

WARRUMBUNGLA SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLA SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 15 DECEMBER 2011
COMMENCING AT 11.10am PAGE 1

PRESENT: Cr P Shinton (Chairman), Cr K Campbell, Cr M Coe, Cr T Dissanayake, Cr R Lewis, Cr M Powell, Cr V Schmidt, Cr R Sullivan, Cr D Todd, S Loane (General Manager), R Ryan (Acting Director Corporate Services), K Tighe (Director Technical Services), A Meppem (Acting Director Environmental Services) and F Luckhurst (Acting Director Community Services).

In Attendance: C Nasmith (Minutes)

APOLOGIES: Nil

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.

There were no declarations at this time.

11.10 am

Forum

Mrs Sally Staniforth, Coolah – spoke on behalf of others in attendance with regard to the proposed re-classification of Swanston Park, Coolah from Community to Operational Land:

- Community members do not want Swanston Park to be classified Operational.
- 200 signatures on petition (presented to Council)
- Swanston Park was donated to Coolah Shire Council by Doris Swanston, Council should honour her wishes
- Goddard Street residents, and residents of the Coolah Hostel, enjoy their view and tranquillity
- Area extensively used for horse riding
- Other areas in town should be better developed

11.20am

Mr Ted Miller, Coolah spoke on behalf of the Coolah Common Trust with regard to the Coolah Waste Depot opening hours and illegal rubbish dumping.

- In the past the Common was rarely compromised by rubbish from the Tip
- Recently seeing increased illegal dumping of rubbish at the Common
- Need to catch and penalise offenders
- Current opening hours of Tip inconvenient

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11.25am

Confirmation of Minutes

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGLE SHIRE COUNCIL HELD 24 NOVEMBER 2011

209/1112 RESOLVED that the Minutes of the Ordinary Meeting of the Warrumbungle Shire Council held 24 November 2011 be endorsed.

Todd/Coe
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGLE SHIRE LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD 21 NOVEMBER 2011

210/1112 RESOLVED that the Minutes of the Warrumbungle Shire Local Emergency Management Committee meeting held 21 November 2011 be adopted.

Sullivan/Schmidt
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE WASTE FACILITIES ADVISORY COMMITTEE MEETING HELD 24 NOVEMBER 2011

211/1112 RESOLVED that the Minutes of the Waste Facilities Advisory Committee meeting held 24 November 2011 be adopted.

Todd/Sullivan
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGLE SHIRE SOCIAL SERVICES ADVISORY COMMITTEE MEETING HELD 29 NOVEMBER 2011

212/1112 RESOLVED that the Minutes of the Warrumbungle Shire Social Services Advisory Committee meeting held 29 November 2011 be adopted.

Campbell/Schmidt
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE SPECIAL CONSULTATIVE ADVISORY COMMITTEE MEETING HELD 30 NOVEMBER 2011

213/1112 RESOLVED that the Minutes of the Special Consultative Advisory Committee meeting held 30 November 2011 be adopted.

Campbell/Schmidt
The motion was carried

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ACCEPTANCE OF MINUTES OF THE BARADINE TOWN COMMITTEE MEETING HELD 15 NOVEMBER 2011

214/1112 RESOLVED that the Minutes of the Baradine Town Committee Meeting held 15 November 2011 be accepted.

Campbell/Todd
The motion was carried

ACCEPTANCE OF MINUTES OF THE BINNAWAY TOWN COMMITTEE MEETING HELD 14 NOVEMBER 2011

215/1112 RESOLVED that the Minutes of the Binnaway Town Committee Meeting held 14 November 2011 be accepted.

Lewis/Schmidt
The motion was carried

ACCEPTANCE OF MINUTES OF THE COOLAH TOWN COMMITTEE MEETING HELD 16 NOVEMBER 2011

216/1112 RESOLVED that the Minutes of the Coolah Town Committee Meeting held 16 November 2011 be accepted.

Powell/Dissanayake
The motion was carried

ACCEPTANCE OF MINUTES OF THE COONABARABRAN TOWN COMMITTEE MEETING HELD 8 NOVEMBER 2011

217/1112 RESOLVED that the Minutes of the Coonabarabran Town Committee Meeting held 8 November 2011 be accepted.

Schmidt/Campbell
The motion was carried

ACCEPTANCE OF MINUTES OF THE DUNEDOO TOWN COMMITTEE MEETING HELD 9 NOVEMBER 2011

218/1112 RESOLVED that the Minutes of the Dunedoo Town Committee Meeting held 9 November 2011 be accepted.

Coe/Lewis
The motion was carried

ACCEPTANCE OF MINUTES OF THE MENDOORAN/MERRYGOEN TOWN COMMITTEE MEETING HELD 7 NOVEMBER 2011

219/1112 RESOLVED that the Minutes of the Mendooran/Merrygoen Town Committee Meeting held 7 November 2011 be accepted.

Lewis/Campbell
The motion was carried

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GENERAL MANAGER'S REPORT

1.1 November Report - Manager Human Resources

Noted.

1.2 Proposed Organisational Structure

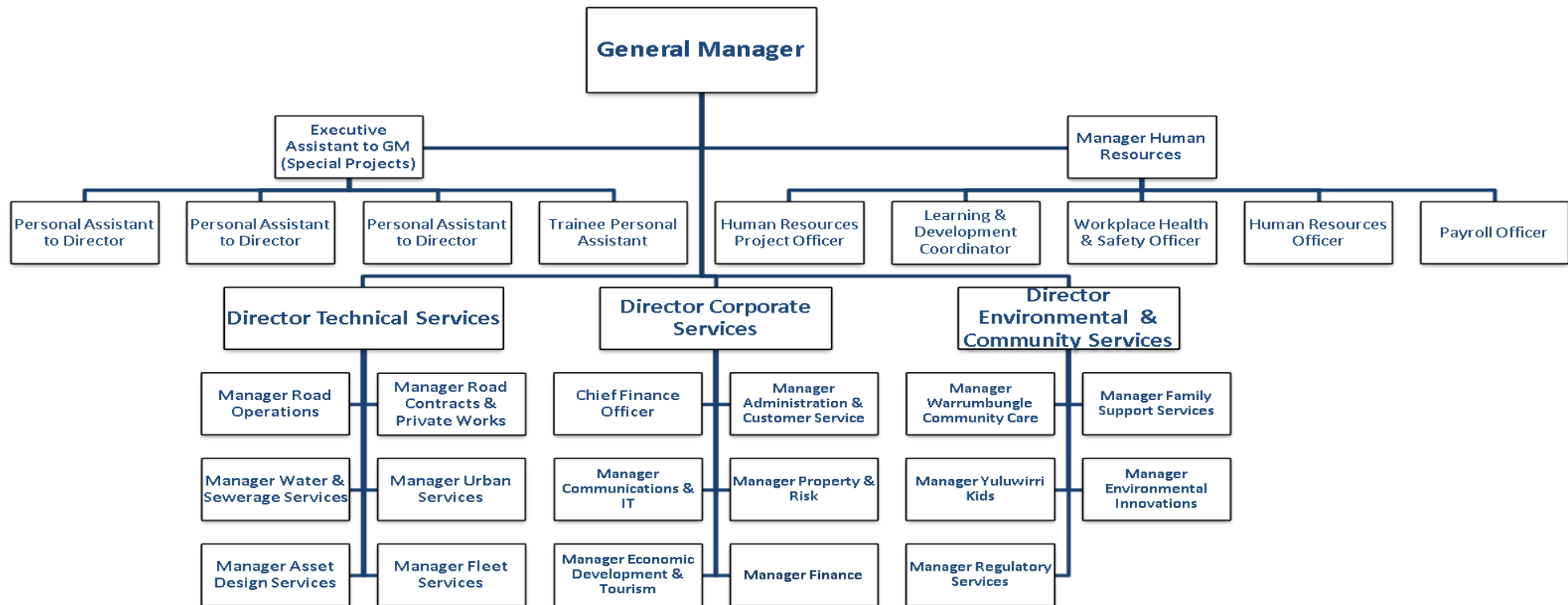
220/1112 RESOLVED that the attached Organisational Structure be fully endorsed by Council and that the Management Team proceed with the implementation and recruitment of positions as required.

Schmidt/Campbell
The motion was carried

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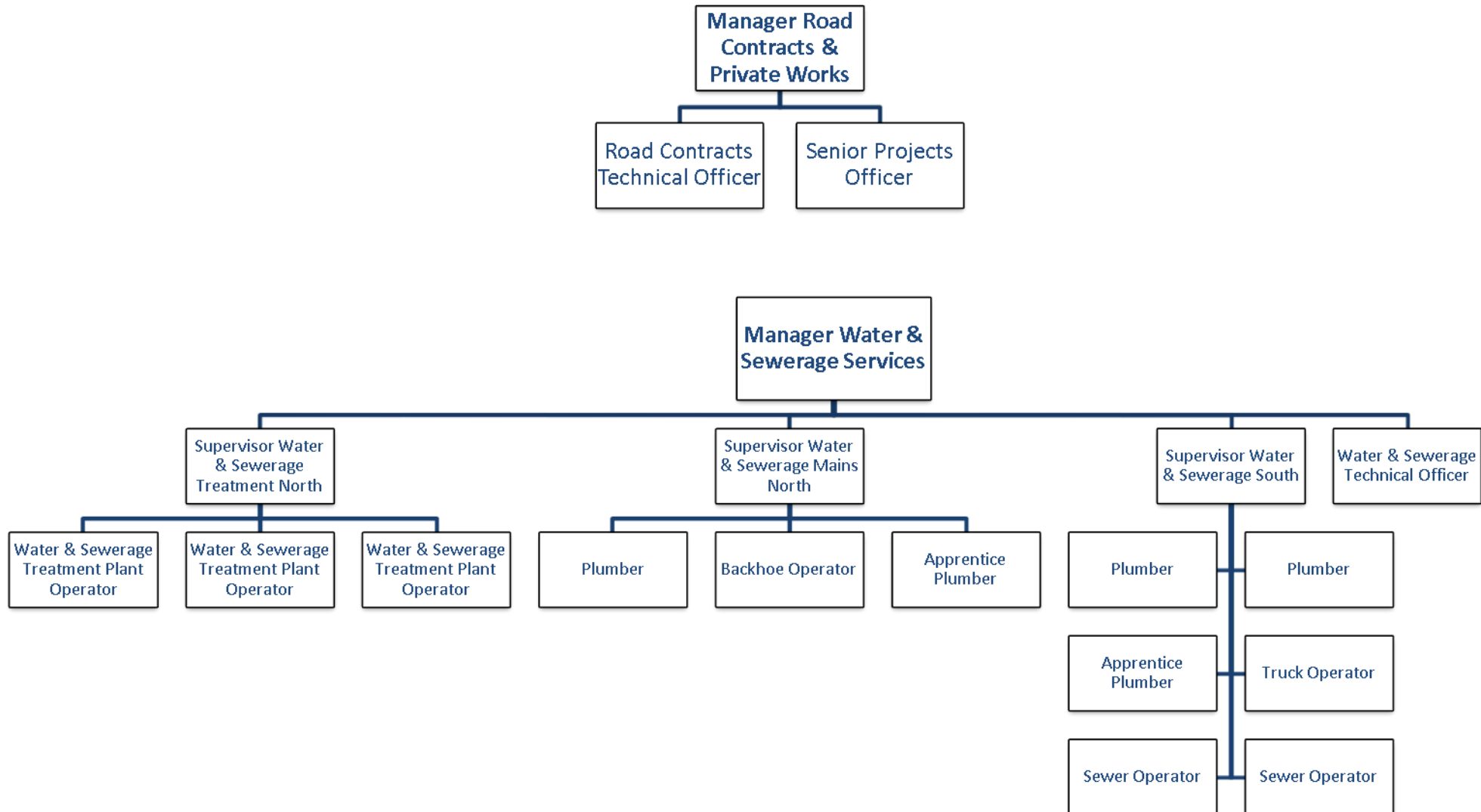
Warrumbungle Shire Council Organisation Structure 2011



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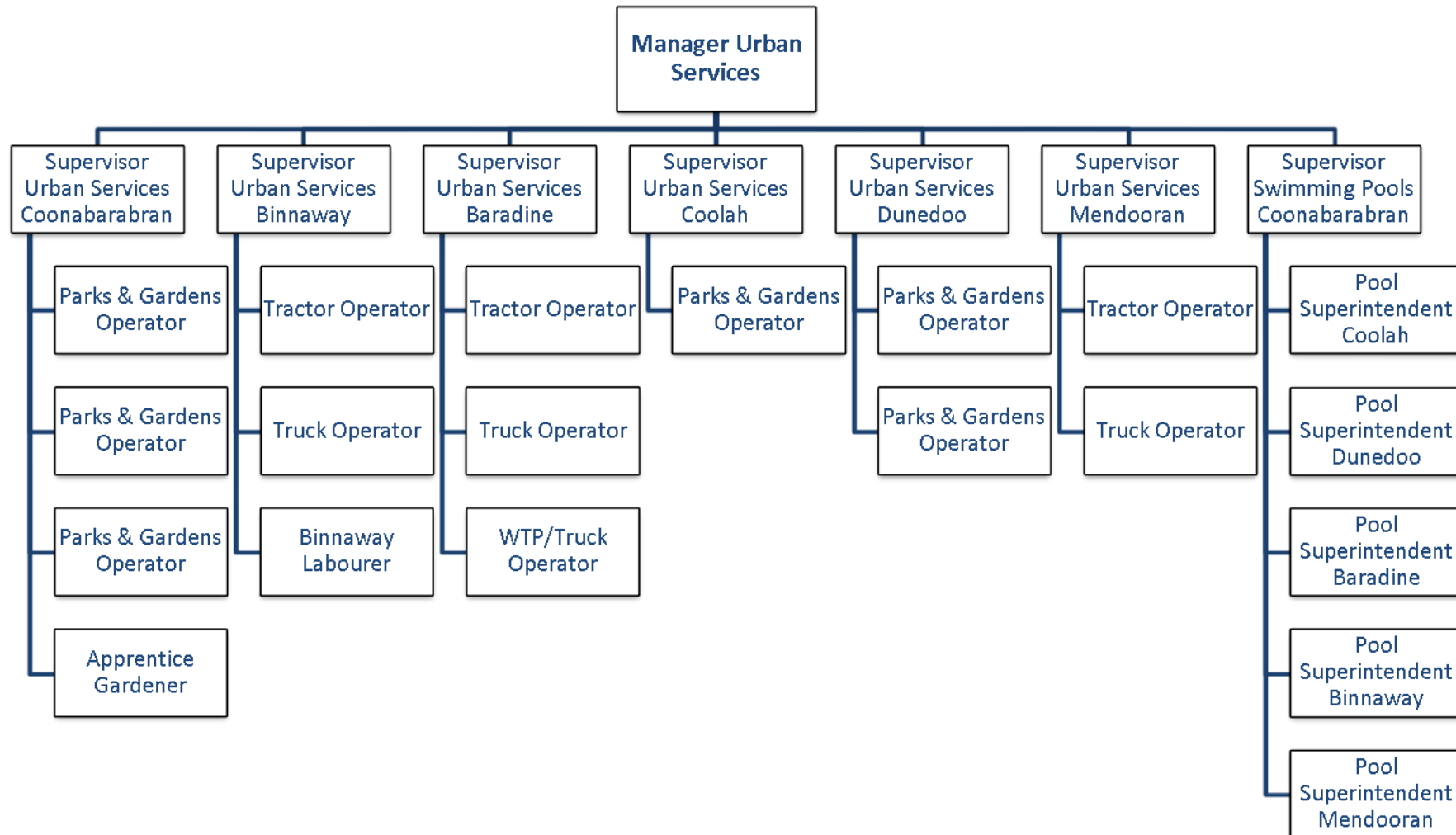
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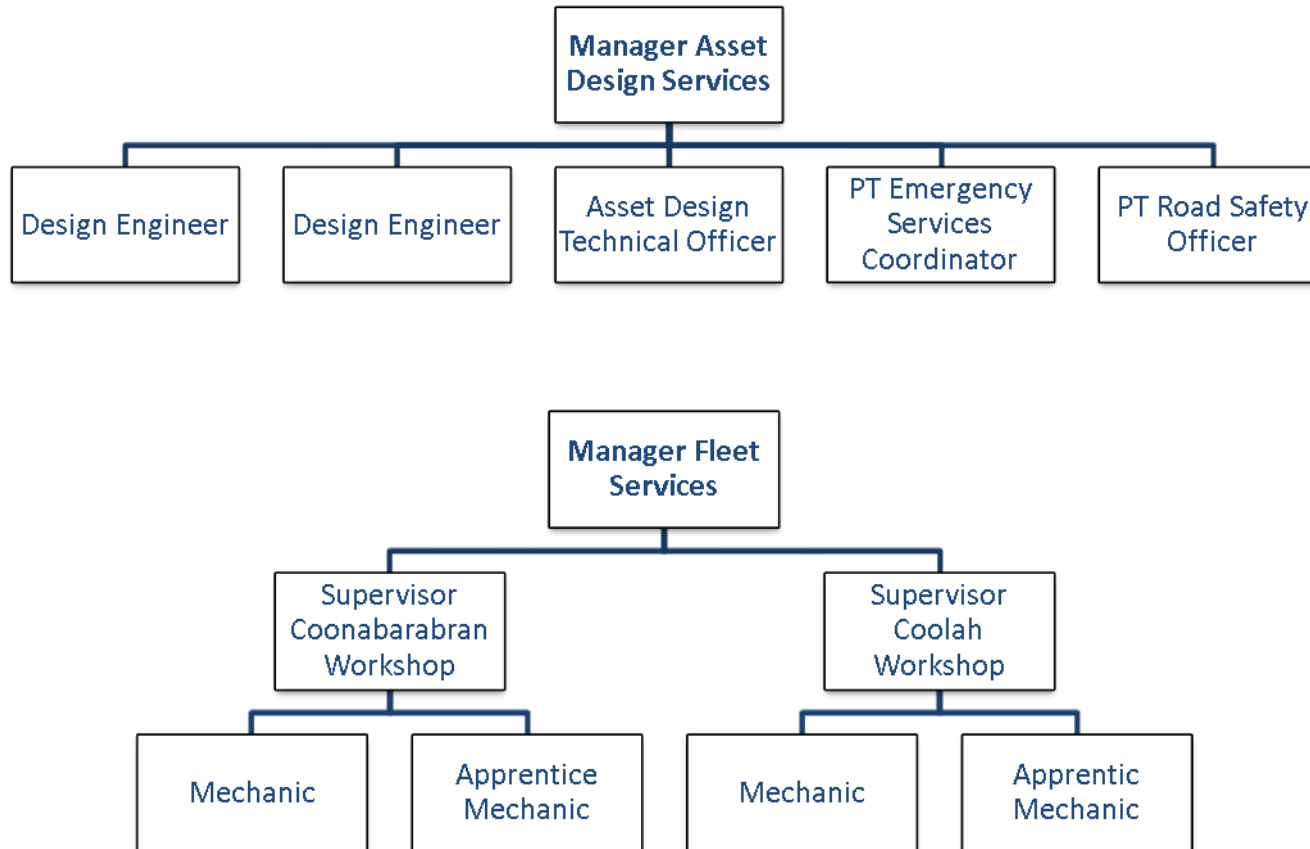
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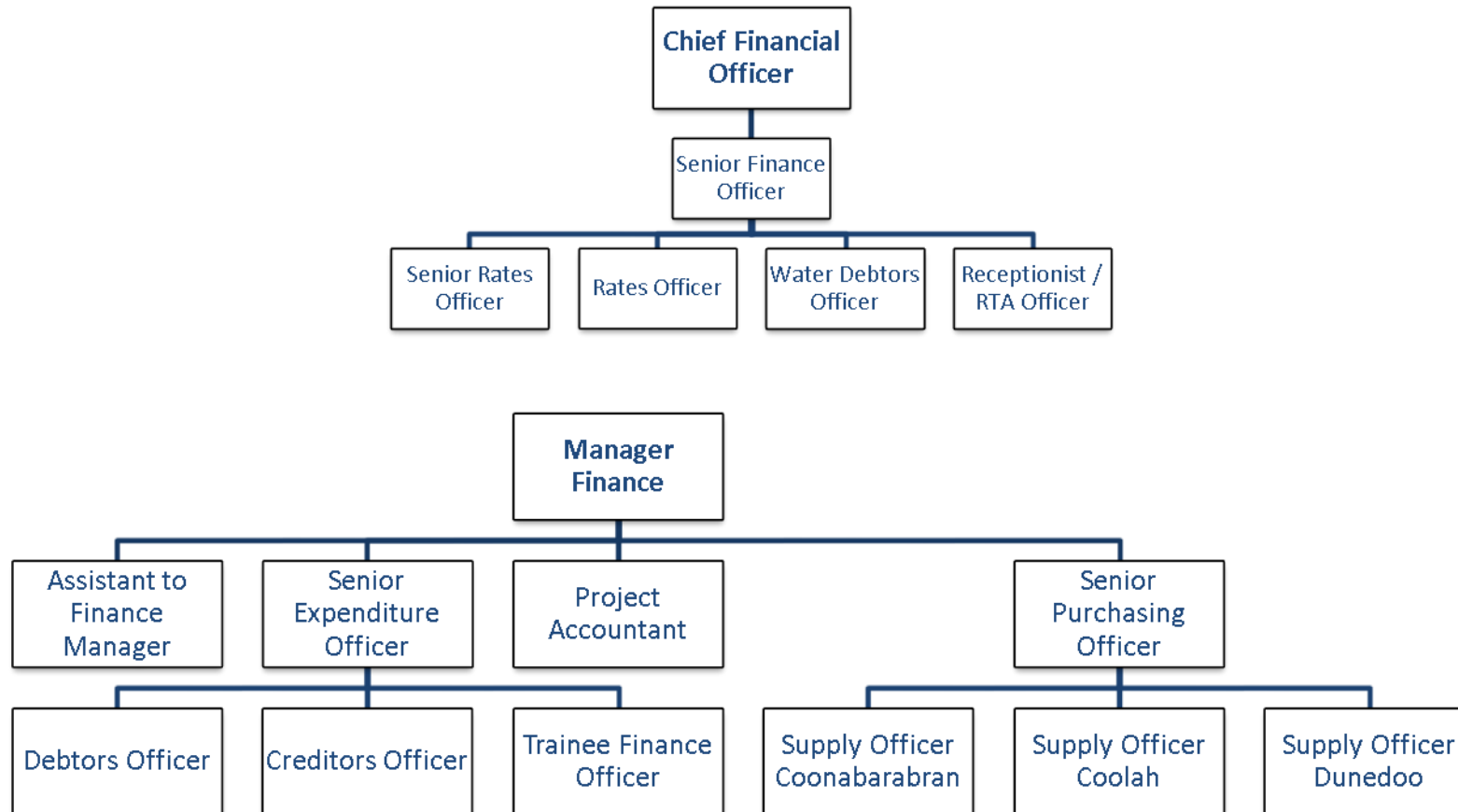
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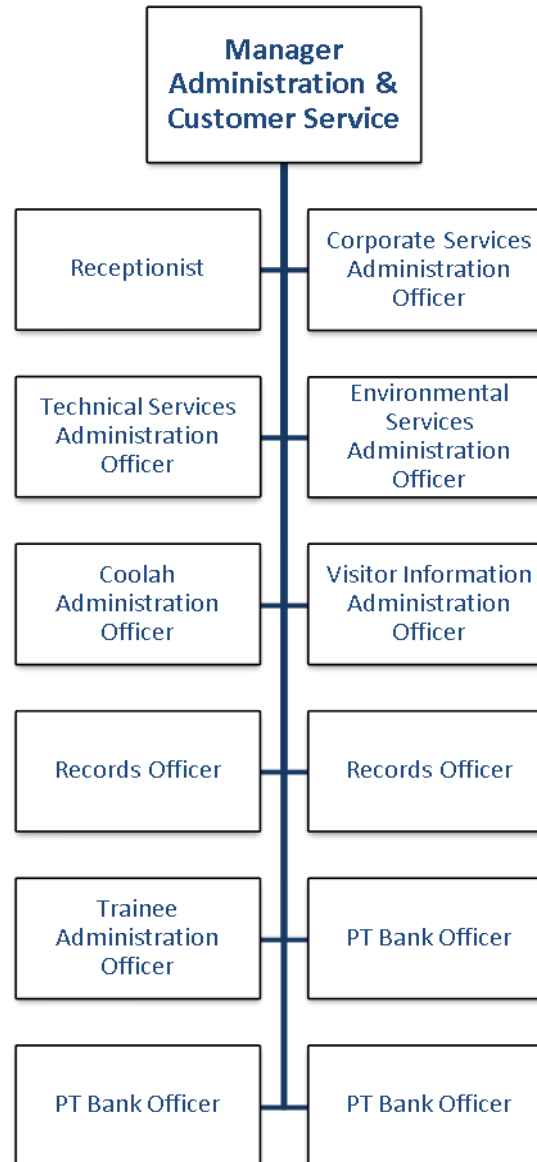
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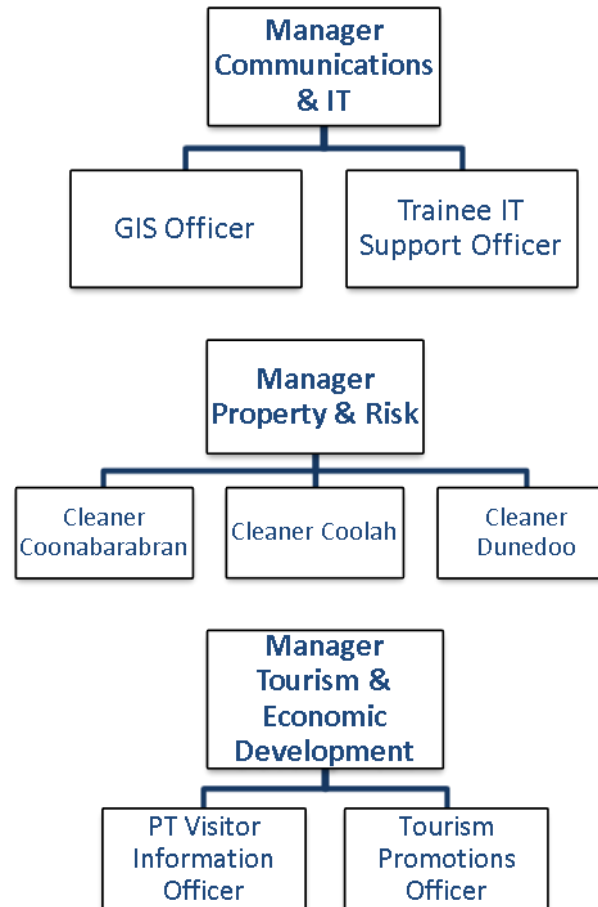
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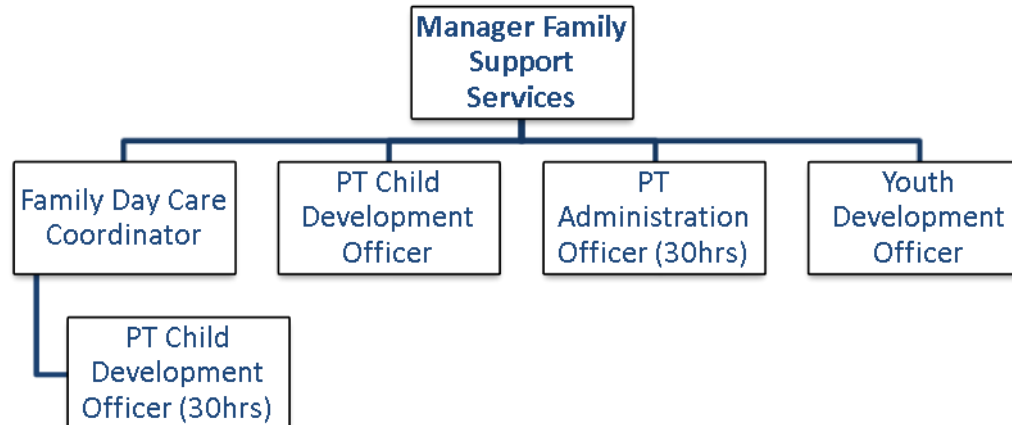
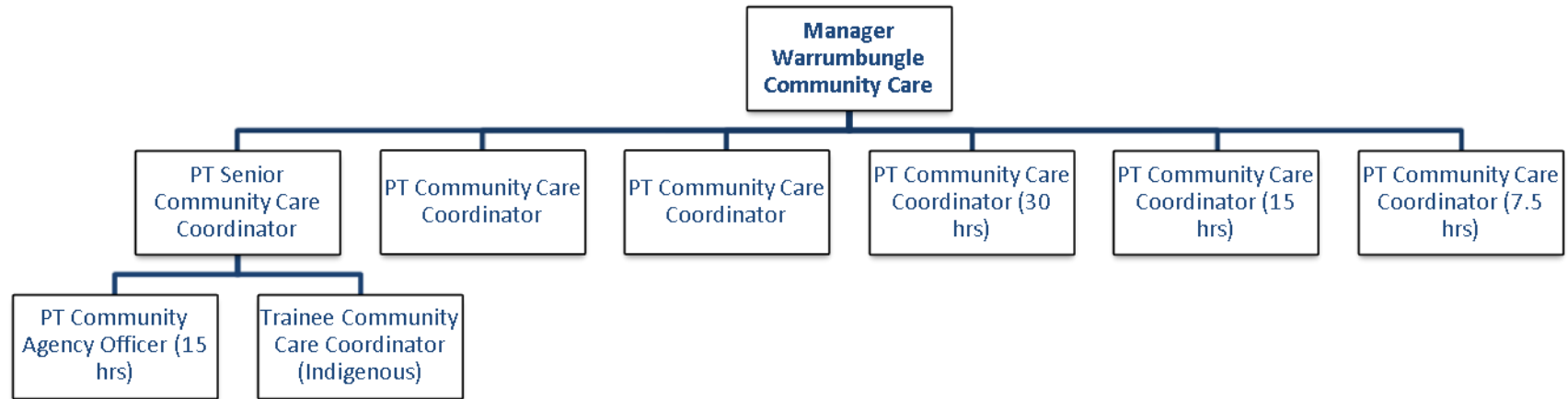
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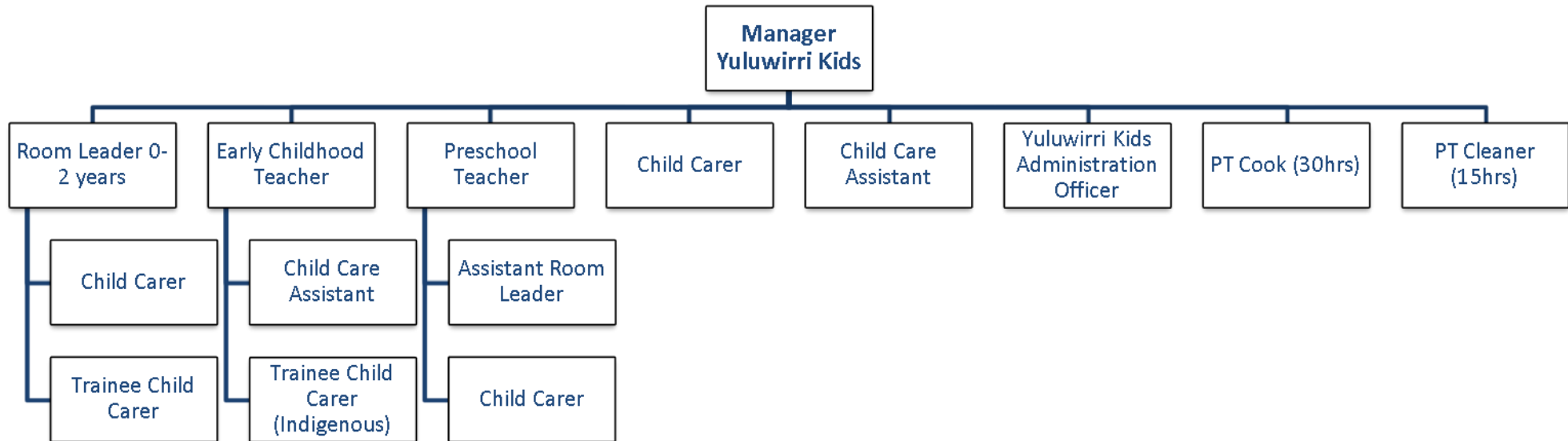
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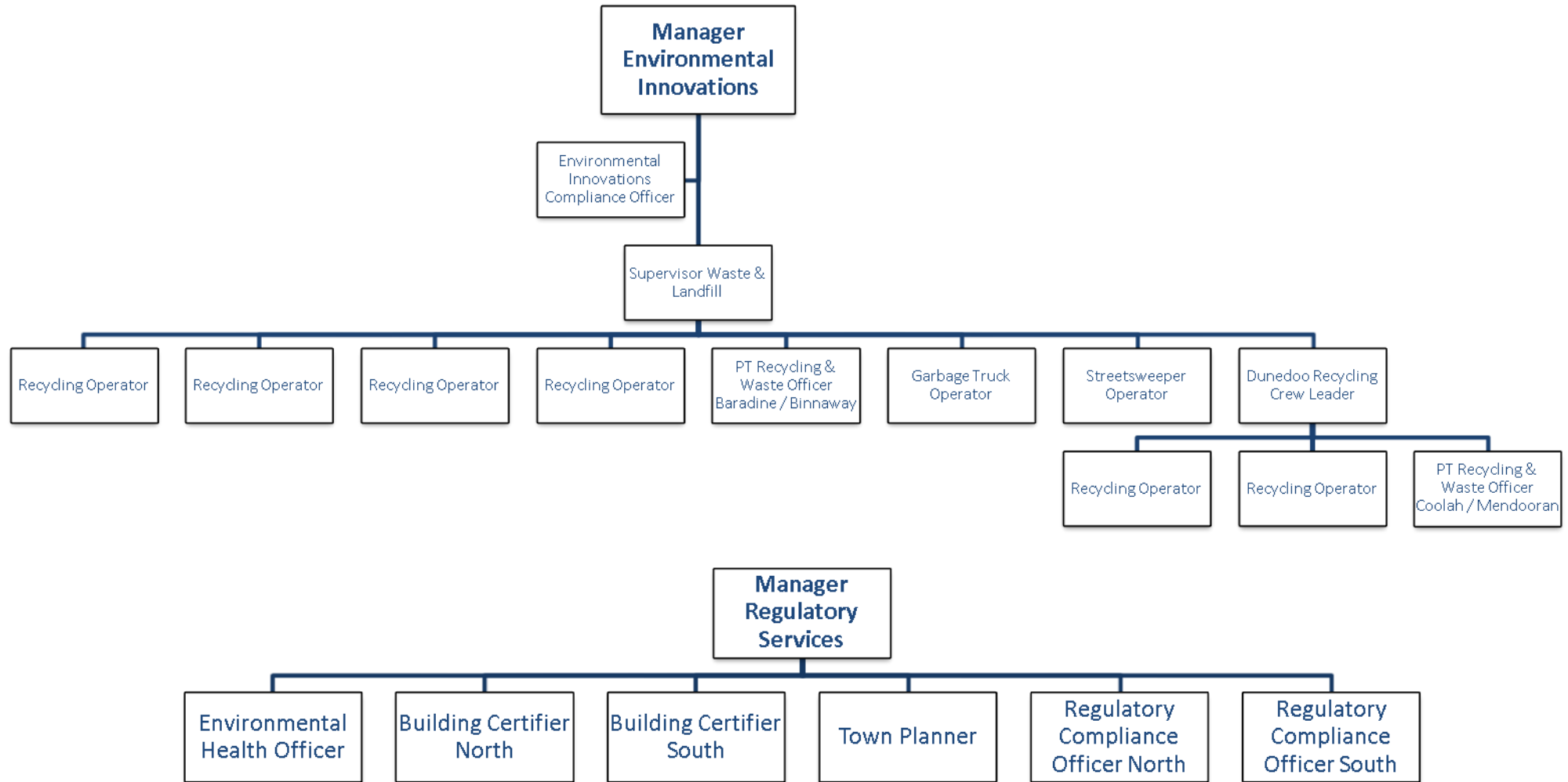
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1.3 Promoting Better Practice Review

221/1112 RESOLVED that Council note the progress made in the Promoting Better Practice Review timetable and further that this is submitted to the Division of Local Government.

Schmidt/Lewis
The motion was carried

1.4 2011 National Local Roads and Transport Congress Communique – Mt Gambier, SA

Noted.

1.5 Australia Day 2012

Noted.

1.6 Notice Of Motion – Opening Hours of Public Toilets

A Motion was moved by Cr Todd and seconded by Cr Coe that the Warrumbungle Shire Council considers leaving the public toilets in the Shire open for 24 hours a day for a period of twelve months and conduct a cost analysis comparison study at the end of this time to cite differences in the cost of them being open.

222/1112 An Amendment was moved by Cr Sullivan and seconded by Cr Schmidt that Warrumbungle Shire Council leave public toilets in the Shire open for 24 hours a day, excluding Coonabarabran, conduct a cost analysis comparison study at the end of the trial to cite differences in the cost of them being open and that the trial conclude at the end of April 2012.

The Amendment was put and Carried.

The Amendment became the substantive Motion and was Put and Carried

1.7 Notice of Motion – Coolah Town Improvement Fund

223/1112 RESOLVED that Council transfer the sum of \$22,544 from the Coolah Town Improvement Fund, a restricted asset, to the Coolah District Development Group to be used by the Bowen Oval Precinct, a sub-committee of the CDDG, for the purposes of creating a master plan for the development of Bowen Oval and other sporting facilities contained in the precinct.

Powell/Todd
The motion was carried

1.8 Tourism and Economic Development 2011 Report

Noted.

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ACTING DIRECTOR CORPORATE SERVICES

2.1 Bank Reconciliation – Month Ending November 2011

224/1112 RESOLVED that the Bank Reconciliation as at 30 November 2011 be received and noted.

Coe/Powell
The motion was carried

2.2 Rates and Charges Collection Report up to and including November 2011

225/1112 RESOLVED that the Rates and Charges Collection Report as at the end of November 2011 be received and noted.

Coe/Powell
The motion was carried

2.3 Investment Securities CDOs and FRNs

226/1112 RESOLVED that Council formally appoint Structured Credit Research and Advisory Pty Ltd for investment advice and provide a supplementary vote of \$8,500 to meet this service expense to the end of this financial year.

Powell/Lewis
The motion was carried

DIRECTOR TECHNICAL SERVICES

3.1 Draft Floodplain Risk Management Study and Plan for Teridgerie Creek, Baradine

227/1112 RESOLVED that Council endorse the Baradine Floodplain Risk Management Study and Plan prepared by Lyall and Associates, October 2011, with the knowledge that refinement of mitigation options is currently underway.

Lewis/Campbell
The motion was carried

3.2 Regional Tender for Supply and Delivery of Tyres

228/1112 RESOLVED that all tenders for the supply and delivery of tyres be accepted as per the evaluation matrix as Panel source suppliers to Warrumbungle Shire Council for the period 1 November 2011 to 30 October 2013. Furthermore, provision is made for a 12 month extension based on satisfactory supplier performance which may take the contract through to 30 October 2014.

Sullivan/Dissanayake
The motion was carried

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3.3 Building Improvements at Baradine Water Treatment Plant

229/1112 RESOLVED that a supplementary expenditure vote of \$70,000 is made for works at the Baradine Water Treatment Plant to construct a new backwash tank and to upgrade the office facilities within the building.

Campbell/Sullivan
The motion was carried

ACTING DIRECTOR ENVIRONMENTAL SERVICES

4.1 Briefing Note – Mining Expansion Working Group

Noted.

1.00pm

Councillor Lewis declared a Pecuniary interest in this matter and left the Chamber.

4.2 Development Application 30/1112

A Motion was moved by Cr Powell and seconded by Cr Schmidt that pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 (as amended), Council grant development consent to Development Application number 30/1112 for development of a relocated dwelling on land at Lot 31 DP 262520, 71-73 Booyamurra Street, Coolah.

230/1112 An Amendment was moved by Cr Coe and seconded by Cr Schmidt that pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 (as amended), Council grant development consent to Development Application number 30/1112 for development of a relocated dwelling on land at Lot 31 DP 262520, 71-73 Booyamurra Street, Coolah subject to the following conditions, and noting that an extra condition be added to the Approval that requires all building works to be completed within 12 months of the building being placed on-site, and that the sub-floor area is suitably enclosed to enhance the appearance of the building.

The Amendment was put and Carried.

The Amendment became the substantive Motion and was Put and Carried

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

1. GENERAL CONDITIONS

1. The development being carried out in accordance with the development application and the drawings referenced below, and endorsed with Council's approval stamp, except where amended by the following conditions.

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Drawings labelled ELEVATIONS & CROSS SECTION and FLOOR PLAN drawn by Shafer design, PLAN OF FOOTINGS drawn by GJ Moore Pty Limited, received on 18 October 2011 and SITE PLAN drawn by GJ Moore Pty Limited received on November 30 2011.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

2. A copy of all stamped approved plans, specifications and documents (including the Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council)

3. All building work must be carried out in accordance with the provisions of the Building Code of Australia and any Australian Standards adopted there under.

(Reason: Prescribed - Statutory)

4. The Applicant is to demonstrate that the relocatable home is designed, constructed and installed in accordance with Division 4 of the Local Government (Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.

(Reason: To ensure compliance with the Local Government Act 1993)

5. (1) Building work that involves residential building work (within the meaning and exemptions provided in the Home Building Act) must not be carried out unless the Principal Certifying Authority for the development to which the work relates:

(a) in the case of work to be done by a licensee under that Act:

(i) has been informed in writing of the licensee's name and contractor licence number, and

(ii) is satisfied that the licensee has complied with the requirements of the Home Building Act, or

(b) in the case of work to be done by any other person:

(i) has been informed in writing of the person's name and owner-builder permit number, or

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- (ii) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of that Act, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (b)(ii) is prescribed by regulations under the Home Building Act 1989. As at the date on which this Regulation was Gazetted, that amount was \$5,000. As those regulations are amended from time to time, that amount may vary.

- (2) A certificate purporting to be issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.
- (3) If arrangements for doing residential building work are changed while the work is in progress so that the information submitted to Council is out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council), has given the Council written notice of the updated information.

(Reason: Prescribed - Statutory)

6. Any necessary alterations to, or relocations of, utility services must be carried out at no cost to the council or the relevant public authority.

(Reason: To ensure costs associated with the development are not transferred to the public.

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2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

7. Evidence is to be provided demonstrating payment of the prescribed Long Service Levy fee prior to the issue of a Construction Certificate.

(Reason: To ensure that the requirements of the Long Service Levy Corporation are satisfied.)

8. The applicant shall design the sealed vehicular access way in compliance with the following:

- (a) the width of the vehicular layback shall be 4.5 metres (including the wings);
- (b) the crossing (between the layback and the property boundary) shall be placed on a single straight grade of 5%, falling to the back of the layback;
- (c) any twisting of the driveway access shall occur entirely within the subject property; and

(Reason: To facilitate appropriate vehicular access to private sites, without disruption to pedestrian and vehicular traffic prior to the issue of an Occupation Certificate)

9. No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works.

(Reason: Prescribed - Statutory)

3. CONDITIONS TO BE COMPLIED WITH DURING BUILDING WORK

10. Prior to the commencement of any earthworks on site the applicant is to ensure that appropriate erosion and sedimentation controls are in place in accordance with Land Com Soils and Construction Managing Urban Stormwater Guidelines.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites.)

11. Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.

Each toilet provided must:

- be a standard flushing toilet, connected to a public sewer, or
- if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
- a portable toilet.

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The provision of toilet facilities must be completed before any other work is commenced.

(Reason: To ensure the health and safety of the community and workers on the site)

12. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited;
- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while the building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

(Reason: Statutory requirement)

13. Subject to this clause, building construction is to be carried out during the following hours:

- (a) between Monday to Friday (inclusive)—7.00am to 5.00pm,
- (b) on a Saturday—8.00am to 1.00pm.

Building construction must not be carried out on a Sunday or a public holiday.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

14. Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(Reason: To ensure public safety and amenity on public land)

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4. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

15. An Occupation Certificate must be issued by the principal certifying authority before the building is used or occupied. The Occupation Certificate shall not be issued until such time as all relevant conditions of development consent have been complied with.
(Reason: To ensure the requirements of the Environmental Planning & Assessment Act 1979 are satisfied.)
16. Prior to any Occupation Certificate being issued for the building works, the person acting upon this consent must apply to Warrumbungle Shire Council and receive written confirmation of the allocated street address(es) or house number(s) for the completed project. These are the numbers that will be recorded in Council records and must be displayed at the property in accordance with the provisions of AS/NZS 4819:2003 – Geographic information – Rural and urban addressing.
(Reason: To ensure that Council records are accurate and that house numbering complies with the requirements of Council’s House Numbering Policy. Proper house numbering also assists emergency services in readily locating properties.)
17. The premises shall be connected to the sewer system in accordance with the Australian Standard 3500. A works as executed plan (drawn by an appropriately qualified Contractor), on Council’s approved form is to be submitted to Council within seven (7) days following the final drainage inspection and prior to any Occupation Certificate being issued.
(Reason: To ensure compliance with the Australian Standard & Local Authority requirements.)
18. Prior to the issue of the Occupation Certificate the applicant is to make suitable arrangements with Council for garbage disposal and recycling facilities for each dwelling.
(Reason: To ensure waste is disposed of in the correct manor.)
19. Prior to the issue of the Occupation Certificate each dwelling is to have a mailbox, wholly situated on the subject site in accordance with Australia Post Requirements.
(Reason: To ensure services are provided)

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20. All excess roof water is to be conveyed to the appropriate street drainage structure by means of storm water drainage piping which has been sized in accordance with AS3500. In instances where it is impractical to dispose of roof water to the street the water shall be disposed on site into a suitable rubble drain with minimum dimensions of 1m wide by 1m deep by the length determined by allowing 1m for every 100m² or part thereof of roof surface area.

(Reason: To ensure disposal of roof water without causing a nuisance)

5. CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

21. All external lighting is to be of a fully shielded design and directed in a downward position.

(Reason: To minimise upward light spill and to comply with the requirements of the Orana Regional Environmental Plan)

6. ADVICE

22. If Council is the Certifying Authority, a Certificate prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the existing structure to be relocated will be required to certify that the structure will be capable of withstanding the most adverse loads expected for its new location, prior to the issuing of a Construction Certificate.
23. A minimum of 48 hours notice must be given for the following inspections (if required) if Council is chosen as the Principal Certifying Authority:
- a. Pre-commence, prior to the starting of building works
 - b. Pier holes, pads or bulk piers before concrete is poured.
 - c. Steelwork in place for reinforced slab or footings.
 - d. All drainage prior to backfilling of trenches.
 - e. Wet area water-proofing
 - f. Framework at “lockup” stage. (Roof may be loaded, gutters and downpipes in place, veneer tied off to frame, plumbing installed and electrical wiring installed.)
 - g. Stormwater connections
 - h. Final at occupation stage – all aspects complete

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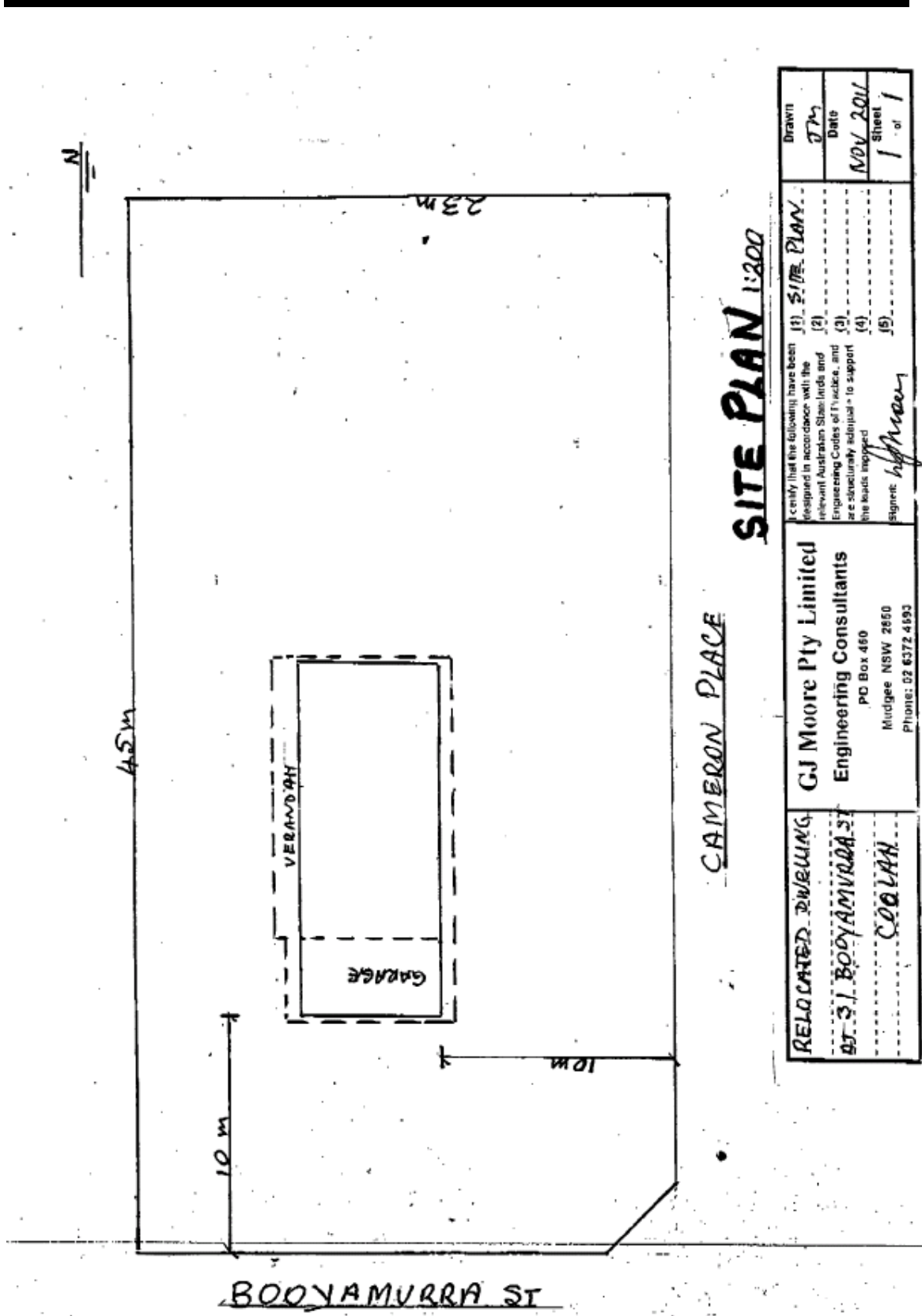
Any additional Council inspection needed to verify the compliance of any work will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

Note: - Council is required to inspect every mandatory critical stage inspection as listed above. Failure to notify for inspection at the required time will result in a breach of this requirement and the inability of Council to issue the necessary Occupation Certificate.

Appendix 1: Plans

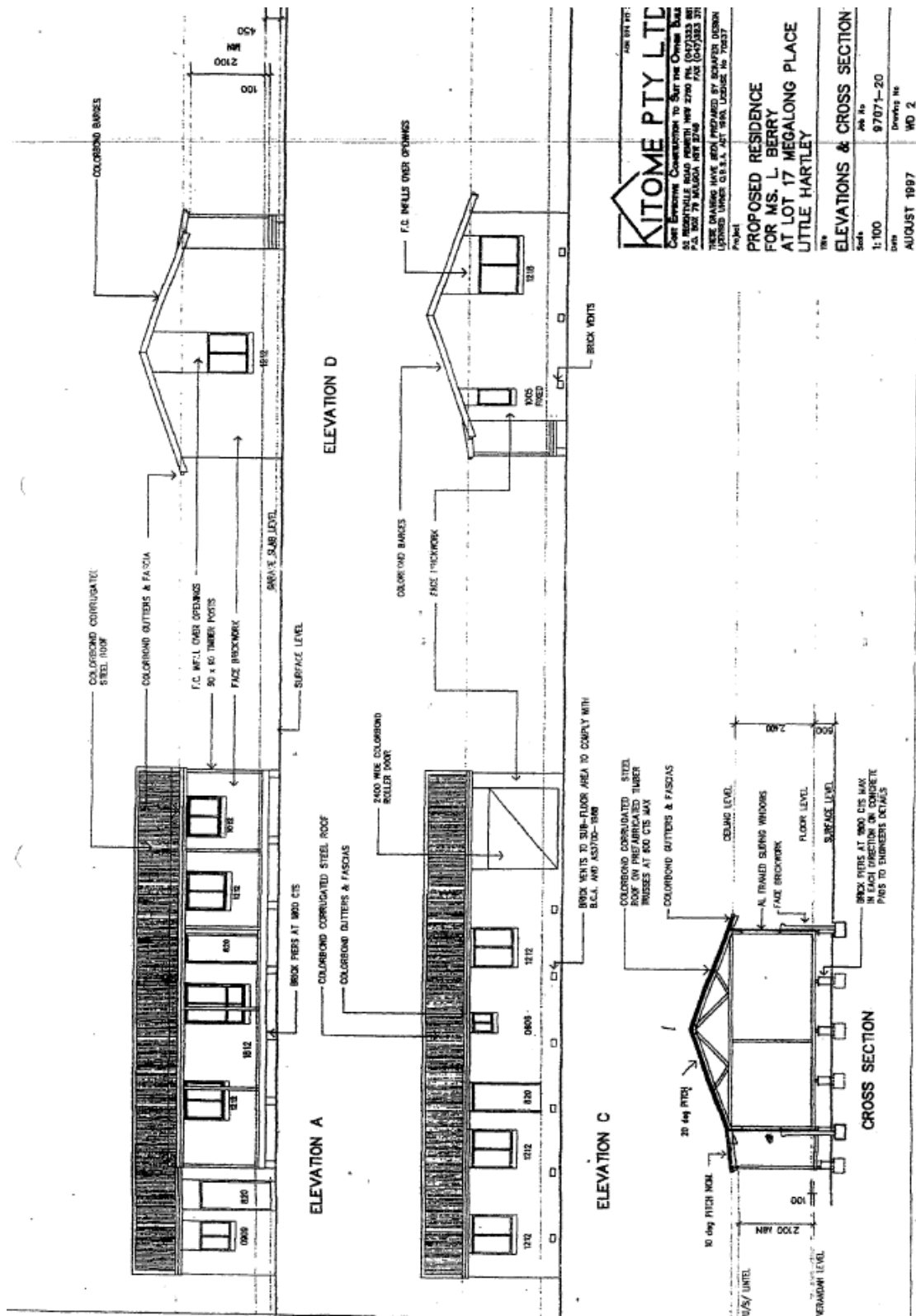
WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 15 DECEMBER 2011
COMMENCING AT 11.10am PAGE 26



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Cr Lewis re-joined the meeting at 1.10pm

4.3 Development Applications

231/1112 RESOLVED that Council note the Applications Received for the month of November 2011, the Applications Held Pending as at 30 November 2011 and their status, and of those approved during November 2011, under Delegated Authority.

Campbell/Schmidt
The motion was carried

4.4 Warrumbungle Shire Council 149 Certificates Processed November 2011

Noted.

ACTING DIRECTOR COMMUNITY SERVICES

5.1 Youth Program - Coonabarabran

232/1112 RESOLVED that Council approve the General Manager to sign and affix the Council seal to the Shared Responsibility Funding Agreement with the Australian Government Department of Families, Housing Community Services and Indigenous Affairs (FaHCSIA) for \$10,000.

Schmidt/Campbell
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE PLANT ADVISORY COMMITTEE MEETING HELD ON 15 DECEMBER 2011

233/1112 RESOLVED that the Minutes of the Plant Advisory Committee meeting held 15 December 2011 be adopted.

Sullivan/Schmidt
The motion was carried

QUESTIONS WITHOUT NOTICE

Cr Campbell

- Enquired why staff were driving rental vehicles at the Teridgerie works. The DTS advised that Council is currently considering purchasing a vehicle for Baradine.

ADES

- Gave an update on the new Council Chambers building at Coonabarabran.
- Closing date for tenders put back 2 weeks to 24 January, with report to February Council meeting
- Realistically the building should be completed by March 2013

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GM

- Staff Christmas Party tomorrow and reminding that Councillors are invited.
- Qld visit regarding Coal Seam Gas – one response to emailed invitation. Trip to be scheduled in the new year.
- Waste Committee – 2 councillors and 2 staff members to visit Forster (Great Lakes Council) to view the Waste Facilities. This trip is to be scheduled in the new year.
- Thanked Councillors and Staff for their support over the past several months and presented councillors and staff with hand made gifts from Kenya to assist underprivileged families from there
- Wished every one a Merry Christmas.

Cr Coe

- Maintenance issues at the Dunedoo Doctor Surgery in Dunedoo. ADCS advised that this maintenance is being carried out now.
- Wished every one a Merry Christmas.

Cr Lewis

- Sewerage issues at Binnaway.
- B-double trial between Binnaway and Coonabarabran, with a report being brought to Council.

Cr Powell

- Has the request for a pedestrian crossing at Binnia Street referred to Traffic Committee
- Thanked Council and Staff for their assistance throughout the year and wished everyone a Merry Christmas.

Cr Todd

- Flood Study at Bugaldie – DTS advised that there is no flood study as such however minor works have been carried out.
- Wished everyone a Merry Christmas.

Mayor Shinton

- Wished everyone a Merry Christmas and safe holiday period.

There being no further business the meeting closed at 1.25pm

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CHAIRMAN