

WARRUMBUNGL E SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGL E SHIRE COUNCIL HELD
AT THE FIRE CONTROL CENTRE, COONABARABRAN ON THURSDAY, 15 APRIL 2010
COMMENCING AT 11.00AM PAGE 1

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

In attendance: S Morris (minutes).

The Mayor welcomed members of the gallery to the ordinary Council meeting.

11.01am

FORUM

Mrs Lola Dowsett addressed Council on the change of name from Racecourse Road to Bingie Grumble Road and presented a petition to Council requesting the name changed be reversed.

11.06am

The Director Corporate Services joined the meeting.

11.08am

Mr Yuri Van der Walt addressed Council regarding his Development Application No. 84/0910 regarding subdivision of land at Purlewaugh and responded to some of the matters raised in the report.

11.15am

Mr Max Bailey of Greyhound Services informed Council of the establishment of a terminal in Coonabarabran and sought Council's assistance in highlighting the difficulties in providing the bus service in disadvantaged communities. Mr Bailey sought commitment from Council to write to the State and Federal Governments seeking support for funding to assist the company in retaining the services.

11.23am

Gillian Wherrett brought to Council's attention the pollution and problems caused by the smoke from wood burning stoves/fires during the winter months. Ms Wherrett asked if Council had a policy in place and enquired about regulations. Ms Wherrett suggested promotion of a 'check chimney' week and recommended Council undertake an education programme regarding this problem.

11.28am

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGL E SHIRE COUNCIL HELD ON 11 MARCH 2010

328 RESOLVED that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 11 March 2010 be endorsed.

Todd/Campbell
The motion was carried

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ADOPTION OF THE RECOMMENDATIONS OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 30 MARCH 2010

329 RESOLVED that the minutes of the Traffic Advisory Committee meeting held on 30 March 2010 be endorsed.

Lewis/Dissanayake
The motion was carried

330 RESOLVED that the late requests by Binnaway and Baradine RSL Sub-branches for street closures in relation to Anzac Day Services on 25 April 2010 be approved by Council subject to compliance with Council's road closure policy and guidelines for a Class 1 traffic event.

Lewis/Dissanayake
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGL E AERODROMES ADVISORY COMMITTEE MEETING HELD ON 23 MARCH 2010

331 RESOLVED that the minutes of the Aerodromes Advisory Committee meeting held on 23 March 2010 be adopted.

Powell/Campbell
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE YULUWIRRI KIDS ADVISORY COMMITTEE MEETING HELD ON 11 MARCH 2010

332 RESOLVED that the minutes of the Yuluwirri Kids Advisory Committee meeting held on 11 March 2010 be adopted.

Campbell/Schmidt
The motion was carried

11.35am

GENERAL MANAGER'S REPORT

1.1 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM 100M (RLCIP100m) ROUND TWO - NON COMPETITIVE FUNDING

333 RESOLVED that Council endorses the actions of the Director Community Services in signing and accepting the Federal Government RLCIP100m Dunedoo Waste Recycling Centre Funding Agreement for \$224,000 and **FURTHER** that an amount of \$47,002 be provided in the 2010/2011 budget to cover the costs of this construction. **FURTHER** that quotes or tenders be called for the construction of the Centre.

Schmidt/Powell
The motion was carried

334 RESOLVED that an investigation as to the possibility of placing solar panels on top of the proposed Dunedoo Waste Recycling Centre and on other Council facilities, with an inverter back into the meter box to supply power back into the grid, be undertaken and that a report be brought back for Council's consideration.

Sullivan/Schmidt
The motion was carried

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1.2 RFS SHEDS

335 RESOLVED that Council seek further information regarding the erection of Rural Fire Service sheds on private property and invite the Zone Manager, Mr Garry Wilson, to address Council at the May 2010 meeting on this issue.

Sullivan/Coe
The motion was carried

1.3 NOTICE OF MOTION

336 RESOLVED that the Warrumbungle Shire Council investigate the possibility of obtaining copies of the Ladair Data Mapping of Baradine and possibly of the other towns of the Shire as well.

Todd/Lewis
The motion was carried

1.4 NOTICE OF MOTION

337 RESOLVED that the Warrumbungle Shire Council investigate to obtain small parcel of land from State Rail at Morren railway paddock to straighten out the Piambra Road

Todd/Lewis
The motion was carried

1.5 CRANE BUILDING SITE

338 RESOLVED that Council proceed with the construction of the additional administration office on the Crane Building site. **FURTHER** that a report be prepared and submitted to Council on the various funding options for the project.

Sullivan/Campbell
The motion was carried

1.6 MINING RELATED COUNCILS

339 RESOLVED that Council become a member of the Mining Related Councils organisation and that a supplementary vote of \$1,807.50 be provided in the 2009/2010 budget and that provision be made in the 2010/2011 budget for expenses relating to this membership.

Sullivan/Powell
The motion was carried

1.7 ROADS OF REGIONAL SIGNIFICANCE

A motion was moved by Councillor Todd that the Coonabarabran to Mungindi road be Council's number one priority.

This motion lapsed for want of a seconder.

A motion was moved by Councillor Sullivan seconded by Councillor Schmidt that Council provide \$5,000 in the 2010/2011 budget towards the cost of a report on the upgrade and seal of the Coonabarabran to Mungindi Road as council's share of the costs.

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340 An amendment was moved by Councillor Todd seconded by Councillor Powell that Council provide \$10,000 in the 2010/2011 budget towards the cost of a report on the upgrade and seal of the Coonabarabran to Mungindi Road as Council's share of the costs.

The amendment was put and carried.

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

Council took on notice that the Wellington to Boggabri Road is Council's number one priority for roads of regional significance.

1.8 BUSHFIRE EQUIPMENT

341 RESOLVED that when the approval of the Commissioner of the NSW Rural Fire Service is received, Council write off in situ, the following 5 tanker trailers:

BF No.	Owner of last known location	Ex Brigade
8633	Unknown location	Marran
7301	H Powell	Weetaliba
8616G	Morris	Goolhi
8613	Unknown location	Goolhi
1492S	Goddard	Coolah Creek

Lewis/ Todd
The motion was carried

1.9 COOLAH COUNCIL CAR PARK

342 RESOLVED that Council take no action regarding the request to purchase an area of land at the rear of the Coolah Pharmacy.

Powell/Lewis
The motion was carried

1.10 COBBORA COAL MINE PROPOSAL

343 RESOLVED that Council adopt the following strategy for the Cobbora Mine proposal and endorse the actions of the Mayor, Deputy Mayor and General Manager on:

- i) Offering an invitation to the Cobbora Unincorporated Joint Venture representatives to address Council at the May ordinary meeting to be held in Coolah on 20th May 2010.
- ii) In advising the Joint Venture partners that Council wishes to discuss the possibility of a voluntary planning agreement, and
- iii) The approaches being made to both the State and Federal Government local members for assistance to the upgrade of local roads in the immediate area of Cobbora.

FURTHER that Council provides funds in the 2010/2011 budget to employ a project officer or appoint a consultant to assist Council in reviewing what Council needs to do in relation to this project and **FURTHER** that representation be made to ensure that the mine gate is located at or near the Cobbora Village on the Golden Highway.

Coe/Schmidt
The motion was carried

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12.48PM

344 RESOLVED that standing orders be suspended to present Certificates to staff and break for lunch.

Schmidt/Campbell
The motion was carried

1.45 PM

345 RESOLVED that standing orders be resumed.

Campbell/Schmidt
The motion was carried

1.11 STAFF AWARDS

A motion was moved by Councillor Campbell seconded by Councillor Schmidt that That Council initiate a recognition strategy that is as follows:

- i) Staff are presented with a Certificate of Service every 5 years of completed service – presentation to be made every two years at an end of year Christmas function.
- ii) That all staff who reach 25 years service be presented with a suitably engraved pewter mug again to be presented at the end of year Christmas function.
- iii) After 40 years continuous service that the staff member be presented with a suitably engraved gold watch and further that an amount of \$2,000 be contributed towards a staff organized farewell when the staff member retires.

346 An amendment was moved by Councillor Powell seconded by Councillor Dissanayake that Council initiate a recognition strategy that is as follows,

- iv) Staff are presented with a Certificate of Service every 5 years of completed service – presentation to be made every two years at an end of year Christmas function.
- v) That all staff who reach 25 years service be presented with a suitably engraved gift again to be presented at the end of year Christmas function.
- vi) After 40 years continuous service that the staff member be presented with an suitably engraved gift and further that an amount of \$2,000 be contributed towards a staff organized farewell when the staff member retires.

The amendment was put and carried.

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

ADOPTION OF THE RECOMMENDATIONS OF THE PLANT ADVISORY COMMITTEE MEETING HELD ON 15 APRIL 2010

347 RESOLVED that the minutes of the Plant Advisory Committee held on 15 April 2010 be adopted.

Sullivan/Powell
The motion was carried

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1.53pm

348 RESOLVED that as a matter of urgency Item 4.3 regarding DA84/0910 be brought forward for consideration at this time.

Schmidt/Coe
The motion was carried

2.05pm

4.3 DA 84/0910 PROPOSED 10 LOT SUBDIVISION LOT 83 DP 755523 MAROO RD PURLEWAUGH

349 RESOLVED Pursuant to section 91 of the Environmental Planning and Assessment Act 1979 (as amended) that Council refuse development consent to Development Application No. 85/2009 development of Subdivision of one (1) lot into ten (10) on land at Lot: 83 DP:755523, Maroo Road, Purlawaugh, for the following two (2) reasons:-

1. The proposal is inconsistent with State Environmental Planning Policy (Rural Lands) 2008 as the location of the subject site is not appropriate for the proposed development, the proposal is considered to be rural land fragmentation and could result in land use conflicts with existing traditional development in the locality.
2. Inconsistent with Coonabarabran Local Environmental Plan 1990 as the subject site is Environmentally Sensitive Land, is inconsistent with existing land use in the vicinity and is not appropriate given the distance from services of the subject site.

Councillors Powell, Sullivan, Todd, Dissanayake, Campbell and Shinton voted in favour of the resolution to refuse development consent to Development Application No. 84/0910 and Councillors Lewis, Coe and Schmidt voted against the resolution.

2.07pm

350 RESOLVED that Council resume consideration of the matters as itemised in the agenda.

Coe/Schmidt
The motion was carried

DIRECTOR OF CORPORATE SERVICES REPORTS

2.1 BANK ACCOUNTS AND INVESTMENTS AS AT 31 MARCH 2010

Received.

2.2 INVESTMENTS HELD AS AT 31 MARCH 2010

Received.

**2.3 RECONCILIATION OF GENERAL FUND BANK ACCOUNT –
AS AT 31 MARCH 2010**

Received.

**2.4 RATES AND CHARGES COLLECTION REPORT UP TO and INCLUDING
MARCH 2010**

Received.

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2.5 REQUEST FOR TRANSFER FROM RESTRICTED ASSETS FOR REPAIRS AND RENOVATIONS OF COOLAH COUNCIL OFFICES AND CHAMBERS

351 RESOLVED that Council approve a supplementary vote of \$10,000 to come from restricted assets to enable the completion of the repairs, renovations and replacements of floor coverings at the Coolah Office of Council.

Coe/Schmidt
The motion was carried

2.6 NEW WARRUMBUNGL E SHIRE COUNCIL WEB PAGE

Received as information.

2.7 REFINANCING OF LOANS FOR BRIDGES NORTH AND BRIDGES SOUTH

352 RESOLVED that this matter be held over for consideration during closed Committee meeting

Powell/Sullivan
The motion was carried

2.8 INTRODUCTION OF ENVIRONMENTAL SCOREKEEPING

353 RESOLVED that Council subscribe to the Planet Footprint Environmental Scorekeeping Service.

Powell/Schmidt
The motion was carried

2.39pm

DIRECTOR OF TECHNICAL SERVICES REPORTS

3.1 PROPOSAL BY NSW NATIONAL PARKS AND WILDLIFE SERVICE TO TRANSFER OWNERSHIP OF ROADS TO COUNCIL INCLUDING NO 1 BREAK ROAD

354 RESOLVED

1. That in response to the proposal by the NSW National Parks and Wildlife Service, Council absolutely refuses to accept responsibility for any part of the road known as No 1 Break Road and for any part of the road known as the Western Way Road.
2. Where a constructed road, that is regularly maintained by Council falls outside the road reserve and hence lies within a Community Conservation Area, Council agrees to realign the road reserve in consultation with the NSW National Parks & Wildlife Service. Furthermore, a supplementary vote of \$4,000 is made to implement the road realignment.
3. That Council has no claims in relation to an old quarry and stockpile sites on the Oxley Highway in the Garrawilla Community Conservation Area.

Lewis/Coe
The motion was carried

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3.2 APPLICATION TO LEASE ADJOINING ROAD RESERVE

355 RESOLVED that the application by the owner of Lot 272 DP753378 to lease adjoining unused road reserve be refused.

Powell/Sullivan
The motion was carried

3.3 PROPOSAL TO RENAME TIMOR STREET TO LITTLE TIMOR STREET

356 RESOLVED that Council further proceeds with the proposal to gazette the name of Timor Road between Eden Street and the boundary of Warrumbungles National Park. and that Council consult with the Geographical Names Board regarding the possibility of changing the name of Timor Street to Timor Lane.

Schmidt/Dissanayake
The motion was carried

3.4 SALINITY AND WATER QUALITY ALLIANCE FIVE YEAR PLAN AND FINANCIAL CONTRIBUTION

357 RESOLVED that Council continues to be an active member of the Salinity & Water Quality Alliance and the Five Year Plan prepared by the Alliance is endorsed. Furthermore, Council commits to making a contribution of \$3,000 to support ongoing activities of the Alliance in 2010/11.

Schmidt/Dissanayake
The motion was carried

3.05pm

DIRECTOR OF ENVIRONMENTAL SERVICES

4.1 ACCREDITATION OF COUNCIL BUILDING SURVEYORS

358 RESOLVED that Council delegate authority to the General Manager to make recommendations to the Building Professionals Board in relation to applications for accreditation of Council employees.

Schmidt/Campbell
The motion was carried

4.2 VARIATION OF RESTRICTIVE COVENANT- T G & G T CROMB

359 RESOLVED:

1. That the existing restrictive covenant upon lot 112 DP 1065650 Parish of Bugaldie County of Baradine be varied at the land owners expense as follows:

“No development other than general agriculture, forestry and/or a motor cycle recreation park be permitted on the lot burdened”

2. That Council resolve to affix its common seal to all necessary legal documents to execute the variation of restriction.

Powell/Campbell
The motion was carried

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4.3 DA 84/0910 PROPOSED 10 LOT SUBDIVISION LOT 83 DP 755523 MAROO RD PURLEWAUGH

This matter was dealt with previously.

4.4 AMENDMENT TO BURIALS POLICY

360 RESOLVED that Council amends its current lawn cemetery burial policy by including a new sub-section (d) which provides as follows:

Notwithstanding clause (b) Council will allow for the reservation of one grave site with the pre-payment both the grave reservation and current interment fees where the application is made through a licensed undertaker on behalf of a client as part of a pre-paid funeral plan.

Sullivan/Powell
The motion was carried

4.5 APPLICATIONS RECEIVED FOR MONTH OF MARCH 2010

Received.

3.15pm

DIRECTOR OF COMMUNITY SERVICES

5.1 CENTRELINK SERVICES - COONABARABRAN

361 RESOLVED that Council support the relocation of Coonabarabran Centrelink Agency and Staff so that it becomes another service provided by Warrumbungle Community Care with associated responsibility and **FURTHER** funds for office modification is provided from the Community Services Building budget. **FURTHER**, that this matter be referred to the Consultative Committee for consideration.

Sullivan/Campbell
The motion was carried

3.19pm

Councillor Sullivan left the room.

5.2 LIBRARY SERVICES MENDOORAN AND BINNAWAY

362 RESOLVED that Council continue to work with MRL and each community to promote the library services and develop alternative service delivery models for Service Outlets and **FURTHER** a review of all services within the shire be reported to Council in April 2011 in preparation of the 2011-12 Operational Plan.

Lewis/Campbell
The motion was carried

3.21pm

Councillor Sullivan returned to the meeting.

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Confidential Items

5.40pm

363 RESOLVED

- (a) that Council go into closed committee to consider an item regarding tenders – including information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (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) (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.

Schmidt/Coe
The motion was carried

1C CRANE BUILDING SITE

It was noted that this item referred to in the confidential business paper had been considered when the item regarding the Crane Building site was determined.

3.59pm

364 RESOLVED Council moved out of closed Council and into open council.

Schmidt/Todd
The motion was carried

2C REFINANCING OF LOANS FOR BRIDGES NORTH AND BRIDGES SOUTH

365 RESOLVED that Council refinance the loans amounting to \$900,000 for the bridges over fifteen (15) years with National Australia Bank; renewable every five years with an initial five (5) year term fixed rate of 7.64% with quarterly payments of principal and interest amounting to an annual payment of \$101,320.30 during the initial five year period.

Dissanayake/Lewis
The motion was carried

QUESTIONS WITHOUT NOTICE

366 RESOLVED that a report be prepared and submitted to Council on the maintenance programme of the following roads – Guinema Road, Coolah – Neilrex Road, Piambra Road, Dennykymine Road, Digilah Road, Carmel Lane and Dinby Lane.

Lewis/Todd
The motion was carried

367 RESOLVED that Council write to the local State Member setting out the problems faced by the Greyhound Bus Service in the provision of a service in disadvantaged communities.

Sullivan/Schmidt
The motion was carried

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368 RESOLVED that Council endorse the Acting Director of Environmental Services' actions in relation to the problems being experienced by Council due to the Consultants continued delays in finalising documentation for the LEP.

Sullivan/Schmidt
The motion was carried

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

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CHAIRMAN