

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 10<sup>TH</sup>  
FEBRUARY, 2010 COMMENCING AT 9.14 A.M.**

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**PRESENT:** Cr Tim Horan, Mayor, in the Chair, with Crs. J. Canham, T. Cullen, B. O'Brien, M. Webb, D. Schieb and A. Karanouh.  
Also present were the Acting General Manager, Mr Warren, the Director of Engineering Services, Mr. Gamage, the Finance Manager, Mrs Morrison, the Manager – Environmental Services, Mr. Cock and Mrs Moorhouse.

The Mayor, Cr. Horan, welcomed Councillors to the first meeting for 2010. He also introduced and welcomed the newly appointed Project Engineer, Mr. Brian Burge.

**2.0 ACKNOWLEDGE ORIGINAL OWNERS OF THE LAND**

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

**4.0 APOLOGY**

**8247 RESOLVED** on the motion of Crs. Webb and O'Brien that an apology be accepted from the General Manager, Mr. Griffiths, who is on annual leave.

**5.0 DELEGATIONS**

(a) Representatives from Coonamble Interagency to discuss issues regarding lack of facilities for disabled persons at Coonamble Pool have indicated they will address Council at 9.30 a.m.

**6.0 DECLARATIONS OF INTEREST**

There were no declarations of interest declared.

**7.0 CONFIRMATION OF THE MINUTES**

**8248 RESOLVED** on the motion of Crs. O'Brien and Webb that the minutes of the Ordinary Meeting of Coonamble Shire Council held 9 December 2009 be confirmed.

**BUSINESS ARISING FROM MINUTES**

(a) **Fencing at Racecourse**

Cr. Canham advised he has been speaking to the contractor who has been engaged to carry out the fencing and it will be completed shortly.

(b) **Tin Town/Warrena Creek Area**

In response to a question about the status of this work, the Director of Engineering Services stated there was only one car body to be removed from the area. With regard to flattening the hill to even the ground, as requested previously, he said he would have the work carried out. The Director was of the opinion that this would not be a big job.

**(c) Upgrade of Rail Branch Lines**

Cr. Schieb asked whether any further information is to hand. Cr. Cullen informed him that when the meeting was held in Sydney, Council delegates were informed that an amount of some \$121 million was allocated for maintenance for the whole network. If further funds were available branch lines would be prioritized, however no later information is to hand. Cr Cullen said it was suggested that the Federal Government be approached for funds, however he said he was not hopeful that that avenue would be successful. It appears that a large contribution would be needed from users of the line.

**(d) Pavers – Post Office**

Cr Karanouh referred to this matter and asked whether any action has been taken. In reply the Director of Engineering Services said inspections have been carried out and the work is programmed to commence.

**(e) Infinity Environmental**

Cr. Schieb asked whether this matter has progressed. The Director of Engineering Services said the status is that grant funding has been applied for, however no response to date.

**(f) Rotary Club – Toilet at Rest Area**

Cr Schieb referred to this matter and tendered a quote from Septic Sam which indicated that the cost would be \$200/truck load – and this would equate to around \$800 - \$1,000/annually. He indicated that the Club would re-apply for permission to erect the amenity. The Manager – Environmental Services stated that the current development application is being held in abeyance, awaiting further information from the Club.

**(g) Roads Program Update**

The A/General Manager replied to a question from Cr. Schieb saying the Roads Program would be put forward in conjunction with the Management Plan for the coming year. Mr Warren informed the meeting that Council is working towards a 10 year Management Plan.

**(h) Warrena Weir – Update**

Cr Schieb asked for an update on works on the Weir. The Director of Engineering Services stated that a new design structure was being prepared, in the vicinity of \$250,000. The Director stated the new design would be submitted to the March meeting.

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**(i) Showground Management Plan**

Council noted this Plan had been on public exhibition, with the closing date for submissions being 22 January. The A/General Manager stated that no submissions had been received by the specified date. Cr. Schieb said he had enquiries from a member of the Rodeo Association about the priority of works. Mr. Warren advised that the Secretary of the Association had been in contact with him regarding the same issue. It was decided to defer this matter until later in the day.

**DEPUTATION – INTERAGENCY RE FACILITIES AT THE POOL FOR DISABLED PERSONS**

At this juncture, the Mayor welcomed Tanya Hind and Carol McNamara to address Council on lack of facilities at the Coonamble Pool for disabled persons. It was stated that a change room and separate toilet is required as well as a chair lift to provide access into the pool. Mrs. McNamara suggested that Council look at a mobile ramp to assist with wheelchair access.

The A/General Manager suggested that the Interagency representatives meet with him, providing its priorities for the pool and he will incorporate them into the upcoming Management Plan for consideration by Council.

Mrs. Hind said the Interagency would actively pursue grants that may be available for such projects.

At this juncture, 9.35 a.m., Mrs Hind and Mrs McNamara left the meeting.

**MR. DAVID PROCTOR – COONAMBLE AQUATIC CLUB**

Mr. Proctor said that following flooding events major washout has occurred on the northern bank of the weir. He indicated that the Club and volunteers have plugged the damage many times and requested that some permanent remedy be investigated.

The Mayor informed Mr Proctor that the Director of Engineering Services is proposing to repair the wall and a new design, with flood gates, is being prepared. Cr Horan stated that funding of \$250,000 would be required to carry out the project. The Director indicated that the new design would be presented to Council at the March meeting.

Mr. Proctor thanked Council and left the meeting at 9.40 a.m.

**MESSRS. DAVID BURTENSHAW & PAUL WHEELHOUSE – COONAMBLE RODEO & CAMPDRAFT ASSOCIATION**

Messrs Burtenshaw and Wheelhouse were representing the Rodeo Association concerning the Showground Management Plan. They sought permission to move the campdraft area slightly from where it is shown on the plan and enquired whether the list of works in the plan were in priority order. The Mayor advised that the works were not in priority order and he invited them to submit their requirements as a priority so that Council can consider them in conjunction with the management plan.

Mr. Burtenshaw said prices for the yards have been received, however they are wanting to get a price for foundation materials for the new yards as it is felt that good foundations were a necessity. He committed to obtaining this information and getting back to Council.

Cr Cullen said he was of the belief that the campdrafting section had been finalized and that the Show Society was in favour of the proposal. Mr. Burtenshaw said that it would be more convenient for both user groups to make this small change.

The representatives indicated that showers and toilets at the northern end of the ground will be a priority. It was agreed to seek quotations and submit them for consideration in conjunction with the forthcoming estimates meeting.

Prior to leaving the meeting at 9.50 a.m., the Mayor congratulated Mr. Paul Wheelhouse on his election as President of the Coonamble Rodeo and Campdraft Association.

**8.0 RESOLUTION BOOK UPDATE**

**8249 RESOLVED** on the motion of Crs Canham and O'Brien that the Resolution Book Update be received and dealt with.

**(a) Industrial Subdivision** (Min No 6951)

The A/General Manager informed the meeting that no commitment is being made at this stage by businesses wishing to set up in the extended industrial area. Mr. Warren said a meeting would be held on Thursday, 11 February with the Economic Development Managers to progress the subdivision design.

**(b) Sale of Shares** (Min No 7849)

With regard to this matter, the A/General Manager said that Council was still working through requirements to sell the shares.

(c) **Land Use Strategy** (Min No 8087)

Cr. Schieb asked whether any progress has been made in this matter. He was advised that Council is still waiting on the letter from the Department of Planning. Mr. Warren said it would appear that January has been a quiet month and relevant officers have been on leave.

**9.0 MAYOR'S ACTIVITY REPORT**

The Mayor presented his activities report to Council, which included the following:

- Morning tea for John Page who retired after 40 years' service.
- Official Opening of the Neville Owens Lounge at the Commercial Hotel.
- Activities throughout the flood event. Saying he was happy to see the Premier and Minister for Emergency Services visit Coonamble twice during the crisis. Congratulated the SES and the volunteers who worked throughout the duration of the flood. Thanked Council staff for their commitment, along with other services, organizations and others who worked tirelessly.
- Reported on visit by members of the Manly Sea Eagles who were in Coonamble on 6 and 7 February. He particularly thanked "Crusher" Cleal who instigated the visit. Said the two day stay was a great success and thanked staff who were involved in the organization of the weekend activities.

**8250 RESOLVED** on the motion of Crs. Horan and Webb that Council forward a letter to Mr. Noel "Crusher" Cleal thanking him for the \$10,000 donation which he made on behalf of the Club towards a community project and for his initiative in arranging to visit Coonamble to offer support following the floods.

Cr. Schieb suggested that a coordinator with local knowledge be appointed to manage emergency events in the future. He cited instances when he was unable to contact the local SES during the flood situation. Cr Webb said management was from Wollongong, in consultation with the Minister.

The Mayor asked the Director of Engineering Services raise this issue when he attends the debrief meeting on 17 February 2010 along with the matter of a pre-warning system being investigated. It was also stated that levels in the creek and river were not replaced and Council decided to request for these to be again installed.

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**8251 RESOLVED** on the motion of Crs. Schieb and Webb that Council contact the Department of Environment & Climate Change requesting that river level gauges be replaced in both the Castlereagh River and Warrena Creek within this Shire.

**8252 RESOLVED** on the motion of Crs. O'Brien and Horan that a letter of thanks be forwarded to Mr. Bob Green, for his efforts on behalf of Council, during the December/January flood emergency.

**Address by Mayor**

At this juncture, Cr. Horan read a prepared statement which he wished to place on public record. It concerned the state of his health over the past four years and, in particular, his battle with depression over the past 18 months. The Mayor said as of 18 February, 2010 he will be medically retired from the NSW Police Force. He thanked those who have stood by him during his illness, particularly Superintendent Bob Noble for his support and friendship. Cr Horan said if councillors had any questions he would try to answer them.

Cr Canham moved a Vote of Thanks to the Mayor for his work during the flood period.

**8253 RESOLVED** on the motion of Crs. Horan and Webb that the Mayor's Report be adopted.

**10.0 CORRESPONDENCE**

**8254 RESOLVED** on the motion of Crs. Webb and O'Brien that the Correspondence be received and dealt with.

**Section A – For Consideration by Council:**

**10.1 COONAMBLE INTERAGENCY S13-1 (31816)**

Advising the following concerns have been raised regarding lack of facilities at the local pool for disabled people:

- Lack of access for wheel chairs at the entrance to the pool, toilets and change rooms.
- No changing facilities for disabled in change rooms (i.e. disabled toilet, shower and change cubicle to ensure privacy.
- Access to pools also an issue with the hoist having been removed and no other access available.

Requesting Council to address these issues and requesting the possibility of a ramp being installed into the pool so that disabled people can access the water safely.

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Representatives from the Coonamble Interagency attended the meeting and addressed Council earlier in the day.

**8255 RESOLVED** on the motion of Crs.Canham and Webb that the Interagency representatives meet with the A/General Manager, Cr O'Brien and Cr Canham (if available) to discuss these issues with a view to having the matters considered in conjunction with the Management Plan.

**10.2 STANDING COMMITTEE ON BROADBAND IN RURAL & REGIONAL COMMUNITIES C9 (31854)**

Inviting Council to make a submission to a new inquiry by the Committee into the availability of telecommunications, including broadband and other technology services in rural and regional communities. Submissions close Friday, 26 February, 2009.

**8256 RESOLVED** on the motion of Crs.Webb and O'Brien that Council not make submission to the Standing Committee on Broadband in Rural and Regional Communities.

**10.3 NSW RURAL DOCTORS NETWORK M5-1 (31878)**

Inviting Council to consider participating in the 2010 Bush Bursary/Country Women's Association Scholarship Scheme. Stating that if Council wishes to participate RDN will invoice it \$3,000 (plus GST).

**8257 RESOLVED** on the motion of Crs. O'Brien and Canham that Council not participate in the 2010 Bush Bursary/Country Women's Association Scholarship Scheme.

**10.4 "C" DIVISION SHIRES ASSOCIATION OF NSW S3-3 (31897)**

Advising that the Annual "C" Division Conference will be held on 18 March 2010 at the Warren Sporting Cultural Centre. Saying that Warren Shire has offered to host the informal barbecue on Wednesday 17 March at the Warren Bowling Club at no cost to members.

**8258 RESOLVED** on the motion of Crs.Webb and O'Brien that Councillors Horan, Webb and Schieb attend the "C" Division Conference of the Shires Association Annual Conference to be held in Warren on 17 March, 2010, including participation in the barbecue on 16 March.

**10.5 NATIONAL RURAL AND REMOTE HEALTH INFRASTRUCTURE PROGRAM (NRRHIP) M5 (31870)**

Advising of the fourth round of funding which is now available and closing on 29 January 2010. Stating funding relates to the following works:

- capital works/refurbishment (up to \$500,000 (GST exclusive))
- equipment (up to \$250,000 (GST exclusive))

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- strategic service planning for small rural private hospitals (up to \$50,000 (GST exclusive)).

**8259 RESOLVED** on the motion of Crs. Canham and Cullen that Council instruct the General Manager to have the refurbishment requirements of the residential housing provided to medical professionals identified, costed and application be made to the next round of funding under the NRRHIP.

**10.6 GREG KILBY, "GLENULLA", COONAMBLE SR20 (31281)**

Advising that when flooding rain occurs, water runs across Baradine Road between the Pilliga Road and Warrena Ck Bridge for at least 2 kilometres.

**8260 RESOLVED** on the motion of Crs. Schieb and Webb that it be noted that the Director of Engineering Services has ordered the depth gauges to be installed where suggested by Mr. Kilby.

**10.7 INDUSTRY & INVESTMENT NSW S10 (31855)**

Advising that the NSW Lighting Code was issued by the former Department of Energy, Utilities and Sustainability (now Industry & Investment NSW) following two years of consultation and negotiation. Advising a Discussion Paper can be found on the Energy homepage of the I&I NSW website at [www.industry.nsw.gov.au/energy](http://www.industry.nsw.gov.au/energy). Inviting council to provide comments which should be made electronically by Friday 12 February 2010.

**8261 RESOLVED** on the motion of Crs. Webb and O'Brien that Council not make comment on the NSW Lighting Code Discussion Paper.

**10.8 MR WARREN HULL, "HUGHENDEN" MR7515 (31901)**

Referring to resurfacing work Council has carried out to the causeway where "Hughenden" is situated on the Warren-Coonamble Road (48km south-west of Coonamble) and saying the rain has caused some of the new tar to wash away. Saying he would like at least six culverts placed between "Hughenden" house and the Coonamble/Warren boundary. Seeking Council's assistance in assessing this matter and installing culverts as requested.

**8262 RESOLVED** on the motion of Crs. Webb and Canham that Council advise Mr Hull that funding is not available for the installation of culverts under the flood damage program, however the rectification has been listed as an item under the Repair Program in Council's Regional Roads Development Program.

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**10.9 MRS MICHELLE SHIELDS F5 + E4 (31981)**

Stating she encountered problems with storm water following heavy downpours of rain recently in that water backed up, exiting via both the manhole/inspection site area as well as all outlet holes in the yard. Pointing out that she removed caps from pipes to allow water to flow directly outside rather than rise inside the house through bathroom floor drains and toilet.

Councillors were informed that Mrs. Shields included photographs for staff to view. It was pointed out that natural disaster relief funding does not extend to improvements to drainage systems. Councillors noted the following letter also deals with problems experienced during recent flooding.

**10.10 MS SUSAN LEONARD S4-3 + F5 (31920)**

Stating that on Saturday 2 January 2010 following heavy rain the sewerage pump could not handle the build up of water running into drains. Advising quite a few homes along the western end of Aberford Street had raw sewage flooding yards/homes. Saying the cemented outdoor area at her residence was affected and suggesting that an upgrade of the pumping facilities be considered.

At this juncture, Cr. Schieb referred to Item No. 10.43 on the Supplementary Precis of Correspondence which was in relation to the same matter.

**8263 RESOLVED** on the motion of Crs. Schieb and O'Brien that Council deal with Item No. 10.43 as 'urgent business' and in conjunction with Item Nos. 10.9 and 10.10.

**10.43 ROB CLAYTON PR1232-1 (32017)**

Writing in relation to his residence (138 Aberford Street Coonamble) which has been flooded with sewage water for the fifth time in four years. Saying flooding occurred on 22 November, 2006; 22 December, 2007; 21 June, 2008, 18 February, 2009 and 2 January, 2010 due to faulty sewage system pipes. Saying there are no plumbing issues on his property so the matter clearly is Council's responsibility. Asking what he needs to do to recoup costs and what Council's intentions are in relation to the faulty system.

**8264 RESOLVED** on the motion of Crs. O'Brien and Schieb that Council include in the 2010/2011 Management Plan for Coonamble Sewerage the engagement of a contractor to carry out the necessary identification of illegal connections of storm-water to the sewerage system.

**10.11 ZONE MANAGER - NSW RURAL FIRE SERVICE, COONAMBLE E4+F5  
(31939)**

Asking members from all agencies involved in the recent flood event to comment on facilities at the EOC in regard to operational performance. Saying generally the feeling was that the facility was good however some ideas to make it more user friendly were mentioned and are listed for consideration:

- (1) Addition of more power points (ceiling mounted).
- (2) Placement of an IT person during the initial set-up period to assist with other agencies accessing computer links.
- (3) Positioning of a dedicated facsimile machine in the EOC – (Coonamble HQ Brigade Captains have offered machine but would need to run a new phone line).
- (4) Photocopier in the EOC – (Current plan to purchase colour photocopier for RFS Fire Control Centre (FCC). Saying current black and white unit owned by Council – suggesting that when new copier purchased current one be place into the EOC area)
- (5) Possible placement of flat screen television for staff to monitor news and weather
- (6) Suggestion of fitting stove into catering area to allow food to be kept hot for late shift crews.
- (7) Provision of shire maps for wall mounting during incidents
- (8) Provision of basic cleaning services on a daily basis during activation.
- (9) Provision of a reception person to control the flow of people and maintaining a register of visitors. (This area already available at entrance to the FCC).

Saying he believes the current facility is appropriate for the type of area and scale of operations normally encountered however the foregoing suggestions will make it more efficient during operational periods.

**8265 RESOLVED** on the motion of Crs. Webb and O'Brien that the request be noted and provision of \$4,000 be made in the 2010/2011 Management Plan for the purchase of the items considered of higher priority at the February 17<sup>th</sup> debrief.

**10.12 JOHN THOMAS E4 + F5 + F5-4 (31961)**

Proposing that Council talk with the State Emergency Service advising it listens to local knowledge about *“some of the things they had no idea how to handle in the floods just past”*.

**8266 RESOLVED** on the motion of Crs. Canham and O'Brien that Council advise Mr Thomas that the issues raised had already been discussed with the SES and would be again put forward at the upcoming debrief meeting and further, that dedicated pumps had been applied for on a number of occasions, without success.

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**10.13 OUTBACK ARTS INC                      A11 (32000)**

Inviting the General Manager to its annual general meeting in Bourke on 18 March 2010 commencing 10 a.m.

**8267 RESOLVED** on the motion of Crs. Webb and O'Brien that Cr Karanouh attend the AGM of Outback Arts, as Council's delegate Cr O'Brien is unavailable on the day.

**10.14 CASTLEREAGH-MACQUARIE COUNTY COUNCIL                      N7 (31995)**

Saying that for many years the CMCC has carried out fruit fly control free of charge for its constituent councils. Advising this year more than 500 dac pots have been distributed as well as seven bait sprays using Protein Hydrolysate and Maldison. Pointing out that a resolution was passed at the December meeting to charge constituent councils \$3,000 towards the cost of continued control of fruit fly.

**8268 RESOLVED** on the motion of Crs. Karanouh and Schieb that Council agree to pay the additional \$3,000 for fruit fly control and the amount be sourced from working funds.

**10.15 NSW DEPARTMENT OF ABORIGINAL AFFAIRS                      I6-1-1 (32013)**

Forwarding an amended Charter between the Murdi Paaki Regional Assembly and the Murdi Paaki Local Government Areas for consideration and comment. Saying the document is being presented to the LGAs of Bourke, Brewarrina, Broken Hill, Central Darling, Cobar, Coonamble and Wentworth prior to finalization. Pointing out the next Assembly meeting is in the first week of March and it would be appreciated if comments are received by 28 February.

A copy of this draft document was attached to each Councillors business paper.

**8269 RESOLVED** on the motion of Crs. Webb and O'Brien that Council authorise the Mayor to sign the Charter of Engagement with Murdi Paaki Regional Assembly.

**10.16 COONAMBLE STREETS AHEAD COMMITTEE                      A19 (32021)**

Advising the Committee is hosting a performance of the Puccini Opera 'La Boheme' at Coonamble Showground on 31 March 2010 and the intention is to allow patrons to bring their own alcohol. Requesting that Council exempt the Coonamble Showground from the "No Alcohol in Public Places" from 1700hrs – 2300hrs on Wednesday 31 March 2010.

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Council noted that under the legislation it may alter the terms of the "Alcohol Free Zones" Declaration to temporarily suspend it for a designated location and timeframe.

**8270 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council agree to suspend the "Alcohol Free Zone" for the Coonamble Showground on Wednesday 31 March 2010 between the hours of 1700 – 2300, subject to no objection being raised by the Local Police.

**10.17 WARRUMBUNGLA SHIRE COUNCIL R8-4 + SR2 (32022)**

Advising that at the December meeting Council received Notice of Motion to support a joint approach for the completion of the construction and sealing of the road from Coonabarabran through Baradine and Gwabegar on to Mungindi. Stating that a report identified three roads having potential to benefit from cooperation from adjoining councils, being:

- Coonabarabran to Mungindi
- Wellington through Coolah to Boggabri
- Mendooran/Tooraweenah/Coonamble.

Seeking an indication from each of the potential partner councils of their commitment to each particular road. With regard to the Mendooran/Tooraweenah/Coonamble Road, asking whether Council would be prepared to commit funds be prepared to lead the preparation of the submission for the Mendooran/Tooraweenah/Coonamble Road project.

The A/General Manager informed the meeting that it was a misunderstanding regarding the contribution of \$60,000 and, in fact, only \$20,000 was required from each Council – equating to \$60,000 in total.

**8271 RESOLVED** on the motion of Crs. Karanouh and Cullen that Council advise Warrumbungle Shire Council that it is not prepared to participate, however it offers its support in principle to the proposal.

**10.18 ROSS McALARY P5 (32016)**

Referring Council's attention to the number of home invasions with offenders carrying knives. Saying he realizes this is a police matter, however pointing out that Coonamble is now considered worse than Walgett as far as break-ins, car theft and vandalism is concerned.

**8272 RESOLVED** on the motion of Crs. Webb and O'Brien that Council advise Mr. McAlary of the meeting held with the Local Area Commander and Local Member in respect of law and order and assure him that positive action is being taken in an attempt to mitigate the illegal activities of the minority.

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**Section B: For Information Only**

**10.19 REGIONAL DEVELOPMENT AUSTRALIA – ORANA D5 (31786)**

Formally introducing Regional Development Australia – Orana NSW Inc (RDA – Orana) and its committee members and providing an overview of the “exciting role” it will be playing in the region’s future.

Advising that the following persons are the appointed members:

Mr John Walkom (Chairperson)	Ms Karin Sheedy (Deputy Chairperson)
Ms Belinda Colless	Mr Joseph Flick
Mr Thomas Gavel	Ms Averil Gillham
Mr Terry Hoffman	Ms Louisa Kiely
Ms Tracey Simpson	Cr Allan Smith
Ms Merryn Spencer	Mr Kim Williams.

Encouraging Council to communicate with the committee members so that we can work together for our communities. Saying that a Regional Plan will be prepared within the next six months and inviting Council to contribute to the process.

**10.20 AUSTRALIAN RAIL TRACK CORPORATION LTD (ARTC) R2 (31877)**

Advising that ARTC has released the results of the second stage of the Melbourne-Brisbane Inland Rail Alignment Study. Stating that during the course of the study an alternative 1690km option emerged with shows a potentially stronger economic performance. Advising it has been adopted for further analysis in Stage 3 of the study.

Pointing out this route uses existing rail lines from Melbourne via Albury to Cootamundra, Parkes and Narromine; then a generally direct route, with substantial new construction to Narrabri; existing lines to Moree and North Star near Goondiwindi and new construction from North Star to Brisbane via Toowoomba.

**10.21 THE HON STEVE WHAN MP R2 (31818)**

Acknowledging receipt of Council’s letter regarding Coonamble rail branch line and advising that the matter is the responsibility of the Minister for Transport, The Hon David Campbell. Saying the information has been forwarded for consideration.

**10.22 COONAMBLE PRE SCHOOL INC P1-6 (31828)**

Thanking Council for completing work on the leaking bore in the car park and saying it is understood is was a costly exercise. Also saying thank you for the excellent clean up of the site. Advising it has erected the sign for the car park and will complete the agreement by having the remainder of the road graveled so that the area can be used in all weather conditions.

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**10.23 ELECTORAL COMMISSION NSW E2 (31841)**

Referring to the 2008 local government elections and saying that according to legislation when candidates lodge their nomination forms they must pay a deposit. Further stating that legislation provides that any deposit not required to be refunded must be forfeited to the Council and advising that the following is relative to Coonamble:

Nomination deposits received from candidates	\$1,625.00
Money refunded to your candidates	\$1,250.00
Money forfeited to council	\$ 375.00

Accordingly a cheque for \$375 has been returned.

**10.24 NSW INDUSTRY & INVESTMENT G5 (31838)**

Thanking Council for its application to the Recreation Fishing Trust funded Habitat Action Grants for funding for Warrena Creek Weir Overflow. Saying the proposal was reviewed mid-November and Council's application has been unsuccessful.

**10.25 THE HON MARTIN FERGUSON AM MP G5-42 (31835)**

Informing Council of the success of its application for funding for Coonamble Eco-spa – feasibility assessment and planning submitted under TQUAL Grants. Saying that a grant of \$6,000 is specifically targeted at supporting innovative, high quality tourism products contributing to the long term economic development of Australia.

**10.26 OUTBACK ARTS INC A11 (31848)**

Thanking Council for its support during the past year and also for providing office space, rent free. Providing details of projects it has been working on in the last year within the region. Saying Outback Arts has continued to support presenter groups and touring groups in the Coonamble Shire. Looking forward to working with Council in 2010.

**10.27 DEPUTY DIRECTOR GENERAL (LOCAL GOVERNMENT) S13 (31864)**

In a lengthy circular, advising that the *Swimming Pools Amendment Act 2009* (The Amendment Act) was assented to by the Governor of NSW on 14 December 2009 and commenced on and from that date. Also providing guidance to councils in relation to the amendments and details about where to get further information and resources. Informing relevant council staff to check the existing information and resources available on the Division's website.

**10.28 DAVID WARD, NATIONAL AGRONOMY MANAGER, DEMAND FARMING**

Providing an update on activities of Demand Farming, saying it has been another exciting and eventful year with many professional trials and successes. Also included is the December 2009 Newsletter.

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This information was provided to Councillors as an appendix to the business paper.

**10.29 OFFICE OF THE MINISTER FOR TRANSPORT AND ROADS R2  
(31880)**

Acknowledging receipt of Council's letter regarding the Coonamble branch railway line and saying matters raised have been noted and are receiving attention. Advising that a reply will be forwarded as soon as possible.

**10.30 GWAHS – COONABARABRAN COMMUNITY HEALTH S13 (31881)**

Stating that as a recent user of the Coonamble Pool she would like to acknowledge the great facility and thank staff for their congenial manner and diligent work which make booking and using the pool for two days an easy task. Asking that the message be passed on to staff.

Councillors noted that a copy of the letter from Ms Jennifer Hunt, on behalf of the Central North West Health Promotion Team, has been passed on to the appropriate staff.

**10.31 NSW OMBUDSMAN H2 (31891)**

Advising he is currently investigating a number of issues relating to how asbestos is dealt with in NSW and in the course of inquiries have identified anomalies in the manner in which some councils provide information to the public.

Pointing out that councils have obligations under various provisions of the *Protection of the Environment Operations Act 1997* and the *Contaminated Land Management Act 1997*.

**10.32 ROADS & TRAFFIC AUTHORITY, NSW CENTRE FOR ROAD SAFETY  
R8-18 (31284)**

Thanking Council for its participation in the current road safety infrastructure assessments for identified NSW Aboriginal communities. Saying the knowledge and familiarity by Council staff with the local road network, experience regarding local issues were particularly relevant. Stating that a report will be provided to the Aboriginal Affairs NSW for it to consider under the State Plan for the whole of government initiatives focused on providing community infrastructure for Aboriginal Communities.

**10.33 NSW GOVERNMENT OFFICE OF WATER W1 (31882)**

Informing Council of future arrangements for the Local Water Utilities (LWU) dams safety program. Advising the dams audit unit within the NSW Office of Water (NOW) oversees the Local Water Utilities (LWU) dam safety program under Sections 60 to 63 of the Local Government Act 1993.

A copy of this correspondence was attached to the business paper.

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**10.34 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW G5  
(31863)**

Advising that Council's application for funding under the NSW Healthy Communities Grant Scheme was successful. Enclosing copies of the Funding Agreement for signature and return.

Council noted that the Funding Agreement has been signed and returned as requested.

**10.35 MUSEUMS & GALLERIES NSW G5-21-5 (31286)**

Forwarding agreement between Council and the Museums and Galleries NSW to provide funding to Council for the purpose of establishing a Museum Advisor Program in the Coonamble and Gilgandra LGAs for a period of 12 months commencing May 2009 – April 2010.

**10.36 PREMIER & CABINET NSW GOVERNMENT R2 (31912)**

Writing in response to Council's letter to the Premier concerning the Coonamble rail line. Advising the concerns raised have been forwarded to the Minister for Transport and Roads, the Hon D A Campbell, MP.

**10.37 KRISTINA KENEALLY MP, PREMIER G5 + H1 (31957)**

Congratulating Council on its successful application for the restoration of the roof at Gulargambone Memorial Hall and Mechanics Institute Hall, Gulargambone. Advising funding of \$5,500 will be offered to Council and Government officers will be in contact shortly prior to Letters of Offer and Agreements being provided in January/February 2010.

Councillors were informed that works on the Gulargambone Hall have been arranged for this month and electrical wiring replacement will be carried out as quickly as possible thereafter.

**10.38 KRISTINA KENEALLY MP, PREMIER G5 + C8 (319058)**

Writing in relation to the NSW Government's Community Building Partnership Program and congratulating Council on its successful application for the relocation of soccer field at Coonamble. Advising that funding of \$3,500 will be offered shortly and Government officers will be in contact prior to Letters of Offer and Agreements being provided in January/February 2010.

The meeting noted that staff have been requested to assess the potential for reallocating this grant for use at the new location of the soccer fields at the Coonamble Sportsground.

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**10.39 COONAMBLE RURAL TRANSACTION CENTRE I4-5 (31934)**

Advising that as a result of recent heavy rains and floods in Coonamble, rooms have been damaged at the RTC building. Saying ceilings leaked, carpets ruined and will need replacing. Stating this disaster has interrupted daily work routine at the Centre and asking that problems be rectified as soon as possible.

In his note on this matter, the General Manager said it was disappointing that action was not taken immediately to ensure carpets were reusable. He said staff are currently assessing not only replacement carpet but also corrective action to prevent recurrence.

**10.40 COONAMBLE SENIOR CITIZENS ASSOCIATION C6-12**

Forwarding copy of minutes of the Association's meeting held on 19 January, 2010, together with a copy of Bank Statement for the month of December, 2009.

This information was included as an appendix to the business paper, as it is presented to Council in accordance with the requirements of Committees of Council under S355.

**10.41 DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT (OFFICE OF TRANSPORT SECURITY) A5 (32010)**

Approving the Program for the Coonamble Shire Council under section 19 of the *Aviation Transport Security Act 2004*. Stating the Program will come into force on the day following issue of the notice and will remain in force for a period of five years unless replaced by a revised program under subsection 22(2) of the Act, or the approval of the Program is cancelled under Part 2 Division 5 of the Act.

**10.42 CASTLEREAGH-MACQUARIE COUNTY COUNCIL N7 (32011)**

Forwarding Business Paper for the ordinary meeting to be held in Warren on Wednesday, 17 February, 2010.

Previously Council requested that minutes of County Council meetings be presented for information and they were attached as an appendix.

**8273 RESOLVED** on the motion of Crs. O'Brien and Webb that the information contained in Item Nos. 10.19 to 10.42 inclusive be noted.

**URGENT BUSINESS – SUPPLEMENTARY PRECIS OF CORRESPONDENCE**

**8274 RESOLVED** on the motion of Crs Webb and Canham that the following items be classified 'urgent business' and dealt with.

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**10.43 ROB CLAYTON PR1232-1 (32017)**

Writing in relation to his residence (138 Aberford Street Coonamble) which has been flooded with sewage water for the fifth time in four years.

**8275 RESOLVED** on the motion of Crs. Webb and Canham that Council note this matter was dealt with earlier in the day in conjunction with Item Nos. 10.9 and 10.10 in the Precis of Correspondence.

**10.44 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW L9-3  
(32032)**

Advising that Murray Shire Council (the Council) has approached the Associations for assistance with legal costs in litigation in which it has been involved.

**8276 RESOLVED** on the motion of Crs. O'Brien and Webb that Council agree to contribute \$134.83 towards legal expenses incurred by Murray Shire Council and the amount be sourced from Council's 'legal expenses' vote.

**10.45 COONAMBLE SENIOR CITIZENS ASSOCIATION D7 (32039)**

Advising Council what is planned for the Local Senior Citizens Association during Seniors Week in March 2010. Stating a grant of \$400 has been received from the Government for the luncheon, but seeking a \$200 contribution from Council for the morning tea.

**8277 RESOLVED** on the motion of Crs. O'Brien and Canham that Council contribute \$200 towards morning tea for the Coonamble Senior Citizens Association and funds be sources from the 'donations' vote.

**10.46 COONAMBLE CHILDRENS SERVICES INCORPORATED C8**

Advising the Coonamble Childrens Services Inc (CCS) is a not-for-profit organisation providing centre based long day care for children ranging in age from babies to 5 year olds and has been providing this service since June 1989. Advising it operates with a staff of 14 and now finds itself in the grips of a financial crisis. Saying the purpose of the letter is to request Council to assist the organisation and providing options for consideration.

A copy of this letter was provided to each Councillor.

At this juncture, 10.36 a.m., the Mayor invited Mr. Geoff Secombe, Chairman of the CCS to address the meeting.

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**8278 RESOLVED** on the motion of Crs. Horan and Cullen that Council provide an interest free loan of \$20,000 to Coonamble Children's Services Inc. repayable by monthly instalments over 60 months, with an initial non-repayment period of 12 months.

At this juncture, 10.50 a.m., the meeting adjourned for morning tea and resumed at 11.10 a.m.

**17.0 REPORT BY ECONOMIC DEVELOPMENT MANAGER**

**8279 RESOLVED** on the motion of Crs. Webb and Cullen that the report by the Economic Development Officers be received and dealt with.

Council's EDM, Amanda Glasson, was in attendance to present the report and she mentioned the following issues:

- Keep Coonamble Kicking – back in action again following a lull in January. Mr. Dave Chadwick was the lucky winner of the first \$500 drawn at the Christmas Carnivale.
- Workshop – Work Place Safety Essential – Serious about Safety – being held on 24 February 2010. Presented by WorkCover supported by the EDM office.
- All applications submitted for funding under the NSW Community Building Partnerships Program successful:
  - Coonamble Mens Shed - toilets
  - Gulargambone Memorial Hall - roof repairs
  - Quambone Hall - supper room upgrade
  - Coonamble – relocation of soccer fields'
- Supermarket – proponent called again advising the interest still remains.
- Application for community health project successful
- Saleyards – no feedback on application for funding for a Marketing Plan - \$12,000 required; \$4,000 Council; \$4,000 with grant (if successful)
- Railway issue – pursue submissions and meeting with Minister.

**8280 RESOLVED** on the motion of Crs. Webb and Cullen that the report by the Economic Development Managers be adopted.

Ms Glasson left the meeting at 11.31 a.m.

**11.0 REPORT BY GENERAL MANAGER**

**8281 RESOLVED** on the motion of Crs Webb and Canham that the report submitted by the General Manager be received and dealt with.

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**11.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY**

**8282 RESOLVED** on the motion of Crs. Webb and O'Brien that Council note Development Application Nos. 030/2009, 058/2009 & 050/2010, along with Complying Development Application Nos. 059/2009 & 04/2010, have been approved under delegated authority since the last meeting.

**11.2 MANAGEMENT PLAN 2010 – 2013 – TIMETABLE**

In his report the General Manager suggested the following timetable to ensure the orderly progress of the 2010 – 2013 Management Planning process.

<b>Date</b>	<b>Function</b>
Wednesday, 3 March	Workshop – Council Chambers – 9.00 a.m .
Wednesday, 14 April	Draft Management Plan (considered as part of April 2010 Council meeting) and placed on public exhibition
Wednesday, 28 April	Public Meeting (evening) for Council to present its Management Plan to the Community.
Wednesday, 19 May	Submissions from the public close
Wednesday 9 June	Management Plan adopted (at normal monthly Council meeting)

**8283 RESOLVED** on the motion of Crs. Webb and O'Brien that Council adopt the Management Planning Timetable as outlined and note the allowances set out in the report.

**11.3 QUARRY PRODUCTS**

Councillors noted that in the General Manager's report he indicated that the rate for Rock Fill 40mm was quoted at \$17.70 (a similar price to the surrounding items) when the correct price was \$10.90.

**8284 RESOLVED** on the motion of Crs. Webb and Canham that Council make amendment to its 2009/2010 Fees and Charges by decreasing the price stated for Rock Fill 40mm to \$10.90/tonne and place the alteration on public exhibition for twenty eight days.

**11.4 NATIONAL RURAL AND REMOTE HEALTH INFRASTRUCTURE PROGRAM (NRRHIP)**

Councillors noted that the fourth round of funding under this Program closed on 29 January 2010 but it is believed that at least two further rounds will occur with the Program being finalized in 2012.

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In a report on the matter the General Manager said Council previously had the Coonamble Medical Service Complex which comprised Early Childhood Services, Doctor's Surgery and Dental Practice. He stated that occupation by Community Health will cease when the MPS complex is in operation. The General Manager's report indicated that since the opening of the Coonamble Aboriginal Health Service and the employment by the Castlereagh Medical Centre of three doctors, there does not appear to be a need for a further medical practice. It went on to say that the site of the medical complex was recently discussed as being an option in respect of a new development in that vicinity and without further advice it is difficult to ensure that the property will remain in Council's ownership.

The General Manager's report indicated that the NRRHIP would be the ideal avenue to replace the dental surgery but it is unclear whether it would be eligible for funding.

Council noted that residences supplied to doctors and the dentist are in need of refurbishment and, whilst such proposal stretches the guidelines, they may be eligible.

**8285 RESOLVED** on the motion of Crs. Webb and Canham that Council apply for funding to:

- relocate the Dental Surgery should the possible development occur
- refurbish the three residential properties currently occupied by the doctors/dentist.

**11.5 DRAFT PLAN OF MANAGEMENT – COONAMBLE SHOWGROUND**

The draft Plan of Management for Coonamble Showground was presented to Council's meeting on 9 December, 2009 when it was resolved to place the document on public exhibition. The closing date for receipt of submissions was 22 January 2010. No submissions / comments were received, however enquiries have been made by the Rodeo Association concerning priority of works and slight change to the campdraft area proposed for the northern end of the ground.

**8286 RESOLVED** on the motion of Crs. Webb and Schieb that Council formally adopt the Plan of Management for the Coonamble Showground, noting that no submissions were received and a copy of the adopted document be forwarded to the Department of Lands **AND FURTHER** that the nineteen key elements contained in the plan be reflected to be in no priority order.

### **11.6 GINTY ESTATE**

At the December 2009 meeting Council requested that reports previously presented to Council be resubmitted to the February meeting for Council to determine the future of the Ginty Estate. Copies of the reports were reproduced and included in the General Manager's report to the meeting.

Cr. Schieb indicated that river blocks would appeal to prospective buyers, however the rest of the area would be difficult to sell. Cr. Karanouh suggested bigger blocks. Cr Horan suggested that the section containing the river blocks be subdivided and Council obtain costings so that they could be put on the market. It was also suggested that Council provide 1 acre allotments on Ginty Estate.

**8287 RESOLVED** on the motion of Crs.Schieb and Cullen that the Manager Environmental Services and relevant other staff look at ideas and costings and bring their proposals back to Council so that a decision can be made in relation to the future of the area.

### **11.7 PUBLIC MEETING – UPGRADE OF COONABARABRAN TO MUNGINDI ROAD**

In his report the General Manager advised that on 14 January 2010 he and Councillor Karanouh attended the public meeting in Pilliga called to discuss the proposal for the above major upgrade of the road. The meeting was organized by the Pilliga Community Link Centre on behalf of the Pilliga Road Improvement Committee. It was well attended with over fifty interested persons, including representatives from Warrumbungle, Narrabri and Walgett Councils.

**8288 RESOLVED** on the motion of Crs. Karanouh and Webb that Council provide a letter of support to the Organising Committee of the Coonabarabran to Mungindi Road upgrade proposal.

### **11.8 QUARRY MANAGEMENT COMMITTEE – TERMS OF REFERENCE**

At the November 2009 meeting the General Manager was instructed to develop Terms of Reference for the Quarry Management Committee for the Mt Magometon Quarry. The draft was submitted to this meeting as an appendix to the business paper.

**8289 RESOLVED** on the motion of Crs. Webb and O'Brien that Council adopt the Terms of Reference for the Quarry Management Committee, noting that one of the Committee's roles be monitoring of product prices from neighbouring quarries.

### **11.9 LAW & ORDER MEETING - LOCAL MEMBER & LOCAL AREA COMMANDER**

In his report on this matter the General Manager informed the meeting that, along with Councillors Karanouh, Schieb, Webb, Canham and Cullen, he met with Local Area Commander, Bob Nobel and Local Member Kevin Humphries in respect of Law and Order issues across the Shire on 15 December, 2009.

The report listed various issues dealt with at the meeting, including staffing, court and classification and a potential interagency remedy, which would see Council take a lead via Interagency to develop a holistic approach. In his report, the General Manager said that DoCS and Juvenile Justice, together with LAC, educators, public house, etc. would need to be involved. He reported that there is potential for an interventions worker being located at Coonamble within 12 months to deal with offenders' parents.

The report went on to say that an interagency remedy would need the unqualified support of regional managers of any participating agency with specific instruction on how a strategy is to be implemented for the reduction in criminal activity, including domestic violence.

The A/General Manager informed Council that the Attorney-General's Office phoned advising it will not sign off on Council's Crime Prevention Plan as it is because:

- the document is too lengthy
- too much social information
- strategies do not address the type of crime being committed.

**8290 RESOLVED** on the motion of Crs. Cullen and Webb that Council await the outcome of its Crime Prevention Plan Review by the Attorney-General's Department and, in the interim, authorise the General Manager to progress the high level meeting with the relevant State Government Departments and to contact Dawn Fardell, MP to obtain information that she may have that would be of assistance in addressing crime prevention issues.

### **21.0 CLOSED SESSION**

**8291 RESOLVED** on the motion of Crs. Webb and O'Brien 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)*"; 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*".

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**8292 RESOLVED** on the motion of Crs Webb and O'Brien that the press and public be excluded from the meeting.

**RESUME OPEN COUNCIL**

**8293 RESOLVED** on the motion of Crs. Webb and Canham that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATIONS OF CLOSED SESSION**

**8294 RESOLVED** on the motion of Crs. Webb and Canham that Council adopt the recommendations of Closed Session, being Recommendation Nos. 21.1 – 21.5 and Recommendation No 22.1, as set out below:

**21.1 UNITED SERVICES UNION (USU) – MOTION OF NO CONFIDENCE – CR SCHIEB**

**THE COMMITTEE RECOMMENDS** that Council advise the USU that Cr Schieb was within his rights to request a review of the Organisation Structure, but such review will not be undertaken at this time.

**21.2 CODE OF CONDUCT – OPERATIONAL ISSUES**

**THE COMMITTEE RECOMMENDS** that Councillors individually note that any transgression into “operational” issues will immediately lead to reference of a breach of Council’s Code of Conduct to a Conduct Review Committee/Reviewer.

**21.3 FORMAL COMPLAINT – CR SCHIEB**

**THE COMMITTEE RECOMMENDS** that Council note the referring of a formal complaint against Cr Schieb for potential breach of Council’s Code of Conduct to a Conduct Reviewer.

**21.4 PERFORMANCE APPRAISAL – MANAGER – HIGHWAY/PLANT FLEET**

**THE COMMITTEE RECOMMENDS** that the report on this matter be noted.

**21.5 PERFORMANCE APPRAISAL – MANAGER – ROADS**

**THE COMMITTEE RECOMMENDS** that the report on this matter be noted.

**22.1 OROC TENDER – STATIONERY & ANCILLARY ITEMS**

**THE COMMITTEE RECOMMENDS** that Council accept the tender of Corporate Express for the supply of Stationery and Ancillary Items as part of the OROC request for tenders.

At this juncture, 12.45 p.m., the meeting adjourned for lunch and resumed at 1.45 p.m.

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**12.0 REPORT BY DIRECTOR OF CORPORATE SERVICES**

**8295 RESOLVED** on the motion of Crs Webb and O'Brien that the report by the Director of Corporate Services be received and dealt with.

**12.1 RATE COLLECTIONS**

**8296 RESOLVED** on the motion of Crs. Webb and O'Brien that the Total Combined Rate Collections to 31 January 2010 be noted.

**12.2 LIST OF INVESTMENTS**

**8297 RESOLVED** on the motion of Crs. Webb and O'Brien that that the Investments held at 31 January 2010 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 STORES AND MATERIALS UNACCOUNTED FOR & STORES AND MATERIALS WRITTEN IN – PERIOD 1 JULY – 31 DECEMBER 2009**

The Director of Corporate Services informed Council that the stock-take of stores and materials has been completed.

**8298 RESOLVED** on the motion of Crs. Horan and Webb that the Director of Engineering Services investigate and report back to Council in relation to the discrepancy of diesel from the stock-take, such review to include procedures and risk management.

**8299 RESOLVED** on the motion of Crs. Canham and Webb that Council authorise the writing in of stores and materials in the sum of \$461.64 and the writing off of stores and materials in the sum of \$1,801.39, as shown below, for period ended 31/12/2009:

**(a) Items Unaccounted for:**

Stores No	Description	Quantity	Amount
143	Diesel	1196	1,347.05
400	7mm Precoated Aggregate	10	454.34
			\$1,801.39

**(b) Items in Excess:**

Stores No	Description	Quantity	Amount
472	Petrol	263	288.65
562	Signs R&T	4	172.99
			\$461.64

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**12.4 RENEWAL LOAN – COMMONWEALTH BANK**

**8300 RESOLVED** on the motion of Crs. Karanouh and Webb that Council not refinance the loan and that repayment, due on 5 May, 2010, in the amount of \$72,855.27, be funded from the Domestic Waste Management reserve.

**13.0 REPORT FROM DIRECTOR OF ENGINEERING SERVICES**

**8301 RESOLVED** on the motion of Crs. Karanouh and Cullen that the report by the Director of Engineering Services be received and dealt with.

**13.1 PROGRESS REPORT**

- Tourable Creek Bridge – has been extensively damaged – Director stated that RTA will carry out its own inspections when Council's assessment is submitted and will then prioritise the works.
- Cr Karanouh asked how Walgett Shire has been able to repair some of its roads following flood damage – the Director said he was not away of the procedures in place there.

Mr Gamage provided Council with an update of works in progress, including:

- State Highway
- Local & Regional Roads
- Water & Sewer
- Gulargambone War Memorial Hall
- Staffing
- Flood Damage
- Warrena Creek
- Quarry Management Committee.

**8301 RESOLVED** on the motion of Crs. O'Brien and Schieb that the report by the Director of Engineering Services be noted.

**14.0 REPORT BY MANAGER – ENVIRONMENTAL SERVICES**

**8302 RESOLVED** on the motion of Crs. Canham and Webb that the report by the Manager – Environmental Services be received and dealt with.

**14.1 DEVELOPMENT APPLICATION NO. 060/2009 – PROPOSED CHILD CARE CENTRE WILGA STREET, COONAMBLE**

The Director provided a detailed report to Council, advising that the proposed Child Care Centre functioning will replace the existing dwelling. He said the site is zoned 2 (v) Village under the provisions of the Coonamble Local Environmental Plan 1997.

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Council noted that the development has been assessed as a permissible use within the objectives of the 2 (v) Village zoning table and meets the requirements of assessment under Section 79c of the Environmental Planning and Assessment Act 1979. Operational hours for the proposed Child Care Centre would be from 7.30am to 6.00pm week days.

Council's attention was directed to the fact that three written submissions have been received with respect to the development, these being from JW Parsons, Chris and Melinda Roach and the Coonamble Childrens Services Inc.

**8303 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council, after considering submissions received, approve development application 060/2009 for the development of a child care centre incorporating extensions to an existing building subject to the following conditions:

1. That the development, as identified in the application received by Council (D.A. 060/2009 ), be carried out in accordance with this consent, except where amended by the conditions of consent.

Notes:

- Any alteration to the drawings and/or documentation, as approved by Council, will require further Council consent, as per S96 of the Environmental Planning and Assessment Act.
- No other works, other than those approved by this consent notice, shall be carried out without the prior consent from Council.
- Where there is an inconsistency between the documents lodged with this application and subsequent approval, and the following conditions, the conditions shall prevail to the extent of the inconsistency.

2. A copy of this notice shall be kept on site at all times. Further if the applicant is not the builder or occupier of the land to which this notice relates, a copy of this notice must be furnished to the above said persons.

3. The developer shall construct the drop off area to the development prior to having an occupation certificate issued for the development.

4. The vehicle drop off area shall be constructed with a suitable hard stand material and be at the full cost of the developer.

5. The developer shall provide four (4) off street parking spaces on a suitable hard stand area constructed to a standard as required by Council's Engineering Department. A plan indicating the location of the off street parking shall be provided to Council before approval prior to construction.

6. The developer shall ensure that all stormwater on the site is managed in such a way that stormwater will not enter or impact on adjoining properties.

REASON: To ensure management of stormwater flows.

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7. A suitable child proof fence shall be erected to the development site all to the requirements of current statutory provisions.
8. Before any site works, building or demolition begins the applicant must:
  - (a) erect a sign in a prominent position on the site that can be read easily by anyone in a public road or other public place adjacent to the site. The sign is to be erected before the commencement of works and is to display the principal contractor's name, business telephone number, licence number, site address and the name, address and telephone number of the Principal Certifying Authority (PCA) and stating that unauthorized entry to the work site is prohibited. The sign or signs are to be maintained while the demolition and building works is being carried out and must be removed when the work has been completed.
  - (b) provide a temporary on-site toilet if access to existing toilets is not adequate
  - (c) protect the public land or place from obstruction, inconvenience or damage due to the carrying out of development.
9. The developer shall notify Council, not less than forty eight (48) hours prior to the commencement of the 'work (s)' of:
  - date of commencement of the 'work (s)';
  - name of the principle certifying authority for the issue of compliance, occupation and/or subdivision certificates;
  - form attached.
10. Prior to the commencement of construction of the structure, the developer lodge with, and receive approval for the following listed S68 Local Approval (s):
  - B1 – carry out water supply work
  - B4 – carry out sewerage work
  - B5 – carry out stormwater drainage work
11. Prior to the occupation of the building/structure, the developer apply for, using the prescribed form and payment of the prescribed fee, an occupation (final or interim) certificate.

Notes:

  - prescribed form attached;
  - if certificate issued by a private certifier, the certificate is to be lodged with Council not less than forty eight (48) hours to the occupation of the building/structure.
12. Use of the building for residential habitable purposes is prohibited. Further Council consent is required for a change of use.
13. A Fire Safety Certificate must be provided with respect to all fire safety measures installed within the building specified by the Fire Safety Schedule. Such certification must be provided prior to a final inspection or application for occupancy is considered.

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14. All surplus roof water from rain water tank overflow and down pipes from the structure is to be conveyed to either Barton or Wilga Streets, Coonamble by means of a 90mm stormwater pipe.

15. The proposed land/building/structure/dwelling be connected to a 240 volts AC mains electrical supply as per the regional electricity supplier's requirements.

16. The proposed child care centre be connected to the Council's sewer system, all at the developers cost, to Council's requirements. This will require the installation of an EOne waste management system pumped to Council's sewer mains connection point in Barton Street, Coonamble to Council's Engineering Department requirements.

17. The building is to comply with the requirements of the Commonwealth Disability Discrimination Act 1992 and the NSW Anti-Discrimination Act 1977.

Notes:

- The granting of this consent does not imply or confer compliance with requirements of the Disability Discrimination Act 1992, the Anti-Discrimination Act 1977 and/or the Building Code of Australia.
- The Disability Discrimination Act 1992 and the Anti-Discrimination Act 1977 provide that it is an offence to discriminate against a person in a number of different situations.
- Compliance with part D3 of the Building Code of Australia – Access for people with disabilities, will be deemed to meet the requirements for the provision of access for people with disabilities to Class 3, 5, 6, 7, & 9 buildings. The applicant should ensure that these matters are addressed in the plans and specifications submitted with the construction certificate application.

18 Any use of the subject land shall not commence until all relevant conditions of consent have been met or unless other satisfactory arrangements have been made with Council.

19. All work associated with the implementation/construction (not operation) of the approved development activity, involving the use of electric or pneumatic tools, or other noisy operations, shall be restricted to the following hours of operation:

Monday to Saturday	7am to 8pm
Sunday	8am to 8pm
Public Holidays	8am to 8pm

Notes:

- All noise generating activities are subject to the requirements of the Protection of the Environment Act 1977.
- This condition of consent does not relieve the developer (or employees, contractors, etc) from the requirements of the relevant Noise Control legislation.

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20. As PCA, Council requires the following inspections to be undertaken by Council before issuing an Occupation Certificate:

The Environmental Services Department is to be given 48 hours notice prior to the following inspections being made:

1. at the commencement of the building work; and
2. after excavation, and prior to the placement of any footings; and
3. prior to pouring any in-situ reinforced concrete building elements; &
4. prior to covering any of the framework for any floor, wall, roof or other building element; and
5. prior to covering waterproofing in any wet areas; and
6. prior to covering any stormwater drainage connections; and
7. internal sanitary plumbing and drainage; and
8. external sanitary plumbing and drainage; and
9. hot and cold water plumbing; and
10. after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

21. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is a statutory requirement that an accredited contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material.

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

### **QUAMBONE STORE**

The Director of Environmental Services informed Council that he has had discussions with the owner of the Quambone Store. He said she has had every chance to rectify unacceptable conditions, however has failed to do so. The Director said that should conditions not be met on this occasion he will take action to close the store.

The Director advised Council of other issues he was investigating, including:

- Derelict houses at Gulargambone – proposed demolition
- Tooloon Street property – new owner has been instructed to clean yard. It is anticipated that work will be carried out on the premises shortly.
- Overgrown blocks – referred to the new legislation that precludes Council from issuing Orders on owners – this is now the responsibility of the NSW Rural Fire Service.

**TREES – PROPERTY AT 140 ABERFORD STREET**

**8304 RESOLVED** on the motion of Crs. Canham and Webb that staff follow up any agreement made by Council regarding the maintenance of grounds and take appropriate action to ensure appropriate presentation of Council property.

**PUMPS FOR LEVEE**

**8305 RESOLVED** on the motion of Crs Schieb and Canham that Council seek funding in flood damage claim to install a permanent pump station at the Levee at the end of Tooloon Street.

**15.0 MANAGEMENT PLAN REVIEW & QUARTERLY BUDGET REVIEW TO 31 DECEMBER, 2009**

The Director of Corporate Services referred to the necessity to 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 – which were attached.

A list of budget variations and reasons was also presented for Council's consideration. As Council's responsible accounting officer, Mr. Warren stated it is his opinion, having regard to the original estimate of income and expenditure and the quarterly review of these estimates at 31 December 2009, that Council is in a satisfactory financial position.

**8306 RESOLVED** on the motion of Crs. Cullen and Webb that Council waive entry fees to the Swimming Centres in the Shire for the remainder of the season (commencing immediately) noting there would be no refunds made to holders of family/ season tickets and instruct staff to keep statistics of pool entries **AND FURTHER** that Council negotiate with the Kiosk Lessee at Coonamble regarding payment in accordance with the Agreement.

**8307 RESOLVED** on the motion of Crs. Webb and O'Brien 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 31 December 2009;
- (5) note the information provided on overtime for the period 1 October 2009 to 31 December 2009.

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**NEW EMERGENCY/AFTER HOURS TELEPHONE NUMBER**

Cr. O'Brien referred to her experience with calling this number and she queried its efficiency. The Director of Engineering Services advised it is less than \$100/month to operate and is used in place of the former mobile numbers which were listed.

**8308 RESOLVED** on the motion of Crs. O'Brien and Horan that the Director of Engineering Services prepare a detailed report, including costs, to the next meeting in relation to the newly acquired emergency number.

**16.0 REPORTS FROM VARIOUS COMMITTEES**

**8309 RESOLVED** on the motion of Crs. O'Brien and Schieb that the reports from various committees be received and dealt with.

**16.1 MINUTES OF MEETING OF AFTER SCHOOL CARE (VACATION CARE)**

**8310 RESOLVED** on the motion of Crs. Webb and O'Brien that the minutes of the meeting of After School Care (Vacation Care) held on 4 November, 2009 be noted.

**16.2 MINUTES OF MEETING OF AFTER SCHOOL CARE (VACATION CARE)**

**8311 RESOLVED** on the motion of Crs. O'Brien and Webb that the minutes of the meeting of After School Care (Vacation Care) held on 9 December, 2009 be noted.

**16.3 MINUTES OF OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING**

**8312 RESOLVED** on the motion of Crs. O'Brien and Cullen that the minutes of the Occupational Health and Safety Committee held on 8 December, 2009 be noted.

**18.0 REPORT BY TOURISM DEVELOPMENT MANAGER**

**8313 RESOLVED** on the motion of Crs. O'Brien and Webb that the report by the Tourism Development Manager be received and dealt with. Mr. Baldwin was present at this time.

The TDM asked whether Councillors had any questions concerning his report and he touched on the following matters:

- Has been working with the Aboriginal Community Facilitator – signage panel at Warrena Creek/Tin Town area.
- 2010 Rodeo – Countrylink is proposing to do up a package from Sydney for this year's rodeo – two nights – includes day trip to Western Plains Zoo, the Rodeo.

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- Newsletter – two sent during January – will continue with similar content (but not monthly).

At this juncture, 3.01 p.m., Cr. Canham left the meeting and did not return.

- Regarding newsletter – Cr. Cullen suggested that it be done again next year, especially to advertise Australia Day – suggested TDM get a costing on ‘mail out’.
- New website – working well – lots of interest.
- Advert costing \$380 taken with Countrylink – widespread coverage.
- Purchased ‘tourism bags’ in conjunction with other Shires – cost of \$500 for 3000.
- Les Lane – photo shoot – Coonamble. Cr. Cullen suggested Steve write to Channel 7 endeavouring to obtain a promotional video (footage taken during harvest).

The Director of Corporate Services asked the TDM whether he has stepped down from his position with TwoEightTwoEight. The Mayor also indicated that he would like the TDM to relinquish the Chairperson’s position. TDM indicated he would do so.

**Coonamble Streets Ahead**

Cr Schieb informed the meeting of funding received for the Coonamble High School garden project, which enables students who do not wish to do classroom work to remain at School. He indicated that five students have returned as part of the scheme. Cr. Schieb said good alluvial soil and black belting is required for the set up of the garden. The Mayor indicated that other grants are available for projects such as this.

**18.1 TQUAL GRANT**

Mr. Baldwin said Council was notified in December that the application was successful and it will receive \$6,000 towards funding for the Coonamble Eco-spa. He said the grant was the only successful application in the Central NSW region.

**8314 RESOLVED** on the motion of Crs Webb and O’Brien that Council endorse the successful TQUAL funding agreement with the Federal Department of Energy, Resources & Tourism and agree to allocate the sum of \$6,000 in the 2009/2010 financial year from the cultural reserve.

**19.0 REPORT BY SALEYARDS MANAGER**

**8315 RESOLVED** on the motion of Crs. O’Brien and Schieb that the report by the Saleyards Manager for the month of December, 2009 be adopted.

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**8316 RESOLVED** on the motion of Crs. Cullen and Webb that the position of the saleyards account be shown within the Saleyard Manager's report.

**20.0 REPORT BY CONTRACT RANGER**

**8317 RESOLVED** on the motion of Crs. O'Brien and Webb that the reports by the Contact Ranger for the months of December, 2009 and January, 2010 be adopted.

**GENERAL BUSINESS**

Cr Karanouh:

Grass growing in car park – rear of Cants.

Tree in car park – rear of Sons of the Soil – needs attention.

Cr O'Brien:

International Women's Day – speaker from Carcoar where rent a farm house has been a successful way of getting people to the area. Saying it may trigger other ideas. Suggested Mayor attend.

Director of Corporate Services:

New Valuations have been received – some land values have doubled – this does not mean rates will double.

Mayor:

Reminded Councillors about Waste2Art on Friday 5 March in McCullough Hall – invited them to attend.

Dinner under the Stars – asked Councillors to advise if they would like to attend – book 'Council' table and fund from Councillors Expenses vote.

Main Street seating – more seats required – perhaps near AJF Briens and Global Village

**8318 RESOLVED** on the motion of Crs. Horan and O'Brien that two seats be installed – one near the garden bed at AFJ Brien's Office, the other near the garden bed at Global Village.

Cr Karanouh:

Advised of uneven paving and requested that an inspection of the main street area be carried out. The Director of Corporate Services said these matters should be included in a Register of Defects – the Director of Engineering Services was instructed to arrange.

Mayor:

Advised that during floods the situation at the Charles/McCullough Street area was unsatisfactory.

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**8319 RESOLVED** on the motion of Crs. Horan and O'Brien that culverts be installed as part of the Urban Streets Program in the Charles/McCullough Street area and the work be carried out urgently as part of the 2010/2011 Roads Management Plan.

This concluded the business and the meeting closed at 3.35 p.m.

These Pages (Page 1/4407 to 35/4441) were confirmed on the ..... day

of .....2010 and are a full and accurate record of proceedings of the

ordinary meeting of Coonamble Shire Council held on 10 February 2010.

MAYOR