month of March 2008 be received and noted.

16.0 REPORT BY CONTRACT RANGER

6825 RESOLVED on the motion of Crs. Taylor and Callaghan that the report submitted by the Contract Ranger for the month of March 2008, be received and noted.

At this juncture, Ms Amanda Glasson was at the meeting to present the Economic Development Managers' report to Council.

13.0 REPORT BY ECONOMIC DEVELOPMENT MANAGERS

6826 RESOLVED on the motion of Crs. Canham and Taylor that the report be the Economic Development Managers be received and dealt with.

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(a) Nickname Hall of Fame

The EDM informed the meeting that funds are available for another five caricatures. She enquired if Council would agree to two being placed on the Shire Administration building.

6827 RESOLVED on the motion of Crs. Taylor and Webb that Council agree to two caricatures being placed on the northern end of the Council Administration building, on the front wall of the office currently occupied by the EDMs.

(b) Water Sharing Agreement

The EDM advised that the review of the water sharing agreement is now scheduled to be available mid-May and this will provide information on if and how water can be traded.

(c) Aquaculture Project

Council was advised that this project is being held up at the moment until the position of Indigenous funding is clarified by the new Government. Until this information is available, no further progress will be achieved.

(d) Letter of Support – Regional Skills Migration Visa

Ms Glasson informed Council that a letter was supplied to Mr and Mrs Kavanouh in support of their application under the Regional Skills Migration Visa project to get a Chef to work at the Global Village Restaurant. Council was advised that the application was successful.

(e) Bore Baths Team Meeting

The EDMs met with the proponent, the Tourism Development Manager, the Health and Building Officer and the Director of Engineering recently and three sites were selected. Further investigation will be carried out on this proposal.

(f) Coonamble Hospital – Heritage Issues

6828 RESOLVED on the motion of Crs. Taylor and Webb that Council seek written confirmation from the Government Architect that the Chapel at the Coonamble Hospital and the Palm Trees in the front of the building will be retained.

(g) Coonamble Abattoir Project – Investment Opportunity Analysis

6829 RESOLVED on the motion of Crs. Taylor and Cullen that the subject Analysis be adopted by Council and be available to interested persons upon request.

13.1 BUSINESS ACTION GROUP MEETING

6830 RESOLVED on the motion of Crs. Taylor and Webb that the minutes of the Business Action Group meeting held on 13 March, 2008 be received and noted.

CCTV COMMITTEE

6831 RESOLVED on the motion of Crs. Horan and Taylor that Council invite a representative from the Business Action Group to sit on the CCTV Committee **AND FURTHER** that Council advise the Committee the cameras are operational 24hrs/7days per week and if members are interested they can view the system in operation at any time.

SECTION 355 COMMITTEES OF COUNCIL

It was reported that the Business Action Group is under the impression that it is a section 355 Committee of Council. The Director of Corporate Services informed the meeting that this is not the case, as the Streets Ahead cannot delegate Council functions to sub-committees and include them as section 355 committees.

Council noted that a Committee must first seek Council's approval to become a section 355 Committee of Council – the Director of Corporate Services pointed out that they are appointed, they are delegated a function from Council and any assets obtained are Council property.

The meeting requested that the General Manager clarify this issue with the Business Action Group, advising that it is not a Section 355 Committee of Council.

13.2 COONAMBLE SHIRE HERITAGE ADVISORY COMMITTEE MEETING

6832 RESOLVED on the motion of Crs. Taylor and Webb that the minutes of the Heritage Advisory Committee meeting held on 25 March, 2008 be received and noted.

13.3 COONAMBLE EMPLOYMENT CIRCLE MEETING

6833 RESOLVED on the motion of Crs. Webb and Canham that the minutes of the Coonamble Employment Circle meeting held on 1 April, 2008 be received and noted.

13.4 COONAMBLE NICKNAME HALL OF FAME MEETING

6834 RESOLVED on the motion of Crs. Taylor and Callaghan that the minutes of the Coonamble Nickname Hall of Fame Team meeting held on 27 March 2008 be received and noted.

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At this juncture, the Economic Development Manager, Ms. Glasson, left the meeting. The Tourism Development Manager was in attendance to present his report.

14.0 REPORT BY TOURISM DEVELOPMENT MANAGER

6835 RESOLVED on the motion of Crs. Webb and Callaghan that the report by the Tourism Development Manager be received and dealt with.

(a) Central NSW Tourism Board

The Tourism Development Manager reported that following the Board members' visit, there is renewed interest in reviving a local Tourism Committee and the inaugural meeting is scheduled for next week.

(b) The Guyra Experience

The TDM informed Council that the twoeighttwoeight meeting has been cancelled to enable members to attend the subject forum at the Bowling Club commencing 6 p.m. on 9th April. Council noted that the Mayor and General Manager from Guyra would be in attendance.

(c) COONAMBLE STREETS AHEAD COMMITTEE – RECALLED AGM

Council noted that due to lack of numbers and the inability to elect Executive another attempt will be made by the Committee to re-call the Annual General Meeting. Mr. Baldwin said he is not sure of the date, but would advise the Mayor who wishes to attend along with Council's two delegates.

(d) Heritage Day – 5 April 2008

The TDM advised Council that the Heritage Day held on Saturday 5 April 2008 was very successful. Mr Baldwin reported that each venue had approximately 120 visitors, some were visitors from away and former residents returned. It was reported that the money raised at the Museum will go towards next year's promotion of the Day.

14.1 COONAMBLE STREETS AHEAD COMMITTEE – TREASURER'S REPORT

6836 RESOLVED on the motion of Crs. Taylor and Webb that the Coonamble Streets Ahead Committee Treasurer's Report and Balance Sheet be noted.

At this juncture 11.42 a.m., Mr. Baldwin left the meeting.

DRAFT MANAGEMENT PLAN

At this juncture, the draft management plan, which included the budget for 2008/2009 was discussed.

Council noted that the rate pegging limit announced after the budget was prepared, is 3.2% and that Council's budget was calculated at a percentage of 3.5% - this will leave \$10,600 to be made up to maintain a balanced budget. The Director of Corporate Services indicated a submission to this effect would be brought to the next Council meeting.

Councillors were reminded that there would be a public meeting on Wednesday, 23 April, 2008 at 7.00 p.m. to present the draft Management Plan for 2008 – 2011 to the public and that the document needs to be on public exhibition for a twenty-eight day period.

It was noted that fees and charges were increased by 3.5% across the board, with a few exceptions having a 5% increase.

The Director of Corporate Services and the Director of Engineering answered questions from Councillors concerning the draft Management Plan. Mr. Warren invited Councillors to contact him by phone or call at the Office to discuss any aspects of the draft document with him at any time.

6837 RESOLVED on the motion of Crs. Webb and Canham that Council adopt a 3.2% increase in accordance with Rate Pegging Legislation and that this submission be made draft Management Plan, and it be placed on public exhibition for a minimum period of 28 days from 10 April to 8 May 2008, with submissions from the public closing at c.o.b. 14 May 2008.

CLOSED SESSION

6838 RESOLVED on the motion of Crs. Webb and Canham that Council resolve into Closed Session in accordance with Section 10A 2(a) "*personnel matters concerning particular individuals (other than councillors*" of the Local Government act 1993.

6839 RESOLVED on the motion of Crs Webb and Canham that the press and public be excluded from the meeting.

RESUME OPEN MEETING

6840 RESOLVED on the motion of Crs. Taylor and Webb that Council resume Open Meeting.

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ADOPTION OF RECOMMENDATION OF CLOSED SESSION

6841 RESOLVED on the motion of Crs. Webb and Taylor that Council adopt the recommendation of Closed Session, as follows:

EXTENSION OF GENERAL MANAGER'S CONTRACT

THE COMMITTEE RECOMMENDS that the General Manager be offered an incentive to remain in the position for a further 12 months at the expiration of his current Contract which expires in June 2009, and that the Mayor be authorised to negotiate this "one-off" incentive with the General Manager.

GENERAL BUSINESS

Councillor Callaghan

- Showground – to be ready for the Show on 29 & 30 April, 2008
- Broome Park – overgrown with weeds
- Lions Park – watering system broken.

Councillor Canham

- Old Cemetery – Arboretum – plant more trees to replace dead ones.
- Rubbish receptacle – replace bin in front of Harris' shop in Castlereagh Street.

Director of Corporate Services - Rick Warren

- Draft Management Plan – advising councillors to contact him if they have any questions regarding the draft management plan.

Councillor Jackson

- Castlereagh Street CBD Footpath – seating is often stored, albeit neatly, on the footpath – asked that this practice be checked for legal reasons.

This concluded the business and the meeting closed at 12.30 p.m.

These Pages (Page 1/3698 – 25/3722) were confirmed on the day of2008 and are a full and accurate record of proceedings of the ordinary meeting of Coonamble Shire Council held on 9 April 2008.

MAYOR

MAYOR

GENERAL MANAGER

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