

WARRUMBUNGL SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGL SHIRE
COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
20 OCTOBER 2011 COMMENCING AT 11.43AM.

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PRESENT: Cr Peter Shinton (Chairman), Cr Campbell, Cr Coe, Cr Lewis, Cr Powell, Cr Schmidt, Cr Sullivan, Cr Todd, General Manager, Acting Director Corporate Services, Director Technical Services, Acting Director Environmental Services and Acting Director Community Services.

In attendance: S Morris (minutes)

APOLOGIES: Cr Dissanayake

127/1112 RESOLVED that the apologies of Cr Dissanayake be accepted.

Sullivan/Schmidt
The motion was carried

The General Manager called for Declarations of Interest (to declare pecuniary or non-pecuniary interest) from Councillors and senior staff in any matter listed in the Agenda for consideration at the meeting. Cr Coe advised the meeting of a pecuniary interest in the Item 2.5 – Westpac Instore Agreement and Councillor Campbell advised of a pecuniary interest in Item 3.1 – Request for Town Water Connection on Baradine Gorianawa Road.

Confirmation of Minutes

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGL SHIRE COUNCIL HELD ON 15 SEPTEMBER 2011

128/1112 RESOLVED that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 15 September 2011 be endorsed subject to Resolution Number 96/1112 being amended to read as follows:

96/1112 that the street currently known as Pine Street, Baradine (first street north of Warrigal Street) be renamed Cypress Street.

Campbell/Todd
The motion was carried

CONFIRMATION OF MINUTES OF THE SPECIAL MEETING OF WARRUMBUNGL SHIRE COUNCIL HELD ON 7 OCTOBER 2011

129/1112 RESOLVED that the minutes of the special meeting of the Warrumbungle Shire Council held on 7 October 2011 be endorsed.

Schmidt/Powell
The motion was carried

BUSINESS ARISING

Auditors have been invited to make a presentation to Council's December 2011 meeting and it was noted that there are delays in finalising financial statements and an application to the Division of Local Government requesting an extension of time to end November 2011.

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Councillor Sullivan foreshadowed a motion

130/1112 The foreshadowed motion was moved Councillor Sullivan seconded Councillor Todd that in the event of an agenda being very small that arrangements be made for skype or phone hook up to resolve items.

The motion was put and carried.

ADOPTION OF THE RECOMMENDATIONS OF THE TOURISM AND ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ON 29 SEPTEMBER 2011

131/1112 RESOLVED that the minutes of the Warrumbungle Shire Tourism and Economic Development Advisory Committee meeting held on 29 September 2011 be adopted.

Campbell/Schmidt
The motion was carried

Business Arising

Coolah Tops National Park

Recommendation 7 is to be referred back to the Committee for further information.

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGLE SHIRE COUNCIL OCCUPATIONAL HEALTH & SAFETY COMMITTEE MEETING HELD ON 1 SEPTEMBER 2011

132/1112 RESOLVED that the minutes of the Warrumbungle Shire OH & S Committee Meeting held 1 September 2011 be adopted.

Todd/Schmidt
The motion was carried

MINUTES OF THE CONSULTATIVE ADVISORY COMMITTEE MEETING HELD ON 1 SEPTEMBER 2011 FOR NOTATION

133/1112 RESOLVED that the minutes of the Consultative Advisory Committee meeting held on 1 September 2011 be noted.

Schmidt/Campbell
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGLE SHIRE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON 15 AUGUST 2011

134/1112 RESOLVED that the minutes of the Warrumbungle Shire Local Emergency Management Committee meeting held on 15 August 2011 be adopted.

Campbell/Schmidt
The motion was carried

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Mayoral Minute - Roads to Recovery Program

Councillor Shinton presented the following item for consideration:

Council is in receipt of a letter from the Australian Local Government Association seeking support as follows:

We achieved the Roads to Recovery Program because of strong and united local government campaigning in 2000. Further campaigns by local government have been very successful with two extensions to the Program and a funding increase to \$350m per annum in 2009. By the time the current Program ends in 2014 more than \$4.5 billion in additional funding will have been provided for local roads.

It is now time for local government to again mount a campaign for increased and ongoing Roads to Recovery Program funding. There is no question that local government needs the funding. The Australian Local Government Association (ALGA) commissioned research, released at the 2010 National Local Roads and Transport Congress in Bunbury, which shows that the national shortfall in the level of funding for local roads amounts to about \$1.2 billion annually.

ALGA will be launching local government's Roads to Recovery campaign at the 2011 National Local Roads and Transport Congress being held in Mount Gambier from 16-18 November.

Our campaign needs the support of every council and in advance of the launch I am asking your council to pass a resolution of support. A suggested text for your Council's motion is attached.

The motion calls for the Roads to Recovery Program to be made permanent at a rate that recognises the backlog of needs on local roads and a continuation of the current popular and successful arrangement. These arrangements provide all councils with certainty of funding and gives them the control over the works to be funded.

You will notice that the motion does not link the ongoing Roads to Recovery Program to any source of funding such as fuel excise. I have discussed the suggested wording for the motion with all state associations and we have agreed not to link the campaign to a funding source at this time because of uncertainty arising from the announcements to review fuel excise by the Productivity commission, the review of the Financial Assistance Grants and the Henry Taxation Review recommendations on road user charging. You may be assured that ALGA will be making the strongest possible representations to these reviews to protect and improve local government's financial position.

As part of our campaign, it is important to ensure that national political leaders are left in no doubt about local government views. I am therefore asking that you

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write to the Prime Minister, the Leader of the Opposition, Minister for Infrastructure and Transport, Opposition spokesperson for Transport and your local Federal Member of Parliament to advise them of councils' support for a new Roads to Recovery Program. I have enclosed some possible text for such letters which you might find useful. To help coordinate the campaign, I would appreciate your advice when council has passed this motion.

Our advocacy on this vital issue will be strengthened by a show of unity and it is important that as many councils as possible attend the Congress in Mount Gambier for the launch of the Roads to Recovery campaign to show local government's strong support for its extension. I will be writing separately with a brochure on the arrangements for the congress. In the meantime you can register for the Congress using the ALGA website and take advantage of cheap "early bird" registration rates.

I have no doubt that by working together we can successfully take the argument to the Federal Government on Federal local road funding and achieve a new Roads to Recovery program.

135/1112 RESOLVED that:

Warrumbungle Shire Council calls on the Federal Government to:

- Recognise the successful delivery of the Roads to Recovery program by local government since 2000;
- Continue the Roads to Recovery Program on a permanent basis to assist local government meet its responsibilities of providing access for its communities;
- Continue the Roads to Recovery Program with the current administrative arrangements; and
- Provide an increased level of funding under a future Roads to Recovery Program that recognises the shortfall of funding on local roads of \$1.2 billion annually.

Shinton/Powell
The motion was carried

GENERAL MANAGER'S REPORT

1.1 Policy Review

136/1112 RESOLVED that Council notes and endorses the amendments to the Personal Safety Equipment & Sun Protection Policy as follows:

Staff 4.17

Personal Safety Equipment and Sun Protection Policy

1. INTRODUCTION

In accordance with Council's commitment to the provision of a safe and healthy work place, this policy has been developed and is to be followed by those who work outdoors. Australia has the highest incidence of skin cancer in the world and has twice the rate of skin cancer than other countries. Two out of three people who

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grow up in Australia will develop some form of skin cancer. Employees that work outdoors are a high-risk group as their work may involve prolonged exposure to solar ultraviolet radiation. The Occupational Health & Safety Act 2000 section states that an employer has a “duty of care” towards their employees, and to protect their health and safety at work (OHS Act 2001 Section 8).

2. DEFINITION

The guidelines set down in this policy have been developed to protect the health, safety and welfare of all employees. A person who is required to work outdoors will be exposed to Ultra Violet rays and therefore shall be required to wear protective clothing.

3. POLICY

This policy applies to all employees of council who work in an environment where they are exposed to UV rays. Positions not covered by Council’s Corporate Uniform Agreement shall be supplied with personal protection equipment and clothing to reduce the risk of exposure to UV rays.

Council will undertake to provide:

- Safe systems of work for working out of doors.
- Procedures for employees to identify and minimise risks associated with working outdoors.

4. AIM

- To ensure the Health, Safety and Welfare of Council employees;
- To ensure compliance with the Occupational Health & Safety Act 2000
- To ensure the development, assessment and implementation of appropriate safe work systems when employees are required to work outdoors.

5. RESPONSIBILITIES

All council staff are responsible for their personal health, safety and welfare and that of their fellow workers. They are required to co-operate with their employer in the interest of health, safety and welfare in accordance with Section 20 of the OHS Act, 2001. Where required by Workcover Regulation or Council Policy, Council employees and Contractors must wear all required Personal Protection Equipment (PPE) as stipulated.

6. CLOTHING PROTECTION

6.1 General

The guidelines set down in this policy have been developed to protect the health, safety and welfare of all council employees.

Council employees working in an environment exposed to UV rays **MUST WEAR** the following protective clothing and personal protective equipment at all times.

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- 1) Long Sleeved Shirts (48UPF+)
 - 2) Long Trousers (48UPF+)
 - 3) Long Shorts (48UPF+)
 - 4) Broad Brimmed Hats
 - 5) Wrap Sunglasses (AS1067.1)
 - 6) Broad Spectrum water resistant Sunscreen 30 SPF (AS2604)
 - 7) Lip Protection 15+
 - 8) Other Safety Equipment

6.2 Long Sleeved Shirts

Shirts worn by employees, contractors and visitors, shall be of close weave, and loose fitting to allow for air circulation and comfort. Shirts must have long sleeves and collars, and shall include council identification. Shirts will be made of High Visibility material and shall be worn by all outdoor staff. Indoor staff who visit worksites shall wear High Visibility vests. *A risk assessment must be carried out for all work sites and unless a risk assessment concludes otherwise, High Visibility shirts or vests must be worn by all persons on work sites.*

6.3 Long Trouser/Shorts

Long Trousers or long shorts worn by employees shall be loose fitting made from at least 75% cotton or natural fibre and of close weave and shall be made of material that is 48UPF+. *Persons wearing shorts shall be responsible for applying sunscreen before working outdoors.*

6.4 Broad Brimmed Hats

A broad brimmed hat issued by Council shall be worn during daylight hours at all times whilst employees are outdoors. If hard hats are to be worn then flaps are to be attached to these hats. Hats are required to have a broad brim measuring no less than 8cm in width, as recommended by the NSW Cancer Council. A hat with a wide brim reduces the amount of UV radiation reaching the face by 50%.

The wearing of beanies will be permitted in winter until 10am or in extremely cold weather conditions.

Hats worn by employees whilst working in an environment exposed to UV radiation should be light enough to wear in hot conditions.

6.5 Sunglasses

Sunglasses should meet the Australian Standard AS1067, offer a 99% protection from ultraviolet rays, be close fitting, and of a wrap around style.

Note: Pool employees will be provided with sunglasses that meet Australian Standard AS1067 and contain polaroid lenses.

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Both tinted and clear prescription lenses can be treated so that they provide protection from UVR. Clip on sunglasses that attach to your normal prescription glasses may also be worn provided they meet the Australian Standard AS1067. (Note: Council will not meet the cost of special prescription glasses or clip on sunglasses.)

6.6 Sunscreen

No sunscreen can provide 100% protection

Sunscreen provided shall be:

- AS2604 approved
- 30+
- Broad spectrum
- Water resistant

To be effective sunscreen should be applied about 20 minutes before going out in the sun, and be applied generously so that it goes on easily and evenly and be reapplied every two hours. Sunscreen should be kept in a cool place. Do not keep in glove box of vehicles. If sunscreen is to be kept in a vehicle, place in a suitable place ie. esky or lunch box. *Persons shall be trained in the application of sunscreen and required to sign an acknowledgement that when choosing to wear shorts they will apply sunscreen to their legs as well as other parts of the body exposed to the sun. Should an employee choose not to wear sunscreen they must wear long trousers.*

6.7 Safety Vests

All employees, contractors and visitors on worksites who are not wearing high visibility shirts, will be issued with an approved high visibility safety vest which must be worn at all times.

6.8 Other Safety Equipment

Also the following safety items will be provided on an individual needs basis:

- Safety Glasses
- Safety Goggles
- Hard Hats
- Hearing Protective Muffs
- Dust Masks
- Welding Aprons
- Gloves
- Safety Boots
- and High Visibility Safety Jacket & Pants where applicable

and any other Safety Equipment that is recommended by NSW WorkCover.

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7. CLOTHING

7.1 General

All permanent staff up to and including Foreman or equivalent shall be issued with the following industrial clothing upon commencement. Such clothing to include:

- Long sleeve shirt x three (3)
- Long trousers x three (3)
- Hat with 80mm brim x one (1)
- Jumper x one (1)
- Anorak Coat x one (1)
- Safety vest x one (1)
- Sunglasses x one (1)

Short sleeve shirts are not permitted.

- a) Technical and Specialist Staff not covered by the Corporate Uniform Agreement, required to work outdoors, shall be issued with three (3) long sleeve shirts, one (1) broad brim hat, and one (1) safety vest, subject to a demonstrated need and approval of the relevant Director.
- b) All staff up to and including Foreman or equivalent shall be issued with one (1) set of wet weather clothing.
- c) Technical and Specialist Staff shall be issued with one (1) set of wet weather clothing subject to a demonstrated need and approval of the relevant Director.
- d) Staff regularly involved in the use of bituminous products such as emulsion coldmix, hotmix etc will be issued with four (4) sets of clothing per year subject to their manager's approval.
- e) Protective clothing will be issued to new staff on commencement of employment in accordance with this policy.
- f) All subsequent issues will be on a "New for Old" basis with new issues only being made available when old unserviceable clothing is returned to Councils store.
- g) The Supply Officer will assess and determine the serviceability of any item of protective clothing submitted for replacement. Any dispute regarding the replacement of protective equipment or clothing will be referred to the employees relevant Manager.

7.2 Boots

- a) All staff up to and including Supervisors or equivalent shall be issued with one (1) set of industrial boots (AS2210.3) on commencement.

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- b) All staff up to and including Supervisors or equivalent shall be issued with one (1) set of wet weather footwear (AS220.13) subject to a demonstrated need and the approval of the relevant Manager.
 - c) Technical and Specialist Staff shall be issued with one (1) set of wet weather footwear and (1) pair of protective boots subject to a demonstrated need and approval of the relevant Director.
 - d) All subsequent issues will be on a “New for Old” basis with new issues only being made available when old unserviceable boots are returned to Councils store.
 - e) Industrial boots (AS2210.3) must be worn by staff on a construction site unless they are there in an inspection capacity, in which case they must wear enclosed footwear.

8. CASUAL EMPLOYEES

Casual employees will receive an issue of protective clothing.

8.1 Other Personal Protective Equipment (Casual Employees)

Also the following safety items will be provided on an individual needs basis:

- Cancer Council approved sun glasses
- Broad spectrum, water resistant sunscreen
- (1) pair protective boots
- As well as all other Safety Equipment that is recommended by NSW WorkCover.

9. REPLACEMENT ITEMS

As stated above. Items will be replaced only if the unserviceable items are returned to the Supply Officer who will determine whether the item is serviceable or not. If an item is lost or stolen, the employee, to whom the item was issued, will be required to submit a written statement to their Manager, outlining the circumstances of the loss or theft. Replacement items will only be issued on the authorisation of the Manager.

9.1 Responsibility

The employee will be responsible to notify the Supply Officer of any lost or stolen items.

9.2 Maintenance

The employee will be responsible for the maintenance and safe keeping of all personal protective equipment at all times.

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9.3 Disputes

Any disputes regarding the replacement of unserviceable or lost items will be referred to the responsible Manager/Director in the first instance.

9.4 Property Ownership

At all times personal protective equipment remains the property of Warrumbungle Shire Council.

9.5 Termination of Permanent Employment

Permanent employees upon termination may be required, at the discretion of Council, to return all items of personal protective equipment to the Council Supply Officer.

9.5a Termination of Casual Employment

Casual employees are to return all personal protective clothing and equipment when casual work is complete.

10. EXEMPTION

As a council employee there will be no exemptions to the wearing of personal protective clothing and equipment as well as other safety equipment.

11. GRIEVANCE PROCEDURE

Any employee who fails to wear any of the personal protective equipment shall be stood down without pay, to such time that, they are prepared to wear the personal protective equipment. The incident will be reported and the disciplinary procedure as stated in the NSW Local Government State Award or any other relevant award will be applied.

12. EDUCATION AND TRAINING OF WORKERS

At induction or orientation to council all new employees are to be made aware of the Personal Protection Equipment & Sun Protection Policy and their duty to comply.

13. CONTRACTORS

Contractors and their employees are required to meet the minimum requirements as set out herein at their own cost. There will be no exemptions to this requirement.

14. MONITOR AND REVIEW

This policy and related procedures shall be reviewed bi-annually by the Safety Officer in consultation with the Occupational Health & Safety Committee. If any changes occur to work practices or legislation then a review of the Policy and Procedures shall take place.

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15. RELATED DOCUMENTS

- OHS Act and Regulation

AMENDMENTS

Schmidt/Coe
The motion was carried

1.2 Pecuniary Interest Returns

137/1112 RESOLVED that Council note the tabling of the Pecuniary Interest Return Register.

Schmidt/Powell
The motion was carried

1.3 GIPA Annual Report

138/1112 RESOLVED that Council endorse the 2010-2011 GIPA Annual Report as presented.

Campbell/Schmidt
The motion was carried

1.4 Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

139/1112 RESOLVED that Council give public notice of the intention to adopt a councillor expenses and facilities policy and place on exhibition the draft Warrumbungle Shire Council Councillor Expenses and Facilities Policy 2011.

Sullivan/Lewis
The motion was carried

1.5 Leave of Absence – Cr Todd

140/1112 RESOLVED that Council accepts the written notification from Cr Todd and grants a Leave of Absence from the ordinary November Council meeting.

Powell/Sullivan
The motion was carried

141/1112 RESOLVED Council's November meeting be held on 24 November 2011.

Powell/Sullivan
The motion was carried

1.6 Leave of Absence – Cr Dissanayake

142/1112 RESOLVED that Council accepts the written notification from Cr Dissanayake and grants a Leave of Absence from the ordinary October Council meeting.

Sullivan/Schmidt
The motion was carried

1.7 Correspondence

Received.

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1.8 Coolah District Development Group Inc

Received.

1.9 Notice of Motion

143/1112 RESOLVED that the Warrumbungle Shire Council support the establishment of drum muster collection points throughout the Shire at Waste Management Facilities and refer the matter to the Waste Facilities Advisory committee.

Todd/Lewis

The motion was carried

1.10 Notice of Motion – B-Doubles Using the Binnaway / Coonabarabran Road

A motion was moved by Councillors Lewis seconded by Councillor Todd that the Gazettal status of the Binnaway to Coonabarabran Road be amended to accommodate a 12 month trial of B-Double truck use. This trial should be effective as soon as possible so as to correct the anomaly that occurs within the shire from south to north.

144/1112 An amendment was moved by Councillor Powell seconded by Councillor Sullivan that Council write to the RTA to determine when new guidelines will be published and if imminent defer consideration of the status of the Road to such time as the new guidelines are put in place by RTA and an independent assessment be undertaken of suitability of the Binnaway to Coonabarabran Road to accommodate a 12 month trial of B-Double truck use.

The amendment was put and carried.

The amendment became the substantive motion and was put and carried.

1.11 Coal Gas Seam Operations – Dalby Queensland

145/1112 RESOLVED that Council determine that Councillors Coe, Powell, Sullivan, Schmidt, Todd and Lewis and the General Manager travel to Dalby in Queensland for an inspection of the Coal Seam Gas operations and mines and **FURTHER** travel be by chartered plane and that the General Manager arrange an appropriate time in early December or as soon as possible. **FURTHER** that a supplementary vote of \$8,000 be provided for this inspection.

Powell/Todd

The motion was carried

1.12 Donation – Lions Club of Premer & District

146/1112 RESOLVED that Council not accede to this request at this time and defer the request to February donations request considerations.

Powell/Sullivan

The motion was carried

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1.13 Jemena – Appreciation to Staff

147/1112 RESOLVED Council thank the representatives of Jemena and advise that Council recommends that they deal independently with their chosen charity.

Sullivan/Schmidt
The motion was carried

1.14 Robertson Park - Dunedoo

The Petition was tabled and received.

1.15 Report From Manager Human Resources

Received.

1.16 Community Building Partnerships Funding

148/1112 RESOLVED that Council prepare a proposal for the Refurbishment of the Theatre (Flix in the Stix) Complex to be put forward for funding under the 2011 CBPP funding.

Schmidt/Sullivan
The motion was carried

1.30 pm

149/1112 RESOLVED that standing orders be suspended to break for lunch.

Powell/Campbell
The motion was carried

2.03pm

150/1112 RESOLVED that standing orders be resumed.

Sullivan/Campbell
The motion was carried

At this time Human Resources staff joined the meeting to present a Powerpoint presentation of the proposed organisational structure.

2.05pm

151/1112 RESOLVED:

- (a) that Council go into closed committee to consider business relating to personnel matters
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(a)
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Todd/Sullivan
The motion was carried

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3.07pm

152/1112 RESOLVED Council move out of closed Council and into open council.

Lewis/Schmidt

The motion was carried

The General Manager announced the following resolutions to the general meeting.

2C Organisational Structure

153/1112 RESOLVED that Council, subject to consultation with the Consultative Advisory Committee, endorses the proposed Organisational Structure.

Schmidt/Powell

The motion was carried

Human Resources staff left the meeting.

3.09pm

ACTING DIRECTOR OF CORPORATE SERVICES

2.1 Bank Reconciliation – Month Ending 30 September 2011

154/1112 RESOLVED that the Bank Reconciliation as at the 30th September, 2011 be received and noted.

Coe/Powell

The motion was carried

2.2 Rates and Charges Collection Report up to and Including September 2011

Received.

2.3 Manager Building Services

155/1112 RESOLVED that Council approve the private tenancy lease agreement of 139 Martin Street for a period of 3 months concluding 13th January 2012 at the commercial rate.

Campbell/Schmidt

The motion was carried

2.4 Community Builders Program

156/1112 RESOLVED that Council approves the implementation of the Community Builders Program 2011-2012 transition plan, located within Family Support Services; under the supervision of Manager Family Support Services **FURTHERMORE** Councils recruitment process be implemented for the position, Youth Development Officer.

Sullivan/Schmidt

The motion was carried

3.17pm

Councillor Coe declared a pecuniary interest in the next item and left the room.

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2.5 Westpac Instore Agreement

157/1112 RESOLVED that the Mayor and General Manager be authorised to attach the Council Seal and sign the Agreement for the Westpac In-Store Banking facility at Dunedoo from October 2011-2014.

Lewis/Todd
The motion was carried

3.18pm

Councillor Coe returned to the meeting.

2.6 Reserves – Restricted Cash

158/1112 RESOLVED that Council approves the following Account Name or Value corrections to the following External and Internally Restricted Assets;

Account No	Account Name	Value (CR)
5410-3004-0005	Community Development Officer	\$ 18,042.58
5410-3003-0004	Dunedoo Sewerage Treatment Works	\$ 100,000
5410-3003-0004	Coolah Sewerage Treatment Works	\$ 100,000
5410-3003-0045	Coolah Town Improvement Fund	\$ 22,544

Powell/Lewis
The motion was carried

2.7 IT Solutions – Managed Services

159/1112 RESOLVED that Council continue the IT Proactive Managed Services Program with Andor Solutions (Aust) Pty Ltd for a further twelve (12) months at \$2,766 (ex GST) per month.

Sullivan/Campbell
The motion was carried

3.24pm

Councillor Campbell declared a pecuniary interest in the next item and left the room.

DIRECTOR OF TECHNICAL SERVICES

3.1 Request for Town Water Connection on Baradine Goorianawa Road **160/1112 A Motion was moved by Councillor Lewis seconded by Councillor**

Powell that the application by the owner of Lot 140 DP750246 to have a connection to the town water supply be refused for the following reasons:

- The land is zoned Rural 1c and hence is outside the residential area of Baradine and the property has not been subject to annual charges or water rates.

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- A direct service connection to the town reservoir rising main is very undesirable because of pressure fluctuations and the inability to maintain supply during any repairs and maintenance on the service connection.
 - There is no fire fighting hydrant on the rising main within 700 metres of the property.

An amendment was moved by Councillor Todd seconded by Councillor Schmidt that Council further investigate the impacts of the request for a connection to the rising main and report back to Council.

**The amendment was put and lost
The motion was put and carried.**

3.42pm

Councillor Campbell returned to the meeting

3.2 Funding For Coolah Cycleway

161/1112 RESOLVED:

1. That due to no financial contribution from the RTA, the 2011/12 Council funding allocation of \$25,000 for the Coolah Cycleway project be completely redirected to the proposed footpath construction project in Campbell Street.
2. That an application is made for funding for the Coolah cycleway project in the 2012/13 financial year.

**Powell/Lewis
The motion was carried**

3.44pm

ACTING DIRECTOR OF ENVIRONMENTAL SERVICES

4.1 Request To Consolidate Land By Rural Fire Service

162/1112 RESOLVED that Council agree to affix Council's seal to the plan of subdivision to consolidate lots 1 & 2 DP 208692 and lot 3 DP758281, Essex Street Coonabarabran.

**Schmidt/Campbell
The motion was carried**

3.44pm

Kevin Tighe left the room

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE
COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
20 OCTOBER 2011 COMMENCING AT 11.43AM.

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4.2 Development Application 20/1112

ADDRESS: Lot: 1 DP: 1044785
1 Regan Street Coolah

APPLICATION No: DA 20/1112

PROPOSAL: Concrete batching plant

OWNER: G & L Keane

APPLICANT: Gregory Keane

DATE LODGED: 5 September 2011

DATE OF REPORT: 13 October 2011

163/1112 RESOLVED that:

PURSUANT TO SECTION 80 OF ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979 (AS AMENDED)

THAT Council refuse development consent to Development Application No.
20/1112 for development of a concrete batching plant on land at Lot: 1 DP
1044785, 1 Regan Street Coolah, for the following reasons:-

1. The proposed development is located in a residential area and as such the likely noise and dust which would be emitted from the facility would have a detrimental impact on the occupants of adjoining land and therefore render the development detrimental with the amenity of the area.
2. There is sufficient industrial land zoned for industrial uses in Coolah without using residential land.
3. There was not sufficient information submitted with the application.
4. The applicant has started work illegally and has a toilet and bathroom in the existing shed that is illegal.

Councillors Coe, Lewis, Sullivan, Powell, Todd, Schmidt, Campbell and Shinton voted in favour of the motion to refuse the application.

The motion was carried

3.49pm

Kevin Tighe returned to the meeting.

4.3 Development Applications

164/1112 RESOLVED that Council note the Applications Received for the month of September 2011, the Applications Held Pending as at 31 September 2011 and their status, and of those approved during September 2011, under Delegated Authority.

Coe/Schmidt
The motion was carried

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE
COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
20 OCTOBER 2011 COMMENCING AT 11.43AM. PAGE 18

4.4 Warrumbungle Shire Council 149 Certificates Processed September 2011

Received.

3.52pm

165/1112 RESOLVED:

- (a) that Council go into closed committee to consider business relating an industrial issue and agreement documentation
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(a) and (c)
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Lewis/Schmidt
The motion was carried

4.09pm

166/1112 RESOLVED Council move out of closed Council and into open council.

Todd/Sullivan
The motion was carried

The General Manager announced the following resolutions to the general meeting.

1C Industrial Issue

167/1112 RESOLVED that Council endorse the actions of the General Manager in regards to the Deed of Release between Warrumbungle Shire Council and Rowan Hutchinson and financial settlement of the claims received by the NSW Industrial Commission, Administrative Decisions Tribunal and Office of the Information Commissioner and tenancy of Council residence at No 4 Irwin Street Coolah.

Sullivan/Schmidt
The motion was carried

3C Boral Quarry

168/1112 RESOLVED that Council authorise the General Manager to negotiate with Boral for Warrumbungle Shire Council to occupy and exploit Boral Resources (Country)'s Coonabarabran Quarry and to sign the 'Heads of Terms' for License Agreement.

Powell/Sullivan
The motion was carried

QUESTIONS FOR NEXT MEETING

Councillor Schmidt

Councillor Schmidt foreshadowed a motion for consideration at Council's next meeting that Warrumbungle Shire put forward a stance against coal seam gas mining within our shire.

WARRUMBUNGL E SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGL E SHIRE
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20 OCTOBER 2011 COMMENCING AT 11.43AM. PAGE 19

Councillor Campbell

 Mining and Agriculture forum in Narrabri on 14th November

Councillor Lewis

 How does the Progress Association access the \$3,000 funds for Binnaway town. Councillor Lewis was advised that there is a requirement to tell Council what funds are for and the contact Director Technical Services.

 Request for rubbish bin at caravan park - overflowing

 Bins needed around town due to tip closure hours – caravan park is filling up quicker.

Councillor Sullivan

 Write to Kevin Humphreys to let him know that MR129 is not yet finished.

Councillor Shinton

 That a report be brought back to Council on how to progress the Powerhouse site (former Essex Street Council Depot).

There being no further business the meeting closed at 4.27pm.

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CHAIRMAN