

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COONABARABRAN ON THURSDAY, 11 DECEMBER 2014
COMMENCING AT 10.04AM**

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PRESENT: Cr Peter Shinton (Chairman), Cr Andrews, Cr Capel, Cr Clancy, Cr Coe, Cr Schmidt, Cr C Sullivan, Cr R Sullivan, Cr Todd, General Manager (Steve Loane), Director Corporate & Community Services (Stefan Murru), Director Technical Services (Kevin Tighe) and Director Development Services (Leeanne Ryan).

In attendance: Manager Administration & Customer Service (S Morris) (minutes)

The Mayor welcomed Councillors, staff and members of the public to the meeting.

The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest
Cr C Sullivan and Cr R Sullivan declared a non pecuniary interest in Item 15 Nomination for Australia Day 2015 – Shire Wide Awards as nominators of various nominees.

REPORTS

Item 1 Minutes of Ordinary Council Meeting – 20 November 2014

186/1415 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 November 2014 be endorsed.

Coe / Todd
The motion was carried

Business arising

Various reports were requested.

Item 2 Minutes of Traffic Advisory Committee Meeting – 27 November 2014

187/1415 RESOLVED:

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held at Coonabarabran on 27 November 2014.

2. That approval be given to close the following roads on Saturday, 25 April 2015 for the purpose of conducting an ANZAC Day March and Ceremony, subject to compliance with guidelines and Road Closure Policy:
 - Coolah RSL Sub Branch - Binnia Street between Booyamurra Street and Campbell Street between 10.00 am and 12.30 pm.
 - Coonabarabran RSL Sub Branch – John Street between Edwards Street and Essex Street between 10.00 am and 1.00 pm.
 - Dunedoo RSL Sub Branch – Bolaro Street between Wargundy Street and Merrygoen Street between 10.00 am and 12 noon.
 - Mendooran RSL Sub Branch – Bandulla Street between Pampoo Street and Napier Street between 9.30 am and 12 noon.
 - Binnaway RSL Sub Branch – Renshaw Street between Bullindah Street and Yarran Street between 9.30 am and 12 noon.
 - Baradine RSL Sub Branch – Wellington Street and Narran Street between 10.00 am and 12.30 pm.

FURTHER that a traffic control plan for each event should be submitted to the Committee prior to the event and advice provided to the RMS.

3. That request by Baradine Progress Association to close Wellington Street between Narren Street and Darling Street, Baradine on Wednesday,

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- 24 December 2014 between 6.00 pm and 12.00 am to conduct a Christmas Carnival be approved subject to compliance with Council's Road Closure Policy.
4. That the proposed installation of a concealed driveway sign on the approach to property 'Talbragar Park', Golden Highway, Dunedoo be referred to RMS for further investigation and that the outcome be brought back to the next meeting.
 5. That request by the Coonabarabran Local Aboriginal Lands Council to close John Street between the Tennis Club entrance and the Town Hall on Tuesday, 26 May 2015 for 15 minutes between 10.30 am and 10.45 am be approved subject to preparation of a Traffic Control Management Plan that involves the NSW Police Force implementing a 'rolling road closure' on the south bound lane between the bridge and the Town Hall and also submission of public liability insurance coverage for the event **FURTHER** that RMS be advised of the proposed road closure event.
 6. That the 'Stop' sign installed at the Coonabarabran Racecourse gateway be relocated closer to Reservoir Street.
 7. That request by the Coonabarabran Pony Club to close Reservoir Street, Coonabarabran on Sunday, 14 December 2014 between 9.00 am and 3.00 pm to conduct the Annual Cross Country One Day Event be approved subject to compliance with Council's Road Closure Policy.
 8. That intersection located at Baradine Road (MR129) for access to proposed Piggery development be inspected by Council to ensure traffic movements are in compliance with guidelines for intersection treatment.
 9. That a 'No Exhaust Noise' advisory sign be erected in Edwards Street, Coonabarabran at the eastern side of Nandi Street.
 10. That request by the Imperial Hotel for a Loading Zone at the existing parallel parking area in John Street, Coonabarabran not be approved.

Schmidt/Todd
The motion was carried

Item 3 Minutes of Plant Advisory Committee Meeting – 2 December 2014

188/1415 RESOLVED:

1. That Council accepts the Minutes of the Plant Advisory Committee meeting held at Coonabarabran on 2 December 2014.
 2. That Council defer consideration of the replacement of Plant Item No 144 to the February 2015 Plant Advisory Committee meeting.
 3. That Council purchase one (1) Isuzu FRR 500 Long from Tracserv Dubbo Pty Ltd fitted with a load cover that complies with the tender specifications at a price of \$103,127.28 (ex GST) **FURTHER** that Council trade in Plant Item No 148 to Tracserv Dubbo for \$37,727.28 resulting in a changeover price of \$65,400.00 being \$5,400.00 over budget.
 4. That Council purchase one (1) Isuzu CXY 455 Gravel Truck from Tracserv Dubbo Pty Ltd fitted with optional reversing cameras that complies with the tender
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specifications at a price of \$189,980.00 (ex GST) **FURTHER** that Council trade in Plant Item No 152 to Tracserv Dubbo Pty Ltd for \$77,273.00 resulting in a changeover price of \$112,707.00 being \$17,293.00 under budget.

5. That Council purchase a 4 Wheel Drive or 2 Wheel Drive (High Rider) Single Cab Utility fitted with a lockable canopy to be used by the Road Operations Technical Officer to the value of \$35,000.00 (ex GST) **FURTHER** that Council sell Plant Item No 1061 at auction with an auction estimate of \$7,500.00 (ex GST).
6. That Council purchase a second hand Landfill Compactor from Conplant Australia as per their quotation for \$57,000.00 (ex GST) including delivery, and that Council retain this machine for a period of no more than three (3) years with the funds to be drawn from the Plant Reserve for payment **FURTHER** that a report be brought back to the Plant Advisory Committee every twelve months on the maintenance and reliability of the second hand Landfill Compactor and that this machine be placed into Council's 10 Year Plant Replacement Program.

Coe/R Sullivan
The motion was carried

**Item 4 Minutes of Warrumbungle Cobbora Transition Fund Committee Meeting –
18 November 2014**

189/1415 RESOLVED:

1. That Council accept the minutes from the Warrumbungle Cobbora Transition Fund Committee Meeting held on 18 November 2014 at Dunedoo MPS.
2. The preferred site of the RV Parking and dump site to be immediately behind and adjacent to Jubilee Hall, subject to an engineering report, and the funding be transferred.
3. To ensure the proposed fire egress doors on the northern wall to be designed so that they can be part of a future operative wall system if required.
4. K Rose to approach Tennis NSW regarding funding for the HotShot courts for Dunedoo.
5. To proceed with the three toilet ExeLoo design Model 53AAD with pitched roof and printed mural as per majority vote.
6. The five concept plans currently on exhibition are to be withdrawn, and for Council engineers to liaise with the 355 Committee for further design.

Coe/C Sullivan
The motion was carried

**Item 5 Minutes of the Extraordinary Warrumbungle Cobbora Transition Fund
Committee Meeting – 1 December 2014**

190/1415 RESOLVED:

1. That Council accept the minutes from the Extraordinary Warrumbungle Cobbora Transition Fund Committee Meeting held on 1 December 2014 at Dunedoo MPS.
 2. That the order be placed for ExcelLoo as per the 18 November recommendation pending availability and Council staff to commence preparation of the site.
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3. To proceed with the construction of a skate playground to fall within the budget of the playground and amenities to be located at the western end of Milling Park.
4. The installation of kerb blisters at the intersections of Bolaro St with Wallaroo, Merryogen and Tallawang Streets be abandoned. Kerb blisters in front of Jubilee Hall to be relocated west of Merrygoen/Bolaro St intersection, subject to Traffic Advisory Committee. Existing kerb blisters at front of Stoddarts CRT to be upgraded to be uniform.
5. Ten solar powered poles, two to be located on the kerb blisters to be located at each end of Milling Park, with six to be located in the front of Milling Park playground, subject to funding.

**Coe/C Sullivan
The motion was carried**

Item 6 Minutes of Dunedoo Community Consultation Meeting – 17 November 2014

191/1415 RESOLVED that Council accept the minutes from the Dunedoo Community Consultation Meeting held 17 November 2014 at Dunedoo MPS Building.

**Todd/Coe
The motion was carried**

Item 7 Minutes of Coolah Community Consultation Meeting – 24 November 2014

192/1415 RESOLVED that Council accept the minutes from the Coolah Town Committee meeting held on 24 November 2014 at Coolah.

**Capel/C Sullivan
The motion was carried**

Item 8 Request for Leave of Absence – Councillor Denis Todd

193/1415 RESOLVED that Council accepts the notification from Councillor Todd and grants a Leave of Absence from the Ordinary February 2015 Council meeting.

**Clancy/Coe
The motion was carried**

Item 9 Council Resolutions Report December 2014

Received.

Item 10 Report from Human Resources – December 2014

Received.

Item 11 Annual Code of Conduct Complaints Statistics

Received.

Item 12 2016 Local Government Elections

194/1415 RESOLVED that in accordance with Section 296 of the Local Government Act 1993, Warrumbungle Shire Council make arrangements to enter into a contract with the Electoral Commissioner for the NSW Electoral Commission to administer its elections (other than elections of Mayor and Deputy Mayor), Bi Elections, Constitutional Referendums and Polls until the conclusion of the 2016 Ordinary Election of Councillors.

**Clancy/Schmidt
The motion was carried**

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Item 13 Delegations of Authority to the General Manager

195/1415 RESOLVED that Council delegate to the General Manager the new acts and regulations as follows:

1. Cemeteries and Crematoria Act 2013;
2. Heavy Vehicle Nation Law (NSW) and Heavy Vehicle (Adoption of National Law) Act 2013;
3. Dangerous Goods (Rail and Road Transport) Act 2008;
4. Companion Regulation 2008;
5. Protection of the Environment Operations (Waste) Regulation 2005;
6. Real Property Act 1900.

**Clancy/Schmidt
The motion was carried**

Item 14 Brick Bats and Bouquets

Received.

10.48am

196/1415 RESOLVED that Item 15 Nomination for Australia Day 2015 – Shire Wide Awards be moved to closed committee for consideration.

**R Sullivan/Capel
The motion was carried**

Item 16 Warrumbungle Cobbora Transition Fund Committee

Received.

Item 17 Bank Reconciliation for the month ending 30 November 2014

197/1415 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 30 November 2014.

**Schmidt/Andrews
The motion was carried**

Item 18 Investments and Term Deposits for Month ending 30 November 2014

198/1415 RESOLVED that Council accept the Investments Report for the month ending 30 November 2014.

**Capel/Schmidt
The motion was carried**

Item 19 Rates Report for Month Ending 30 November 2014

Received.

Item 20 Water Charge Request for Write Off Assessment No 10038032

199/1415 RESOLVED that Council deny the request to write off water charges for Assessment No 10038032. Furthermore that Council contact the owner to discuss a repayment arrangement.

**R Sullivan/C Sullivan
The motion was carried**

Item 21 2014/15 Technical Services Works Program – Road Operations, Urban Services & Water Services

Received.

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Item 22 Crown Land Access to Mendooran Subdivision.

200/1415 RESOLVED that Council apply for the transfer of Crown Land to Council (the area shown as 'C' on the attached map), so that:

- a) Council will ensure appropriate access is provided to the residential subdivision;
- b) Council will require the developer to upgrade the access road to the subdivision to the appropriate standard;
- c) Council will address the issues raised by the adjoining land owner.



Schmidt/Capel
The motion was carried

Item 23 License Agreement with Telstra for Rocky Glen Phone Box

201/1415 RESOLVED that Council approves the General Manager and Mayor to affix Council's seal, sign and execute the licence agreement with Telstra Corporation Limited for the continued siting of the phone box on the Road Reserve, Oxley State Highway, Rocky Glen.

Clancy/Todd
The motion was carried

Item 24 Solar Panels – Fitment of Solar Panels to Council Buildings

202/1415 RESOLVED that Council resolve to engage an independent consultant to investigate fully the benefits Council will receive from the installation of Solar PV on all appropriate buildings, and that quotes be obtained from quality suppliers, and furthermore Council undertake a financial analysis of the various purchase options best suited to Council's needs.

Schmidt/Andrews
The motion was carried

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Item 25 Draft Prevention of Cruelty to Animals (Dogs and Cats in Council Pounds and Animal Shelters) Standards 2014 No 1

203/1415 RESOLVED that Council lodge a written submission to Department of Primary Industries on the draft standards and guidelines outlining the difficulties Council will endure if the requirements of the draft standards are enforced.

**Schmidt/Andrews
The motion was carried**

Item 26 Legislation Changes – New Smoking Bans

Received.

Item 27 Waste Management Strategy Update

Received.

Item 28 Development Applications

204/1415 RESOLVED that Council note the Applications Approved during November 2014 under Delegated Authority.

**Schmidt/Clancy
The motion was carried**

11.15am

205/1415 RESOLVED that standing orders be suspended to break for morning tea.

**Capel/Schmidt
The motion was carried**

11.41am

206/1415 RESOLVED that standing orders be resumed.

**Schmidt/Capel
The motion was carried**

Matters of Concern

Cr C Sullivan

Nil

Cr Andrews

Nil

Cr Capel

Neilrex to Coolah road – gravel has dropped away from the edges.

Cr Todd

Newell Highway Taskforce – request for Report to next Council meeting with information regarding Bypass of Coonabarabran.

Sewage odour Baradine. Response by Director Technical Services – modifications to pump station vent expected to be completed by Christmas.

R Sullivan

Meeting with Indigenous Elders at the town hall was a good meeting – thank you for the invitation and extend thanks to staff for their attendance.

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Status of Mayor's Bushfire Fund. The Director Corporate & Community Services explained that a 2 year extension has been provided however Council can only accept donations until 14 January 2015 however the Fund can run for a further 2 years.

Cr Schmidt

Nil

Cr Clancy

Binnaway sewerage – request for report back to February meeting – timetable of what is going to occur with available funds under current management plan.

Cr Clancy informed the meeting that he attended the Youth Club meeting and that the current committee is in place until March. The members will then reconsider their position. He notified the meeting that \$100,000 is needed to repair Youth Club floor to allow other sports to be played in the building.

11.55 am

207/1415 RESOLVED that:

- (a) Council go into closed committee to consider business relating to commercial information related to tenders and personnel matters concerning particular individuals
- (b) 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) as outlined above
- (c) 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.

**R Sullivan/Capel
The motion was carried**

12.30pm

208/1415 RESOLVED that Council move out of closed Committee.

**Capel/Andrews
The motion was carried**

The following resolutions of Council while the meeting was closed to the public were reported to the meeting by the General Manager.

209/1415 RESOLVED that Council acknowledge two (2) recipients for the Senior Citizen of the Year Award.

**R Sullivan/Todd
The motion was carried**

Item 15 Nomination for Australia Day 2015 – Shire Wide Awards

210/1415 RESOLVED that the following awards be made for presentation on Australia Day 2015:

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- that Council's Citizen of the Year Award be awarded to Lois Sutton of Coonabarabran.
- that Samantha Smith of Mendooran receive Council's Young Citizen of the Year Award.
- that Council's Senior Citizen of the Year Award be awarded to two (2) recipients being John King of Baradine and Barry Evans of Dunedoo.
- that Council's Sportsperson of the Year Award be awarded to two (2) recipients being Heather Waters of Coolah and Kyle Turner of Coonabarabran.
- that Council's Young Sportsperson of the Year Award be awarded to Harley Wood of Coonabarabran.
- that Don Walton be awarded a Meritorious Award for Sports Administration.
- that Dunedoo Rugby League Football 1st Grade Team be awarded a Special Team Award

**R Sullivan/Schmidt
The motion was carried**

Item 1C Tender – Supply and Construct Yaminbah Rural Fire Service Station
211/1415 RESOLVED that the tender for the supply and construct of the Cat 2 Rural Fire Service Station for the Yaminbah RFS Brigade is awarded to Warrumbungle Steel Buildings & SunFarm Solar for a price of \$160,809.00 (gst inclusive).

**Schmidt/Capel
The motion was carried**

There being no further business the meeting closed at 12.34pm.

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CHAIRMAN