

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 11TH
NOVEMBER, 2009, COMMENCING AT 9.16 A.M.**

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

2.0 ACKNOWLEDGE ORIGINAL OWNERS OF THE LAND

Prior to beginning the meeting, the Deputy Mayor acknowledged the original owners of the land, both past and present.

4.0 APOLOGY

The Mayor, Cr. Horan, submitted an apology for non-attendance.

8107 RESOLVED on the motion of Crs Canham and O'Brien that the apology submitted by Mayor Horan be accepted

5.0 DELEGATIONS

- (a) **Coonamble Common Culture & Environmental Heritage Group**
- (b) **Remembrance Day Service**

6.0 DECLARATIONS OF INTEREST

The following Declarations of Interest was declared for today's meeting.
Cr Barbara O'Brien Item 10.9 – International Women's Day activities in Gulargambone.

7.0 CONFIRMATION OF THE MINUTES

8108 RESOLVED on the motion of Crs. Karanouh and Canham that the minutes of the Ordinary Meeting of Coonamble Shire Council held 14 October 2009 be confirmed.

BUSINESS ARISING FROM MINUTES

(a) Fence between Council & Commercial Hotel

The General Manager said that the old 'wash house' which formed part of the fence has been removed. This action was approved by Council's heritage adviser.

(b) Overgrown & Unsightly Blocks in Urban Areas (Min.8044)

The General Manager reported that 12 Orders have been issued in the three urban areas in the past three weeks. He said four more are being prepared for Quambone.

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(c) Grant Submissions (Item 10.23)

Councillors were advised that applications for funding under *Building the Country Package* were not successful. The General Manager said that Council advised it did not wish to submit an application under the *Infrastructure Support Program*.

(d) Rotary Club of Coonamble – Proposed Project

In response to a question from Cr. Schieb, the General Manager advised that the Rotary Club of Coonamble has not yet submitted an application for its proposed project.

(e) Industrial Estate – Submission for Funding

Council was advised that its application under the Local Infrastructure Support Fund has reached the second round. Further information has been sought – Council has completed its section and has forwarded details to proponents who are in the process of providing the required information.

(f) MPREC – Meeting at Gulargambone (Item 10.32)

Cr. O'Brien enquired about the meeting held in Gulargambone on 15 October. The General Manager said that of the 23 eligible persons, only seven attended. He said it is imminent that the CDEP will cease within two years – MPREC is endeavouring to get people into other forms of activities/employment, e.g. fencing, cultural activities, woodwork and the like. Cr. O'Brien said the CDEP is currently carrying out community work in Gulargambone.

(g) LGSA – Weed Management (Item 10.27)

Cr. Schieb referred to this matter and asked whether Council has had further information. The General Manager said that Council has delegated authority to the Castlereagh-Macquarie County Council to control noxious weeds within its area.

(h) Error – Minute No.8083

Cr. Webb referred to a typographical error in this resolution and requested that it be noted “plant” should read “place”.

(i) Heavy Vehicle Inspection Station (Min 8072)

Cr. Schieb referred to this matter – the General Manager said that the information requested was emailed to Councillors immediately following the October meeting. Mr.Griffiths said a letter has also be written to the RTA putting pressure on it to provide a HVIS in Coonamble – he said no response has yet been received.

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(j) ARTC – New Working Method for Trains through Gulargambone (Min No. 8074)

Councillor Schieb asked whether the signage has been provided, as directed in this resolution - he was advised by the General Manager that this has been carried out.

(k) Cancer Council of NSW – Orange (Min.8077)

In response to a question, Cr. Schieb was advised that local providers have submitted a project in four stages for funding under the Healthy Communities Grant Scheme for the \$20,000 grant. The General Manager stated that OROC has also submitted an obesity awareness program application for the whole Orana Region.

(l) Showground Pavilion (Item 11.4)

The meeting was advised that prices have been sought for supply of tables and chairs – they are not yet to hand. The Director of Engineering Services stated that the Showground Master Plan will be available for the December meeting.

(m) Remediation of Levee

The General Manager said that the Public Works Department has been requested to complete the concept design for the complete levee – then Council will decide whether to seek detailed design. The meeting noted that Council has applied for additional funding to complete the work.

(n) Land Use Strategy (Min No 8087 (1))

Cr Schieb drew attention to item (1) of Min No 8087 – the General Manager said that the Land Use Strategy is now complete and is with the Department of Planning – which has contacted Council saying representatives may address the December meeting.

(o) TDM – President Two Eight Two Eight

Following a question, the General Manager replied that the TDM advised the Mayor that he will remain in the position until the new year – he will resign in February and this is acceptable to the Mayor.

(p) Organisational Structure (Item 192)

Cr. Schieb was advised that 'internal' applications have been called for the position of mechanic and the organizational structure has been altered in accordance with Council's resolution. The General Manager said one of Council's mechanics has returned to work, however the other is still on sick leave.

(q) Airport Fencing

The Director of Engineering Services said that there is no problem with the fencing at the airport – no problems are being experienced with kangaroos currently.

DEPUTATION – COONAMBLE COMMON CULTURE & ENVIRONMENTAL HERITAGE GROUP

At this juncture, 9.45 a.m., four representatives of the above Group were welcomed to the meeting by the Deputy Mayor. Ms Gloria Fernando was the spokesperson and thanked Council for allowing them to make a presentation to the meeting.

With the help of the Tourism Development Manager, a presentation of slides of the former Tin Town area were shown and Ms Fernando gave an overview of what the Group intends to do to bring the project to fruition. It is hoped to fence the entire area, provide walkways and eventually install plaques/monuments to those who were connected with the area.

Ms Fernando thanked Council for depositing gravel in crossings to allow access and said she hoped Council would continue its support by agreeing to level the area and remove old car bodies which have been dumped in the creek. The General Manager said that the LHPA is responsible for keeping the area free of debris/rubbish, however when approached by Council, it advised that no funding was available for such work.

The General Manager suggested that Jacksons Freight may collect car bodies if approached and the CDEP could assist with the clean up. However, it was stated that a dozer would be required to level the area. Regarding noxious weed control, Mr. Griffiths said that the Group should approach the Castlereagh Macquarie County Council.

The TDM informed the meeting that funding has been allocated for the provision of a sign and he showed a draft of what is proposed. Mr. Baldwin said feedback would be sought from the Indigenous community before proceeding with the sign.

Ms Fernando informed Council that the Group envisages work along Warrena Creek and they have funds for a floating pontoon. The General Manager said that the Aquatic Club has delegated authority to control and manager the Weir and that amenities/facilities are the property of the Club. It was suggested that a meeting be arranged between the Club and the Group to further discuss issues.

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The General Manager informed the delegation that Council has applied for funds to restore the complete levee and any work proposed for that area would need to be carried out in conjunction with Council.

The Group thanked Council and left the meeting at 10.10 a.m.

8.0 RESOLUTION BOOK UPDATE

8109 RESOLVED on the motion of Crs Canham and Cullen that the Resolution Book Update be received and dealt with.

(a) Sale of Shares (Min No 7849)

The Director of Corporate Services informed the meeting that he is in the process of complying with requirements concerning the sale of the AWB shares currently held by Council.

(b) Restoration of Railway Station (Min No 7266)

The meeting was informed that there are still a lot of issues to be dealt with in connection with this project. Council is still awaiting specifications from ARTC for the platform and training is required because people will be working within close proximity to rail lines.

(c) Street Lighting Audit (Min No 7911)

The General Manager said he will again contact Country Energy – there has been no response to Council's request for an audit of the street in question.

(d) Upgrading Access Road – Showground (Min No 7853)

The Director of Engineering Services advised that this matter will be part of the Showground Management Plan and can be prioritized when Council is considering the Plan.

(e) Racecourse Fence (Min No 7974)

Cr. Cullen informed the meeting that it is proposed to extend the fence to the Golf Club entrance – it is proposed to retain the \$3,000 for fencing and any additional expense should come from the "in kind" vote for works at the racecourse. Council noted the work will be carried out by a contractor.

(f) Water Treatment Plant (Min No 8096)

Cr. Karanouh asked whether the contract with Infinity has been terminated – the Director of Engineering Services said that he has informed Infinity.

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(g) Council Grandstands (Min 8029)

The Director of Engineering Services said he inspected the grandstands and found them to be structurally sound – the timber needs to be replaced with metal planks.

(h) Castlereagh Highway/Wingadee Road Intersection Roadworks – Harvest Period (Min 8097)

The Director of Engineering Services informed the meeting that the roadworks have been postponed until the New Year.

9.0 MAYOR'S ACTIVITY REPORT

Due to the Mayor's absence from the meeting, no report was submitted.

10.0 CORRESPONDENCE

8110 RESOLVED on the motion of Crs. O'Brien and Canham that the Correspondence be received and dealt with.

Section A – For Consideration by Council:

10.1 COONAMBLE RODEO & CAMPDRAFT ASSN INC D7

Forwarding a tax invoice in the amount of \$2,500 for sponsorship of the 2009 event.

The General Manager informed the meeting that this matter had already been dealt with by Council at the May 2009 meeting. The amount will now be paid.

8111 RESOLVED on the motion of Crs. Karanouh and Cullen that the Association be advised that in future years it will be required to make application in accordance with Council's policy for Financial Assistance to Events/Functions.

10.2 GULARGAMBONE PRESCHOOL INC D7 (31464)

Advising the Preschool is conducting an end-of-year raffle as part of its Term 4 fundraising. Seeking donations towards prizes – saying it would be grateful for any form of donation.

The General Manager said this is the first year Gulargambone Preschool has made a request of Council to contribute towards its fundraising activities. He pointed out that Council donated \$110 to the Gulargambone Playgroup for its Christmas Lights Competition in 2008.

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8112 RESOLVED on the motion of Crs. O'Brien and Cullen that Council donate \$100 to the Gulargambone Preschool Inc. towards prizes in its end of year raffle.

10.3 ST BRIGID'S SCHOOL D7 (31487)

Advising that each year at its Presentation Night, book prizes are awarded to children for achievements throughout the year. Seeking Council's support again this year. Advising Presentation Night is Friday 11 December.

10.4 COONAMBLE HIGH SCHOOL D7 (31483)

Advising that the Presentation of Awards function will be held on Thursday 10 December at 12.30 p.m. Extending an invitation to the General Manager to attend. Seeking Council's support with a financial contribution towards prizes.

The General Manager stated that every year Council contributes to each of the five Schools in the Shire towards the End of Year Awards (Presentation Night). Mr. Griffiths said last year Council donated \$100 to each School.

8113 RESOLVED on the motion of Crs. O'Brien and Schieb that Council agree to contribute towards Presentation Night Awards by donating \$100 to each of the five Schools in the Shire and the amount be sourced from the Donations Vote.

10.5 COONAMBLE & DISTRICT EDUCATION FOUNDATION D7 (31492)

Making application for financial assistance of \$3,000 to foster the further education, career and personal development opportunities of rural youth, through community based encouragement and financial assistance.

The General Manager informed Council that the Coonamble & District Education Foundation has completed the required application form and provided Council with relevant information. He said Council has contributed to the Foundation annually and again has included \$3,000 in its Education Vote for scholarships in 2009/2010.

8114 RESOLVED on the motion of Crs. O'Brien and Karanouh that Council agree to contribute \$3,000 to the Coonamble & District Education Foundation Scholarships Fund for 2009/2010 and the amount be sourced from the Education Vote.

10.6 DEMAND FARMING AUSTRALIA I6-2-1 (31416)

Apologising for the delay in responding to Council's letter and for not keeping Council up to date. Advising that was not their intention and Demand Farming values Coonamble Shire's support and commitment to the farming community and the Demand Farming concept. Saying that John Larkin and David Ward would be willing to meet with Council some time in November to discuss issues.

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The General Manager said a copy of this letter was included with the business paper for Councillors' perusal and an item has been included in the Economic Development Managers report.

8115 RESOLVED on the motion of Crs. O'Brien and Cullen that the matter be deferred and discussed in conjunction with the report by the Economic Development Manager.

10.7 MRS MAUREEN NALDER P1-5 (31431)

Saying that Broome Park is becoming increasingly popular since the installation of play equipment and seats and the planting of trees. Requesting Council to consider installing toilet facilities as well as a shelter over the play equipment. Stating the neighbours surrounding Broome Park won a quantity of steel from the Christmas Lights Competition and would be happy to donate it to have a shelter like the one in Macdonald Park erected in Broome Park.

10.8 MS TRACI-ANN ASTILL P1-5 (31453)

Submitting two proposals for consideration by Council for Broome Park:

- Install shade sails
- Install toilet facilities.

Stating she is a grandparent of two children who use Broome Park regularly however because of the lack of shade the children and other groups who use the area cannot stay long because it becomes too hot.

The General Manager pointed out that these two items deal with similar requests for improvement works at Broome Park.

8116 RESOLVED on the motion of Crs. Cullen and Canham that Council instruct staff to cost the requests for consideration in conjunction with the 2010/2011 Management Plan.

Cr. Schieb spoke against shade sails, referring to those at Macdonald Park, saying Council should look at other ways of protecting the play equipment for use by children. The General Manager said that staff will investigate other options when assessing the requests.

Cr. O'Brien declared an interest in this matter.

10.9 GULARGAMBONE WAR MEMORIAL & MECHANICS INSTITUTE COMMITTEE D7 (31446)

Advising that the Committee will be celebrating International Women's Day on 8 March 2010. Stating the Committee understands Council applied for \$1,000 funding for this event and requesting that Council consider sharing the amount with it to assist in running the day.

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The General Manager stated that applications have not yet opened for grants to Local Government authorities for International Women's Day activities. Mr. Griffiths said the maximum grant is normally \$1,000 and Council should determine the breakup between Coonamble and Gulargambone. He said one method could be on population of each of the towns.

8117 RESOLVED on the motion of Crs. Cullen and Karanouh that if the grant is \$1,000 it be shared 50/50 between the two centres.

10.10 DEPUTY DIRECTOR GENERAL, DEPARTMENT OF LOCAL GOVERNMENT B11 (31456)

Advising the *Local Government Amendment (Planning and Reporting) Act 2009* (the Act) was assented to by the Governor on 9 October 2009 and commenced on and from that date. Requesting Council to select when it will commence under the new Integrated Planning and Reporting framework and to advise in writing its choice of Group.

Pointing out that Councils are required to submit their completed Community Strategic Plan to the Division of Local Government, Department of Premier & cabinet, within 28 days of it being endorsed by Council.

8118 RESOLVED on the motion of Crs. O'Brien and Karanouh that Council advise that it wishes to be included in Group 3 with regard to implementing the new framework and have its Community Strategic Plan & Delivery Program adopted by 30 June 2012.

10.11 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW

Releasing the results of the cost shifting survey for the financial year 2007/2008 which confirm that cost shifting continues to place a significant burden on Council's financial situation. Advising the survey estimates that cost shifting onto NSW local government in the 2007/2008 financial year amounted to 5.92% of total income before capital amounts of \$431 million.

The General Manager said he had included a copy of the survey with each Councillor's business paper. Mr. Griffiths said it should be noted that the total amount of cost shifting identified by this Council for the 2007/2008 year was \$587,724.00 or 4.15% of its total income.

8119 RESOLVED on the motion of Crs. Canham and O'Brien that Council issue a media release through the Mayor condemning successive State Governments for not addressing cost shifting issues on Local Government.

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**10.12 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW L9
(31443)**

Writing regarding the issue of container deposit legislation (CDL) and saying that the Environment Protection & Heritage Council (EPHC), comprising National and State Environment Ministers, will be meeting on 5 November to consider further action on CDL to consider studies that have been undertaken during 2009 and decide whether to progress to a full Regulatory Impact Statement (RIS). Stating that from local government's point of view it is essential that Ministers approve the next step and commissioning of the RIS. Pointing out it is also important that they understand local government, a key player in the recycling industry, is strongly supportive of CDL. Encouraging Council to send a letter of support to Ministers and local members.

8120 RESOLVED on the motion of Crs. Canham and Karanouh that Council support the ALGA and LGSA in having CDL introduced in NSW and write to the relevant Ministers accordingly.

10.13 SHIRES ASSOCIATION OF NSW F2 + L9 (31489)

Advising that recently the NSW Government formally responded to the Independent Inquiry into the Financial Sustainability of NSW Local Government. Further advising that the Inquiry's findings and recommendations, particularly its call for the removal of rate pegging, are also an important consideration in the Independent Pricing and Regulatory Tribunal of NSW's review of the revenue framework for local government. Encouraging Councils to call on the NSW Government to continue to support the implementation of the Inquiry's central recommendations on financial sustainability.

A copy of the Government's response to the final report and recommendations of the "Independent Inquiry into the Financial Sustainability of NSW Local Government" was included with the business paper for Councillors' perusal.

The General Manager went through issues in the report and Council noted the following points:

- Infrastructure funding is \$ for \$
- Rate pegging – at this time it is believed that ratepayers cannot afford additional rates
- Performance benchmarking – it is believed that this is a good initiative
- Resource sharing – Council's Ranger shared with Gilgandra – could look at internal audits.

At this point it was noted that the attachment included with the business papers was incomplete.

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8121 RESOLVED on the motion of Crs. O'Brien and Schieb that this matter be re-submitted to the December meeting with a complete appendix.

At this juncture, 10.47 a.m., the meeting adjourned for morning tea and the Remembrance Day Service. The meeting resumed at 11.23 a.m.

10.14 CSC EMPLOYEES' SOCIAL COMMITTEE S6-10 (31515)

Requesting Council to consider a contribution towards this year's Christmas Party. Saying that due to ever-increasing costs and the need to pay a non-refundable booking fee for the venue, it would be greatly appreciated if Council would agree to a \$300 contribution. Advising the party will be held at The Bucking Bull Hotel on Friday 18 December and extending an invitation to Councillors and partners.

The General Manager informed the meeting that over past years Council has contributed \$200 towards the 'indoor employees' Christmas Party.

8122 RESOLVED on the motion of Crs. O'Brien and Karanouh that Council agree to contribute \$300 to the Employees' Social Club towards the 2009 Christmas Party and Councillors attending RSVP to Raquel as a priority.

10.15 OFFICE OF THE NSW VALUER GENERAL R4-1 (31531)

Advising, as Valuer General, he is focused on NSW having a valuation system that is fair, consistent and transparent and to ensure it is meeting the needs of key stakeholders and the community, the system has undergone extensive changes over the past few years. Encouraging Council to give serious consideration to adopting a three year valuation cycle for rating purposes. Requesting feedback and comments from Council.

The General Manager stated that currently valuations are provided to Council on a four year cycle and, given the benign nature of valuation movements across each of the rating categories, it cannot be justified to move to a three year cycle. Mr. Griffiths said the cost of the valuation is significant and the administrative effort required to implement new valuations is immense.

The Director of Corporate Services informed the meeting Council has been trying to improve the equity of ratepayers and no real benefit would be obtained by adopting a three year cycle. The total amount of rates raised would, in effect, remain the same with only adjustments made to properties within specific rate categories.

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8123 RESOLVED on the motion of Crs. O'Brien and Canham that Council not agree to participate in a three year cycle of valuations from the Office of the NSW Valuer General.

10.16 COONAMBLE COMMON CULTURE & ENVIRONMENTAL HERITAGE GROUP D7 + E5 (31534)

Advising the Group is in the process of two projects which will benefit the whole community, namely Tin Town and Warrena Creek. Pointing out that the Tin Town project has already commenced and the Warrena Creek project will start around 26 November this year. Requesting Council's assistance with the projects as well as gravel for crossings at each entrance, leveling of the dump area and removal of heavy rubbish, e.g. car bodies, white goods, etc.

Council noted that representatives from the Group made a presentation to the meeting earlier in the day when they pointed out that the aim of the project is to tidy the area formerly known as 'Tin Town', protect the area and provide a place where young people can spend time.

8124 RESOLVED on the motion of Crs. Canham and O'Brien that the Director of Engineering Services provide costings to the December meeting covering leveling of the area, retrieval of car bodies and towing out so they can be collected

10.17 COONAMBLE STREETS AHEAD COMMITTEE R8-10 + D5-2 (31548)

Advising that Coonamble Streets Ahead will be organizing the annual Christmas Party on Thursday 17 December commencing 6 p.m. Requesting closure of Castlereagh Street to all traffic from the Peace tree to the Aberford Street intersection from 5.30 p.m. to 9.30 p.m.

8125 RESOLVED on the motion of Crs. O'Brien and Canham that Council agree to closure of Castlereagh Street, from the Peace Tree to the Aberford Street intersection, from 5.30 p.m. to 9.30 p.m. on Thursday, 17 December for the annual Christmas Party, subject to Police approval having been obtained.

10.18 DEPARTMENT OF THE ENVIRONMENT, WATER, HERITAGE AND THE ARTS W1 (31550)

Inviting Council to a public community information session on Australian Government water related policies and programs at the Dubbo RSL Club on Tuesday 1 December from 2 00pm to 5.30pm. Encouraging Council to be involved and advising to register an interest, stating what issues should be discussed on the day.

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8126 RESOLVED on the motion of Crs. Karanouh and Canham that Cr O'Brien and the Director of Engineering Services attend the information session at Dubbo on 1 December 2009.

**10.19 CEO, MURDI PAAKI REGIONAL ENTERPRISE CORPORATION D5
(31563)**

Referring to investigations into developing an advanced technical horticulture enterprise at Coonamble and advising the business plan has been completed by the consultants. Formally requesting Council to consider sale of a parcel of land (at least 10ha) on the "Meglo" site (where previously discussed – adjacent to the power pole point on the eastern aspect). Further requesting that at least an 'in principle' agreement be given at the earliest opportunity as it is seeking funding for the entire project (including purchase of the land).

The General Manager said this item should be considered in conjunction with the Business Plan listed in the General Manager's report to Closed Session.

8127 RESOLVED on the motion of Crs. Canham and Cullen that Council defer consideration of this item until the Closed Session report by the General Manager has been determined.

10.20 NSW POLICE FORCE – CASTLEREAGH LAC P1 (31565)

Requesting Council to consider a sponsorship to purchase specialist surveillance equipment for the Command. Pointing out that, being one of the smallest LACs in the State, it has no budgeted funds for such purchases. Underlining the value such equipment would bring in the LACs capacity to target repeat and high risk offenders. Pointing out it will enhance its ability to gather evidence of criminal activity and secure convictions of recidivist drug, property and violence offenders.

The General Manager stated that copies of the two letters received in connection with this request had been included with the business paper for Councillors' perusal.

Mr. Griffiths said the cost of the requested surveillance equipment is \$2,620 and it appears that Walgett Council has given 'in principle' approval to funding 50% of same, with the request from this Council being the other half. He suggested that should Council accede to the request, conditions be placed on the project and funding could come from the Donations Vote.

8128 RESOLVED on the motion of Crs. Karanouh and O'Brien that Council agree to provide 50% of the cost of specialized surveillance equipment from the Donations Vote and with conditions, as hereunder, being subject to the contribution:

- Funding subject to Walgett Shire Council contributing 50% of the cost;

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- 50% of surveillance time be spent in Coonamble Shire;
- Quarterly reports on time spent on surveillance, including a breakdown of location, be provided to Council;
- Annual statistics on charges laid and successful prosecutions be provided to Council.

Section B: For information Only:

10.21 NSW OFFICE OF WATER W1-6 (31414)

Advising that Shire Bore Reg No GW 4114 (Tully Park) was successfully sealed on 14 September, 2009. Stating the cost for the work is \$15,000 (GST inclusive).

10.22 WAYNE PHILLIPS C6-13 (31468)

Acknowledging the traffic signage recently installed by Council on the Pilliga Road and thanking Council for its actions. Saying that he is a driver for NRC Buses and the signs will help to keep the road safer. Pointing out that a lot of heavy vehicles use this route, especially during the harvest.

10.23 INDUSTRY & INVESTMENT NSW L10 (31488)

Advising that this year the Government consolidated a number of departments and, as a result, Industry & Investment NSW was formed. Stating Industry & Investment NSW brings together the following former NSW Government departments and authorities:

- Department of Primary Industries (including Forests NSW)
- Department of State & Regional Development (including Tourism NSW)
- Department of Water and Energy (Energy)
- NSW Film & Television Office (Screen NSW)
- Rural Assistance Authority
- Mine Subsidence Board
- Coal Compensation Board
- Game Council
- NSW Food Authority.

10.24 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW L9 (31445)

Providing a copy of results of the surveys conducted by the two Associations to gauge the view of members on the issue of One Association to represent Local Government in NSW. Saying responses were received from 131 councils and 10 county councils with a clear majority of 100 councils and 6 county councils supporting the concept of One Association. Pointing out the majority view was that this would be best achieved by the creation of a new Association.

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10.25 DEPARTMENT OF LOCAL GOVERNMENT L10-1 (31486)

Advising that in 2008 the Minister for Local Government and the Minister for Women established an Awards program as part of International Women's Day celebrations to recognize outstanding contributions and achievements made by women in local government in NSW to and for the local government sector. Advising that nominations close at 5 p.m. on Friday 4 December, 2009 and Awards will be presented around 8 March 2010 at a function to celebrate International Women's Day and the Year of Women in Local Government.

10.26 DARYL COLWELL E240 (31491)

Tendering his resignation from position of Cadet Engineer with Council. Saying the reasons behind his decision are of a personal nature. Stating that another Council has offered him a position in its engineering department and he intends to accept the offer. Saying he has enjoyed his time and experiences with Council and extending sincere good wishes to staff and councillors and thanking them for their support.

10.27 LOCAL GOVERNMENT SUPERANNUATION SCHEME S11

Forwarding a copy of its Investment Report for the September 2009 quarter. Advising it focuses on the performance of the assets that support Councils defined benefit obligations. Stating the returns from the September quarter are a pleasing result and go some way towards repairing the damage caused by 2008. Saying while it would like to see one or two more quarters of this magnitude, commonsense is that this is unlikely to occur and share markets are now viewed to be back close to their "fair value".

10.28 DEPARTMENT OF EDUCATION, EMPLOYMENT & WORKPLACE RELATIONS G5-40 (31501)

Thanking Council for its submission to Round One of the Jobs Fund and saying there was a strong response to the call for proposals and the field was highly competitive. Advising that following the assessment process Council's application for the Coonamble Equine & Events Stadium has been unsuccessful.

10.29 DEPARTMENT OF LOCAL GOVERNMENT T7 (31496)

Advising that following consultation with the local government sector, the Division of Local Government, Department of Premier and Cabinet has developed the *Tendering Guidelines for NSW Local Government*. Saying copies of the Guidelines can be found on the "publications" page of the Division's website at www.dlg.nsw.gov.au. Pointing out the guidelines have been adopted by the Deputy Director General (Local Government), Department of Premier and Cabinet under section 23A of the Local Government act 1993 and must be taken into consideration by all councils when exercising tendering functions. Stating the Division intends undertaking random audits later this year to ensure councils are meeting their obligations under the Act and are adopting best practices.

10.30 CAROLYN LYONS OAM

E4 & R4-5 (31524)

Stating that in the interest of community and safety she has asked many landholders and ratepayers about their understanding of emergency procedures relevant to this Shire. Advising that none of the responses included a full understanding of 'rural addressing'. Suggesting that information be made available to every landholder and ratepayer in the Shire and every other Shire for that matter where the system has been introduced at ratepayers' expense.

The General Manager stated that Mrs Lyons' letter was never received by Council and Cr Schieb provided a copy at the October meeting. Mr. Griffiths said he has written to Mrs. Lyons advising her, in detail, of the implementation of 'rural addressing' and its current status, which is now out of Council's control.

**10.31 DEPARTMENT OF ENVIRONMENT, CLIMATE CHANGE & WATER
F5-4 (31511)**

Referring to the Flood Gradient Sensitivity Modelling Study of the Coonamble Levee undertaken by consultants Sinclair Knight Merz (SKM) for which funding was provided by Emergency Management Australia (EMA) through the State Emergency Management Committee (SEMC) and the Department. Advising that the study has now been completed and forwarding two copies of the report.

The General Manager informed Council the report indicates that a substantial portion of the present crest levels are inadequate to cope with flood events associated with 50 year and 100 year ARI rainfall events. He said at the last meeting Council resolved to undertake concept designs that would cater for these flood events.

Mr. Griffiths stated that a letter has been sent to the funding body requesting that the scope be amended to include all sections of the levee.

10.32 NSW GOVERNMENT OFFICE OF WATER W1-13 (31536)

Referring to the proposed water treatment plant and saying the Department shares Council's concerns with the cost of providing treatment to improve the quality of Coonamble water supply. Advising that Council would need to demonstrate how it would address the technical, safety and other issues raised in this and other correspondence before further consideration is given to the application.

The General Manager informed the meeting that this item is included in the Director of Engineering Services' ordinary report to Council later in the day.

10.33 GEOGRAPHICAL NAMES BOARD OF NSW P1 (31560)

Advising that Council's application regarding Reserve Names has been received and will be considered at the Board's next meeting on 25 November, 2009.

10.34 DR ANDREW McDONALD – PARLIAMENTARY SECRETARY FOR HEALTH M5-3 (31561)

Thanking Council for its correspondence to the former Minister for Health concerning the tender process for the Ambulance Service of NSW's Sydney-based fixed wing ambulance services. Advising that all services from Broken Hill to areas of western NSW which made the RFDS famous are unaffected by this process. Saying that the expert evaluation panel is required to give equal weight to quality of service, patient safety and financial criteria. Advising the panel will make its recommendation later in the year.

8129 RESOLVED on the motion of Crs. O'Brien and Canham that the information contained in Item Nos. 10.21 to 10.34 inclusive be noted.

URGENT BUSINESS – SUPPLEMENTARY PRECIS OF CORRESPONDENCE

8130 RESOLVED on the motion of Crs O'Brien and Schieb that the following items be classified 'urgent business' and dealt with.

**10.35 WEILWAN LOCAL ABORIGINAL LAND COUNCIL
GULARGAMBONE S13-2 (31578)**

Requesting funding to purchase family season tickets (or waive entry fees) to the Gulargambone Pool for the twenty families (34 children in all) listed in the letter. Stating children swim in the river and walk to a dam on the Coonamble Road to swim.

The General Manager stated that Council does not offer discounts to low income earners/pensioners outside of the morning aqua aerobics and the cost of a family season ticket is \$190. He said care must be taken to ensure equity to all pool users in Gulargambone, Quambone and Coonamble.

8131 RESOLVED on the motion of Crs. O'Brien and Karanouh that Council deny the request for funding of \$3,800 for Gulargambone pool family season tickets from Weilwan Local Aboriginal Land Council.

At this juncture, 11.45 a.m., Cr. Cullen left the room to conduct an interview with the Prime TV.

10.36 COONAMBLE SWIMMING CLUB S13-1 (31579)

Making application to book the Coonamble Pool for its Fun Nights and annual carnivals for Club members. Advising the Club will have qualified swim safe adults on hand every 'fun night' – also parents with years of swimming experience. Wishing to commence 'fun nights' on Friday 13 November and conclude on Friday 23 April 2010 and seeking permission to use the pool from 5.00 p.m. to 7.00 p.m. on those evenings.

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Requesting that Club members be permitted to use the pool for training from 9.00 a.m. to 1.00 p.m. (Monday to Friday) during school holidays.

Also seeking permission to book the pool for the Club Carnival on Sunday 29 November from 7.00 a.m. to 5.00 p.m.

The General Manager pointed out that there are three requests and he submitted the following comments:

(1) "Fun Nights" – Council's pool closes 28 March 2010 and the request for April 2nd & 23rd should be denied. Normal closing time is 6.00 p.m. and the additional hour should be subject to only one lifeguard on duty with the Swimming Club to undertake surveillance by specified people.

(2) Training during School Holidays – Council's pool would normally be closed between 9.00 a.m. and 1.00 p.m. Monday to Friday and the additional overtime could not be justified. It is recommended that this request not be acceded to.

(3) Club Carnival – Whilst overtime will be payable from 7.00 a.m. to 1.00 p.m. in addition to normal hours from 1.00 p.m. to 6.00 p.m., this request is in keeping with previous practice and should be agreed to.

Councillors debated this issue, with various suggestions being made on ways to compromise without being liable for additional overtime payments.

A MOTION

PROPOSED by Cr Karanouh **SECONDED** by Cr Schieb that Council:

- (1) Grant permission to conduct 'fun nights', with the exception of April 2 & 23, on the condition that only one lifeguard will be on duty and the Club be responsible to arrange surveillance by specified persons;
- (2) Advise that training during school holidays be conducted between 6.00 a.m. and 9.00 a.m.
- (3) Agree to the carnival being held between 7.00 a.m. and 5.00 p.m. in accordance with past practice.

AN AMENDMENT

8132 PROPOSED by Cr Canham **SECONDED** by Cr. O'Brien that Council:

- (1) Grant permission to conduct 'fun nights', with the exception of April 2 & 23, on the condition that only one lifeguard will be on duty and the Club be responsible to arrange surveillance by specified persons;
- (2) Advise that times for training will be taken up with the pool attendants before a decision is made, however if agreement cannot be reached, training during school holidays be granted between 9.00 a.m. and 11.00 a.m.

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- (3) Agree to the carnival being held between 7.00 a.m. and 5.00 p.m. in accordance with past practice.

On being put to the vote, the **AMENDMENT WAS CARRIED** and on becoming the motion was carried.

10.37 DEPARTMENT OF LOCAL GOVERNMENT L9-2 (31554)

Stating that following recent amendments to the *Election Funding & Disclosures Act 1981*, copies of political donation and electoral expenditure disclosure declarations are now required to be published on the Election Funding Authority (EFA) website at www.efa.nsw.gov.au. Advising councillors are now required to lodge disclosure declarations every six months in lieu of the previous 4 years.

A copy of the Circular was attached for Councillors' information.

8133 RESOLVED on the motion of Crs. O'Brien and Canham that Councillors note the change to requirements in that Declarations must be lodged every six months and instruct staff to comply with the other issues in DLG Circular 09-40.

10.38 COONAMBLE SWIMMING CLUB INC D7 (31584)

Seeking sponsorship for the swimming carnival to be held on Sunday 29 November and saying any financial support would be greatly appreciated. Stating that sponsors will be acknowledged throughout the carnival.

The General Manager pointed out that Council already contributes significantly by the provision of staff at overtime rates from 7.00 a.m. to 1.00 p.m..

A MOTION

8134 PROPOSED by Cr Canham **SECONDED** by Cr O'Brien that Council not financially support the Coonamble Swimming Club Inc for its annual Swimming Carnival to be held on 29 November 2009.

AN AMENDMENT

PROPOSED by Cr. Karanouh that Council support the Coonamble Swimming Club Inc by contributing \$100 sponsorship towards the carnival, **LAPSED FOR THE WANT OF A SECONDER.**

THE MOTION WAS CARRIED

10.39 COONAMBLE SHIRE EMPLOYEES' CHRISTMAS PARTY S6 (31587)

Making application for the Christmas breakup party to be held at the Golf Club on Wednesday 23 December, 2009 and requesting that a half day holiday (from 12 noon) be granted on the day. Also asking Council to consider a contribution in accordance with previous practice.

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The General Manager informed the meeting that Council has previously agreed to a contribution – in 2005 it was \$350, and the past three years the amount granted was \$500.

8135 RESOLVED on the motion of Crs. Canham and O'Brien that Council agree to the granting of a half day holiday for Works Staff on Wednesday, 23 December, 2009 for the purpose of conducting the Christmas/Breakup Party, noting that 24 December is the 'rostered day off' for that fortnight and contribute \$500 towards refreshments.

**10.40 ORANA EDUCATION & TRAINING COOPERATIVE (OEC) E1-1
(31591)**

Advising that OEC operates a Job Services Australia in Gulargambone and has a commitment to local clients. Stating the projects come under the Work Experience component and must benefit the community, provide a work-like environment and develop job readiness of the clients. Pointing out that the job seekers have different obligations that range from a few hours per week to fulltime work experience – however generally they can satisfy their obligations with 15 hours/week over a 26 week period. Stating that ideas raised have been maintenance of parks, cemetery, the mission and the river walk area.

Wishing to develop opportunities with Council for job seekers to do minor maintenance in the community and advising that further information will be supplied if required.

At this juncture, 10.57 a.m., Cr. Cullen returned to the meeting.

The General Manager pointed out that Council has only three full time workers at Gulargambone with the team leader doubling as pool superintendent during the swimming season. He said the request will be acceded to with a preference for one full time worker or two x 15 hours/week. Mr. Griffiths said he will discuss the employment with the Director of Engineering Services.

8136 RESOLVED on the motion of Crs. O'Brien and Canham that this information be noted.

10.41 CSC EMPLOYEES' SOCIAL FUND S13-1 (31590)

Seeking to book the Coonamble Pool for the annual Kids Christmas Party on Sunday, 13 December. Advising the function will start at 4 p.m. and the Committee will serve dinner and drinks.

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8137 RESOLVED on the motion of Crs. Karanouh and Canham that Council agree to the use of the Coonamble swimming pool for the annual kids' Christmas party on 13 December, subject to vacating the complex by the normal closing time, viz 6.00 p.m.

10.42 INDEPENDENT COMMISSION AGAINST CORRUPTION 12 (31597)

Forwarding a copy of the ICAC Annual Report for the year ended 30 June 2009. Pointing out the report shows that the ICAC recommended seeking the advice of the Director of Public Prosecutions with respect to the prosecution of 51 people, which is a 122% increase on the previous year. Advising the report can be downloaded from the ICAC website www.icac.nsw.gov.au

A copy of the report was available at the meeting.

8138 RESOLVED on the motion of Crs. Canham and O'Brien that the information be noted.

11.0 REPORT BY GENERAL MANAGER

8139 RESOLVED on the motion of Crs O'Brien and Canham that the report submitted by the General Manager be received and dealt with.

11.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

8140 RESOLVED on the motion of Crs. Cullen and O'Brien that Council note Complying Development Application Nos. 047/2009 and 048/2009 have been approved under delegated authority since the last meeting.

11.2 JANUARY COUNCIL MEETING

The General Manager reported that for many years Council has not held an ordinary monthly meeting in January. He said a number of people, including some councillors and staff, take holidays at this time of year and with the general shut-down of a lot of suppliers and the like, 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.

8141 RESOLVED on the motion of Crs. Cullen and Canham that Council resolve to not hold an ordinary monthly meeting in January 2010, noting the first meeting for the new year be held on Wednesday, 10 February 2010.

11.3 PROPOSED CLOSURE OF OFFICE – CHRISTMAS/NEW YEAR

The General Manager pointed out that it has been Council policy in the past to close the Office between Christmas and New Year. These days have been granted in recognition of indoor staff working unpaid overtime during the year.

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Mr. Griffiths said this year Christmas Day falls on a Friday and the holiday period concludes on Friday, 1st January 2010 (inclusive), with staff returning to work on Monday 4th January. The time involved is three public holidays and what would normally be three working days.

The Director of Corporate Services answered questions raised on this issue. He was also asked Council's position on the taking of sick leave – the Director stated that 15 days sick leave is granted and Council's requirements regarding provision of medical certificates.

8142 RESOLVED on the motion of Crs. Cullen and O'Brien that Council agree to give staff the extra time off and that the Office close from 5.00 p.m. Thursday, 24 December 2009, re-opening 8.30 a.m. Monday, 4 January 2010.

11.4 WATER RATES FOR SPORTING BODIES

In 2006 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.

The General Manager reported that whilst the financial position of the three Clubs has improved over the past twelve months, it would appear that they are still unsound. Mr. Griffiths pointed out that the Coonamble Jockey Club used its total contribution however both the Coonamble and Gulargambone Golf Clubs have made a concerted effort to reduce their consumption, with only \$426.00 and \$613.00 respectively of their \$1,000 allocation being utilized.

8143 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 2010 meeting.

11.5 POLICY FOR PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO MAYOR AND COUNCILLORS

The General Manager reported that at the October 2009 meeting Council resolved to place its Policy for Payment of Expenses and the Provision of Facilities to Mayor and Councillors on public exhibition for the prescribed 28 day period, closing on 10 November, 2009. Mr. Griffiths pointed out that no submission or comment has been received.

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A copy of the Policy, together with the Guidelines issued by the Division of Local Government, Department of Premier and Cabinet, in October 2009, was included with the business paper for Councillors' information.

8144 RESOLVED on the motion of Crs. O'Brien and Cullen that Council formally adopt the Policy for Payment of Expenses and the Provision of Facilities for Mayors and Councillors, noting that no submissions were received.

The General Manager left the room to speak with Prime Television and Item No. 11.6 Development Control Plan No 1 –Requirements for Industrial Land Use – was deferred until his return.

11.9 ORANA REGIONAL ORGANISATION OF COUNCILS BOARD MEETING

Councillor Canham advised the meeting that in company with the General Manager, he attended the OROC Board Meeting on Friday 23 October 2009 in Narromine. Cr. Canham said this was the inaugural meeting under the amended Constitution of OROC and it was addressed by Mr John Walkom, Chairman of Regional Development Australia (Orana). Cr. Canham said RDA has an object of being the key facilitator of change and development, as well as being a link to communities and businesses for both State and Federal Governments.

The General Manager in his report listed items that were among those discussed at the meeting.

8145 RESOLVED on the motion of Crs. Canham and O'Brien that Council note the information contained in the report.

11.10. GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009

The Director of Corporate Services informed the meeting that the GIPA Act will commence in early 2010 and replaces the Freedom of Information System which has been operating since 1989. He said the Act applies to all NSW Government agencies, including local and county councils.

The Director said he is responsible for compliance with the Freedom of Information Act and will lead the change management process into the GIPA Act. Mr. Warren pointed out that training will be costly as will any necessary changes to Council's information systems and compliance with the State Records Act.

8146 RESOLVED on the motion of Crs. Canham and Cullen that Council note the Director of Corporate Services will take responsibility for compliance with the Government Information (Public Access) Act 2009 and the new obligations under that Act.

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As the General Manager was still out of the room, Item 11.11 – Magometon Quarry – was deferred until his return.

12.0 REPORT BY DIRECTOR OF CORPORATE SERVICES

8147 RESOLVED on the motion of Crs O'Brien and Cullen that the report by the Director of Corporate Services be received and dealt with.

12.1 RATE COLLECTIONS

The Director of Corporate Services informed the meeting that the amount of rates abandoned following the sale for overdue rates amounted to \$101,576.46.

8148 RESOLVED on the motion of Crs. O'Brien and Canham that the Total Combined Rate Collections to 31 October 2009 be noted.

At this juncture, the General Manager returned to the meeting and proceeded to deal with deferred items.

11.6 DEVELOPMENT CONTROL PLAN NO 1 – COONAMBLE TOWNSHIP & SURROUNDS – DEVELOPMENT REQUIREMENTS FOR INDUSTRIAL LAND USE

The General Manager said that in determining the extension of the industrial subdivision Council requested that requirements for the expanded estate be developed and, in particular, restriction on residential use within that zone. He pointed out that the existing industrial subdivision has become as much a residential area as one utilized for business.

Mr. Griffiths drew attention to the Annexure that will affix to DCP No. 1 which was attached to the business paper. He said Councillors need to carefully examine each of the provisions to avoid misunderstandings and difficulties when the conditions are imposed.

The General Manager said it is considered that the development requirements are not onerous, contain many of the provisions listed in legislation and are needed to ensure the orderly development of the industrial estate extension.

8149 RESOLVED on the motion of Crs. Cullen and Schieb that Council formally adopt the Coonamble Township and Surrounds – Development Requirements for Industrial Land Use Annexure to Development Control Plan No 1.

11.7 WESTERN COUNCILS LOCAL ENVIRONMENTAL PLAN 2009

The General Manager drew attention to the final stage of the Western Councils' Land Use Project which is the draft Standard Instrument Local Environmental Plan necessary to lodge application to the Department of Local Government. He said the preliminary draft copy is now available for Council's authorization and it was attached to the business paper.

Mr. Griffiths said Council will note that the draft plan is generic and contains no local information at this time and this will not be completed until the actual Coonamble Local Environmental Plan is developed. He said, similarly, mapping needs to be produced that forms part of the Standard LEP and is specific to Coonamble. The General Manager said Council must note that the zonings are standard and cannot be changed and other mandatory clauses are marked as "compulsory".

The General Manager stated that Council needs to carefully consider the objectives of each of the zones, development that is permitted without consent, with consent and those that are prohibited in any particular zone. Mr. Griffiths said this is the final task under the Land Use Project which is funded by the Department of Planning for the five Councils making up the Western Councils' Sub-Region.

8150 RESOLVED on the motion of Crs. Schieb and Cullen that this matter be deferred until the December meeting so that Councillors can have more time to study the draft plan.

11.8 LAND USE MATRIX REVIEW

The General Manager reported that having developed a preliminary draft Local Environmental Plan under the guidelines should have resulted in a fixed outcome for Councils. He said, however, the Department of Planning, at the end of October 2009, reviewed the Land Use Matrix in relation to permissible land uses and the summary of the changes made, along with the instructions in relation to the Land Use Matrix.

Mr. Griffiths said the issue is one for individual councillors to express their opinion, reach agreement with fellow councillors and convey the decision to the Department of Planning by resolution. He said that should Council require professional guidance, it is suggested that consultants be engaged to provide same. The General Manager reminded Councillors that once the amended Land Use Matrix has been 'cast in stone' by the Department of Planning, Council may not deviate from it.

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Council noted that should it wish to engage professional Land Use Planning Consultants the cost has not been allowed in this year's Management Plan and it is thought that on this issue costs could run to around \$20,000.

8151 RESOLVED on the motion of Crs. Cullen and Schieb that Council make no comment to the Department of Planning.

11.11 MAGOMETON QUARRY

The General Manager referred to a request which has been received from Cr O'Brien that a report be prepared on the feasibility of the Coonamble Quarry Magometon being established as an independent business.

Mr. Griffiths referred to Section 358 of the Local Government Act which is headed "*Restrictions on formation of corporations and other entities*". He said clause (1) states: "*A council must not form or participate in the formation of a corporation or other entity, except:*

(a) *with the consent of the Minister ...*"

He said clause 3 of that section states: "*In applying for the Minister's consent under subsection (1) (a), the council is required to demonstrate, to the Minister's satisfaction, that the formation of, or the acquisition of the controlling interest in, the corporation or entity is in the public interest*".

The General Manager reported that whilst the provisions of Section 358 may be possible to achieve, it is doubtful that there would be any efficiencies gained by utilizing a corporation or other entity outside of a registered company. Mr. Griffiths listed in his report the regulations of setting up a registered company and said that to achieve recoupment of taxation it would be necessary to increase the cost to Council of product used in its own operations. The General Manager pointed out that currently the Quarry operates as a business unit of Council and complies with the requirements of the National Competition Policy.

Cr. O'Brien suggested that a management committee be formed, with two councillors and the Directors of Engineering Services and Corporate Services, who could meet bi-monthly to discuss issues that may arise at the Quarry. She said that terms of reference would need to be developed – the General Manager advised that the Committee was not to become involved with operational issues.

8152 RESOLVED on the motion of Crs. O'Brien and Karanouh that a Quarry Management Committee be set up, comprising Councillors Schieb and Cullen, together with the Director of Engineering Services and the Director of Corporate Services.

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The Director of Corporate Services informed the meeting that the plant items working at the Quarry do not belong to the Quarry – they are part of Council's overall plant items.

Director of Corporate Services Report (continued):

12.2 LIST OF INVESTMENTS

8153 RESOLVED on the motion of Crs. O'Brien and Canham that that the Investments held at 30 September 2009 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 Policy.

12.3 RESERVES AT 30 SEPTEMBER 2009 - BUDGETED

8154 RESOLVED on the motion of Crs. O'Brien and Schieb that Council note the estimated reserves held at 30 September, 2009.

12.4 SALE OF LAND FOR OVERDUE RATES – 13 JUNE 2009

The Director of Corporate Services reported that a preliminary report was submitted to Council's August 2009 meeting, however at that time only eight properties had been settled. Mr. Warren informed Council that transactions for all properties have now been completed and he provided details of the final sixteen (16) transactions.

Council noted that total expenses incurred for all properties amounted to \$22,699.63 and the total amount of rates and charges written off was \$125,897.59. The Director reported that a total of \$82,300 was obtained from the sale and once allocated against each of the sixteen properties, an amount of \$101,987.58 is to be written off.

Mr. Warren said it would be prudent to conduct a similar sale next year and although such action will always cost Council, it shows that Council is taking action to recover outstanding amounts.

8154a RESOLVED on the motion of Crs. O'Brien and Canham that Council:

- (1) Note this report
- (2) Write off the rates amount of \$88,696.55, noting that in accordance with s.719 the rates taken to be "fully satisfied"
- (3) Write off the debtor account of Levings – Debtor No. 2662 - in the amount of \$12,870.00
- (4) Write off the water account of Harris – Debtor No.2061 - in the amount of \$421.03.

13.0 REPORT FROM DIRECTOR OF ENGINEERING SERVICES

8155 RESOLVED on the motion of Crs. O'Brien and Schieb that the report by the Director of Engineering Services be received and dealt with.

13.1 PROGRESS REPORT

The Director of Engineering Services provided Council with a report on works in progress, as well as some of the road works rostered for completion shortly.

Mr. Gamage advised that an application for grant funding for the Coonamble levee was submitted late October.

(iv) Lions Park at Gulargambone:

The Director informed the meeting that he met with Lions Club members to discuss what type of barricade could be erected at the Park in Gulargambone. Mr. Gamage said an Armco barrier would cost \$5,700 or \$9,000 for the entire length, however it is possible to replace the timber logs, but this is not the preferred option of the Lions Club.

8156 RESOLVED on the motion of Crs. Cullen and Canham that the old logs be replaced in the same manner as they were at Lions Park prior to construction of the new bridge.

Recycling – Walgett

Cr O'Brien referred to her request to the Director to investigate the methods undertaken at Walgett in the conduct of the recycling service. Cr. O'Brien informed the meeting that the service has expanded to include Lightning Ridge and, from all accounts, is profitable. The Director said he would make enquiries and report to the December meeting.

Quarry – Comparative Prices of Product

Cr. Schieb asked about prices of aggregate in relation to other Councils and the Director said Dubbo charges \$25/tonne for aggregate compared to Coonamble's \$32/tonne and roadbase from Coonabarabran is the same as Coonamble at \$18/tonne.

8157 RESOLVED on the motion of Crs. O'Brien and Schieb that the report by the Director of Engineering Services be adopted.

**14.0 MANAGEMENT PLAN REVIEW AND QUARTERLY BUDGET REVIEW
TO 30 SEPTEMBER 2009**

The Director of Corporate Services informed the meeting 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.

Mr. Warren provided a list of budget variations under the various headings, together with explanations of each, for Council's consideration. He said as Council's responsible accounting officer it is his opinion, having regard to the original estimate of income and expenditure and the quarterly review of these estimates at 30 September 2009, that Council is in a satisfactory financial position.

Cr. O'Brien asked where the \$7,500 staff training incentive was obtained – the Director said it was from the Commonwealth's Training Fund.

At this juncture, 1.03 p.m. the meeting adjourned for lunch and resumed at 2.03 p.m. The EDMs were in attendance to present their report.

16.0 REPORT BY ECONOMIC DEVELOPMENT MANAGER

8158 RESOLVED on the motion of Crs. O'Brien and Cullen that the report by the Economic Development Manager be received and dealt with.

The following issues were among those raised by the EDM:

- Demand Farming – Together with the TDM, will meet with Mr J Larkin, representative of Demand Farming on Thursday. A report will be submitted to the December meeting.
- Market Gardens – both Gulargambone Central and Coonamble High Schools are setting up gardens – with school leaving age being extended and the fact that some students will not attend classrooms, it is hoped this will be one way of keeping those students occupied and interested.
- Keep Coonamble Kicking – new approach with the initiative running from end of November to June 2010 – to be viable 40 businesses need to be involved. Submitted application for grant under the Chamber of Commerce funding.
- Auto Electrician – have had a meeting and he is keen to come to Coonamble – currently looking for rental premises.
- Industrial Subdivision funding application has progressed to the next level.

8159 RESOLVED on the motion of Crs. O'Brien and Cullen that the report by the Economic Development Managers be adopted.

16.1 GULARGAMBONE ROUNDTABLE

8160 RESOLVED on the motion of Crs. O'Brien and Schieb that the report on the Gulargambone Roundtable held on 20 October, 2009 be noted.

16.2 COONAMBLE EMPLOYMENT CIRCLE MEETING

The EDM asked whether Council had a representative on this Committee – she was advised it was Cr. Schieb.

8161 RESOLVED on the motion of Crs. O'Brien and Cullen that the minutes of the Coonamble Employment Circle meeting held on 20 October 2009 be noted.

16.3 MEETING OF COONAMBLE SHIRE HERITAGE & HISTORICAL MUSEUM COMMITTEE

8162 RESOLVED on the motion of Crs. Canham and O'Brien that the minutes of the meeting of Coonamble Shire Heritage and Historical Museum Committee held on 3 November, 2009 be noted.

16.4 STRATEGY TO SECURE RAIL BRANCH LINE UPGRADE

The Economic Development Manager provided Council with a report on this matter, stating that in March 2009 the Federal Department of Infrastructure, Transport, Regional Development and Local Government commenced the NSW Grain Freight Review. She advised that Coonamble Shire Council made a submission to this review and also provided further information on Road Cost Estimates (based on a branch line closure scenario) when requested by the Review's Consultants GHD in May 2009.

Council noted that the Final Report and the Federal Government's Response to the NSW Grain Freight Review were released on Wed 21 October 2009 and can be viewed on:

http://www.nationbuildingprogram.gov.au/funding/projects/NSW_grain_freight_review.aspx

The EDM stated that Council is keen to use the release of the report to pursue an upgrade (to Class 3, not Class 5 as recommended) to the line from Armatree to Coonamble. She stated the General Manager and Economic Development Managers, with support from Councillors Cullen and Schieb, have prepared a draft strategy to liaise with other stakeholders and media, and compile a submission to various Ministers in order to encourage the NSW Government to expedite the upgrade of the Coonamble line to Class 3.

8163 RESOLVED on the motion of Crs. O'Brien and Schieb that Councillors consider and contribute to the proposed strategy, and be available to provide information and participate in its implementation.

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At this juncture, the Tourism Development Manager was at the meeting to present his report.

17.0 REPORT BY TOURISM DEVELOPMENT MANAGER

8164 RESOLVED on the motion of Crs. O'Brien and Canham that the report by the Tourism Development Manager be received and adopted.

Mr. Baldwin asked whether Councillors had any questions on matters raised in his report and proceeded to go through the report.

- Vibe Alive – not being held in Coonamble next year – Moree has been chosen as the venue.
- New website – proving successful with increased usage. Will also be useful to the Visitor Information Centres.
- Information sign for Castlereagh Street – meeting with Business Action Group on 16 November.
- Marketing Activities – will present report to December Council meeting.

Cr. Schieb asked whether a sign could be placed, directing tourists to Macquarie Marshes. The TDM suggested that it be done in conjunction with signage to be prepared for the Primitive Camp Site at Quambone.

At this juncture, Mr. Baldwin left the meeting.

CLOSED SESSION

8165 RESOLVED on the motion of Crs. O'Brien and Canham that Council resolve to Closed Session in accordance with Section 10A of the Local Government Act 1993, *section 2(a) "personnel matters concerning particular individuals (other than councillors); and section 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"*

8166 RESOLVED on the motion of Crs. O'Brien and Canham that the press and public be excluded from the meeting.

8167 RESOLVED on the motion of Crs. Schieb and O'Brien that Council resume Open Meeting.

8168 RESOLVED on the motion of Crs. Karanouh and O'Brien that Council adopt the recommendations of Closed Session, as listed hereunder.

20.2 MPREC – BUSINESS PLAN – HORTICULTURE ENTERPRISE

THE COMMITTEE RECOMMENDS that Council:

- (1) sell the land requested to MPREC for a price equivalent to that paid by GrainCorp;
- (2) place a covenant over the land to ensure it returns to Council should the project not continue past five years;
- (3) specify a timeframe in which to have the business operational;
- (4) investigate alternate sites from which the business could be conducted.

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

Councillor Canham left the meeting at 3.13 p.m. and did not return.

20.1 PERFORMANCE APPRAISAL – DIRECTOR OF ENGINEERING SERVICES

THE COMMITTEE RECOMMENDS that Council note the performance appraisal of the Director of Engineering Services.

ADVERTISING COSTS

THE COMMITTEE RECOMMENDS that the General Manager submit a report to the December meeting.

Councillor Cullen left the meeting at 3.25 p.m and did not return.

Management Plan / Budget Review (continued):

Quarry:

The Director of Corporate Services informed the meeting that at 31 October, 2009 Quarry income was \$813,860, expenses \$530,650.

Employees' Leave Entitlements:

In response to a question from Cr Karanouh, the Director stated that the ELE Reserve was increased to \$600,000 last year to account for long serving staff expected to retire.

Ranger Services:

The Director advised that the amount covers the Rangers wages as well as an additional amount charged when Council staff is called out in the absence of the Contract Ranger.

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8169 RESOLVED on the motion of Crs O'Brien and Karanouh 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 2009.

15.0 REPORTS FROM VARIOUS COMMITTEES

8170 RESOLVED on the motion of Crs. O'Brien and Karanouh that the reports from various committees be received and dealt with.

15.1 MEETING OF COONAMBLE STREETS AHEAD COMMITTEE

8171 RESOLVED on the motion of Crs. O'Brien and Schieb that the minutes of the Coonamble Streets Ahead Committee meeting held on 24 September 2009 be noted.

15.2 MEETING OF CONSULTATIVE COMMITTEE

8172 RESOLVED on the motion of Crs. O'Brien and Karanouh that the minutes of the Consultative Committee meeting held on 1 September, 2009 be noted.

2(d) Support Ranger Duties (Council Meeting 13/8/2008 – Min.No.7017)

8173 RESOLVED on the motion of Crs. O'Brien and Karanouh that Council adopt the Consultative Committee recommendation to revert to prior practice which required Team Leader – Parks & Gardens to have support ranger duties incorporated into position description and skill progression requirement and assessment record, and his relief to carry out 'support duties' as well.

15.3 MEETING OF COONAMBLE STREETS AHEAD COMMITTEE

8174 RESOLVED on the motion of Crs. O'Brien and Schieb that the minutes of the Coonamble Streets Ahead Committee meeting held on 22 October, 2009 be noted.

Barbecue – Smith Park

The General Manager referred to this item in the minutes of the Streets Ahead Committee meeting and said he was not aware of an application being made to Council. Cr. Schieb explained that the proposal is in its very early stages and further investigations would need to be undertaken before any decision is made.

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18.0 REPORT BY SALEYARDS MANAGER

8175 RESOLVED on the motion of Crs. O'Brien and Schieb that the Saleyard Manager's Report for the month of October, 2009 be adopted.

19.0 REPORT BY CONTRACT RANGER

8176 RESOLVED on the motion of Crs. O'Brien and Webb that the Contract Ranger's report for the month of October 2009 be adopted.

General Business:

Cr Karanouh:

• **Sealing of Tooraweenah Road**

8177 RESOLVED on the motion of Crs. Karanouh and Schieb that the Director of Engineering Services be instructed by the General Manager to submit a report to the December meeting detailing cost of sealing 25½ kms of the Tooraweenah Road, together with the road into the Crusher and the time frame and the General Manager source funds (interest free) to carry out the work **AND FURTHER** that the Carinda Road be sealed within three years.

Cr. Webb spoke against the motion, referring to the Roads Management Plan which provides that no further sealing be carried out to enable Council to properly maintain its current road network.

• Wilga/Aberford Street footpath – referred to his request that work be carried out on the footpath/crossing adjacent to Ag n Vet to make it safe for gophers to traverse. Said this work has not been done. Director of Engineering Services said he inspected the area, but could not identify the problem. Cr Karanouh said it is not the road, but the footpath area.

• Uneven Pavers – Post Office – pavers sunken water ponds – need to be rectified.

Cr. Schieb:

• Referred to school children being at the pool during school hours – asked whether Council had a policy on this. The General Manager said it was Council's policy that school children not be admitted to the pool during school hours. Cr Schieb said the children are both junior and senior students.

8178 RESOLVED on the motion of Crs. Schieb and Karanouh that Council make arrangements to meet with the new Commissioner of Police to discuss lack of numbers and put pressure on him to classify Coonamble as 'special remote' in an endeavour to attract and retain officers.

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Cr O'Brien:

- Need garbage bins outside toilets at Gulargambone
- Apply for 'special remote' classification for Gulargambone
- Suggested Council investigate share farming as a means of saving money on farming expenses. The General Manager stated that the Airport could not be included, as only authorised personnel are permitted to enter.

8179 RESOLVED on the motion of Crs. O'Brien and Schieb that Council investigate share farming on "The Meglo" and the Common.

General Manager:

- Met with USU – discussed training issues, outdated salary system. Said the meeting was amicable.
- Nash Street Residence – Offered to Coonamble Aboriginal Medical Service for use next year. Hospital has approached Council re renting house. Has been rented to builders who have now vacated. Does Council have problem with rental of \$130 - \$150 (hospital can't afford \$200/week). Council may need house for additional staff member – will discuss with hospital.
- MPS – Advised that on Tuesday, 1 December at 4.30 p.m. Councillors are invited to walk through progress to date. Cr. O'Brien said she would be away.
- Damaged roads – Drew attention to considerable damage caused to Council's road network by heavy vehicles. Noted that Wingadee Road has held up very well.

Director of Engineering Services:

- Will draw up Terms of Reference for Quarry – hoped to have first meeting of Management Committee within two weeks.

Cr. O'Brien:

- Referred to acoustics in Council Chamber – very difficult to hear others speak from various positions in the room.

Cr Karanouh:

- Can Council Meetings be recorded? General Manager said Council would have to change its policy, because at the present time, recording is not permitted. Requested that this be discussed at the next meeting.

At this juncture, 4.35 p.m. Cr. O'Brien left the meeting.

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Cr Webb:

- Advised that it is out of order for Councillors to approach staff requesting information and is a breach of Council's Code of Conduct. Any requests of this nature should be directed to the General Manager.

This concluded the business and the meeting closed at 4.40p.m.

These Pages (Page 1/4357 to 36/4367) were confirmed on the day
of2009 and are a full and accurate record of proceedings of the
ordinary meeting of Coonamble Shire Council held on 11 November 2009.

MAYOR