

# WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 21 JANUARY 2010  
COMMENCING AT 1.04 PM

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**PRESENT:** Cr Peter Shinton (Chairman), Cr Campbell, Cr Coe, Cr Dissanayake, Cr Lewis, Cr Powell, Cr Schmidt, Cr Sullivan, Cr Todd, General Manager, Director Corporate Services, 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 meeting.

## **CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGLE SHIRE COUNCIL HELD ON 17 DECEMBER 2009**

**229 RESOLVED** that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 17 December 2009 be endorsed.

**Coe/Schmidt**  
**The motion was carried**

### **1.09PM**

At this time 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.

The General Manager advised the meeting that a declaration would still need to be declared at the time the matter pertaining to the interest was to be discussed and that as a result of that declaration the person would need to leave the room during consideration of the matter.

No declarations of interest were made.

## **GENERAL MANAGER'S REPORT**

### **1.1 NORTH WEST EQUESTRIAN EXPO**

**230 RESOLVED** that Council permit the use of Masters Park, Coonabarabran as a camping area during the North West Equestrian Expo event and further that the Park be closed to the public during the event.

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

### **1.2 MEETING TIMES**

**231 RESOLVED** that future ordinary monthly meetings of Council commence at 11.00am.

**Campbell/Sullivan**  
**The motion was carried**

### **1.3 NOTICE OF MOTION**

**232 RESOLVED** that Council adopt in principle the raising of a loan of up to \$500,000 for the purchase of land, either private or Crown land, in Dunedoo and **FURTHER** that a report be prepared on the availability of Crown land and other land in the town.

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

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## **1.4 NOTICE OF MOTION**

**233 RESOLVED** that following final preparation of the changes to the LEP for Dunedoo and submission to the Department for consideration, that an invitation be extended to Minister Tony Kelly to meet with Council to discuss the issues at Dunedoo and the need for an amended LEP.

**Sullivan/Todd  
The motion was carried**

## **1.5 C DIVISION CONFERENCE (CM0003)**

**234 RESOLVED** that Council submit the following further motions for consideration at the C Division Conference in March 2010:

- a) That the Shires Association make representations to the NSW Police Department to ensure that police be required to spend half of their duty time in the town of their appointment.
- b) That the Shires Association seek a review of the increasing costs to local government of the contribution to the Rural Fire Service, SES and NSW Fire Brigade arising from the changed financial arrangements introduced in 2009/2010, especially since an undertaking was made that the new charging regime would not cost Councils any extra.
- c) That the Shires Association make representations to the NSW State Government regarding the use, issue of and impact on the community of the terminology 'Catastrophic' Fire warnings and seeking further information to be issued clarifying the definition of this level of warning.

**Sullivan/Schmidt  
The motion was carried**

**2.15pm**

## **1.6 REGIONAL SIGNIFICANT ROADS COOPERATION**

**235 RESOLVED** that standing orders be suspended to receive a deputation from Mr Garry Eason representing the Pilliga Road Improvement Committee.

**Sullivan/Schmidt  
The motion was carried**

Mr Eason informed Council that the community were seeking Council's support for the upgrade of the Coonabarabran to Mungindi route and that they believed that this would bring tourism to the area and provide potential growth for the Shire.

**2.27pm**

**236 RESOLVED** that standing orders be resumed.

**Schmidt/Sullivan  
The motion was carried**

**A motion was moved by Councillor Todd seconded by Councillor Campbell** that Council support all three road proposals being the Wellington to Boggabri Road, Mendooran – Tooraweenah to Coonamble Road and Coonabarabran to Mungindi.

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**237 An amendment was moved by Councillor Sullivan seconded by Councillor Schmidt** that Council undertake discussions with adjoining councils regarding the roads of regional significance to ascertain their commitment to the upgrade works and following those discussions the matter be referred back to Council for further consideration and **FURTHER** that the upgrading of the Cobbora to Mendooran Road, Merrygoen to Binnaway Road and Beni Crossing Road be referred for budget consideration.

**The amendment was put and carried.**

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

## **1.7 LEADVILLE HALL LAND**

**238 RESOLVED** that Council provide an additional \$3,000 by way of supplementary vote to assist with the purchase of the adjoining block of land to the Leadville Hall.

**Coe/Campbell**  
**The motion was carried**

## **1.8 MENDOORAN PARK WATERING SYSTEM**

**239 RESOLVED** that Resolutions 154 and 167 of 19<sup>th</sup> November 2009 be withdrawn and replaced with the following resolution. That a supplementary vote of \$15,465 be provided with the funds being allocated to:

Mendooran Park Capital	\$4,100
Mendooran Cricket Club	\$4,000
From Restricted Assets Mendooran Special Funds	-\$455
Mendooran Park Maintenance	<u>\$8,000</u>
Additional Supplementary Vote	<u>\$15,645</u>

**Schmidt/Dissanayake**  
**The motion was carried**

## **1.9 FINANCIAL REPORTS**

### **2.2 Investments Held**

**240 RESOLVED** that the General Manager be given the authority in managing Council's investments to cash in an investment, if able, when its market value exceeds the invested face value.

**Schmidt/Powell**  
**The motion was carried**

### **2.3 Bank Reconciliations – Trust Funds**

**241 RESOLVED** that the General Manager be authorised to complete a journal entry of \$35 to allow the ledger cash book for Trust Fund to be balanced as at 1 January 2010 and that all documentation regarding the reasons and the process be kept in our records for provision to Council's Auditors.

**Schmidt/Campbell**  
**The motion was carried**

# WARRUMBUNGLA SHIRE COUNCIL

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## **1.10 COONABARABRAN DRIVER REVIVER**

**242 RESOLVED** that representatives of the Girl Guides and Visitor Information Centre discuss and reach agreement on a mutually acceptable arrangement for the storage of driver reviver equipment and tourism materials.

Todd/Campbell  
The motion was carried

## **1.11 SECTION 355 COMMITTEE**

Following discussion concerning the possible establishment of a committee to be the custodian of and manage funds on behalf of the community of Coolah this matter was noted.

## **1.12 RESTRICTED ASSETS – GENERAL FUND ONLY**

**243 RESOLVED** that consideration of this matter be deferred until the February 2010 meeting.

Powell/Lewis  
The motion was carried

**3.50pm**

## **DIRECTOR OF CORPORATE SERVICES**

### **2.1 BANK ACCOUNTS AND INVESTMENTS AS AT 31 December 2009**

Received.

### **2.2 INVESTMENTS HELD AS AT 31 December 2009**

Received.

### **2.3 RECONCILIATION OF GENERAL FUND BANK ACCOUNT AS AT 31/12/2009**

Received.

### **2.4 RATES AND CHARGES COLLECTION REPORT UP TO and INCLUDING DECEMBER 2009**

Received.

## **DIRECTOR OF TECHNICAL SERVICES**

### **3.1 PROPOSED WALKWAY/CYCLEWAY IN DUNEDOO AND SKATE PARK**

A motion was moved by Councillor Sullivan that this matter be referred for consideration during 2010/2011 budget deliberations.

**The motion lapsed for want of a seconder.**

## **244 RESOLVED**

1. That Council provides in principle support for establishment of an off road shared walkway / cycleway facility along the following route:

- Wargundy Street between the Golf Club and Bolaro Street (Golden Highway)
- Milling Park adjacent garden beds between Bolaro Street and toilet block

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- Milling Park adjacent garden beds between toilet block and western end of the Park.
- Bolaro Street between Merrygoen Street and Castlereagh Highway
- Castlereagh Highway between Bolaro Street and bridge over Talbragar River.

Furthermore, this route proposal be advertised in the community of Dunedoo and a report prepared for Council on any submissions received.

2. That Council provides in principle support for a skate park located at the eastern end of Milling Park adjacent the intersection of Wargundy Street and Bolaro Street (Golden Highway). Furthermore this proposed skate park location be advertised in the community of Dunedoo and a report prepared for Council on any submissions received.

Lewis/Coe  
The motion was carried

### **3.2 REQUEST FOR THE TRANSFER OF CONTROL OF A CROWN PUBLIC ROAD TO COUNCIL**

**245 RESOLVED** that Council agrees to the request by the Land & Property Management Authority to assume control of a section of Crown Road at the end of Uliman Road approximately 120metres long and 40metres wide.

Sullivan/Schmidt  
The motion was carried

### **3.3 TENDER FOR SUPPLY AND DELIVERY OF; WATER METERS, STATIONARY, TRAFFIC AND SAFETY SIGNS**

**246 RESOLVED** that Council accepts the recommendations by the tender evaluation panel and award the contract for supply and delivery of water meters, stationary and traffic and safety signs as follows:

1. Artcraft – For supply and delivery of traffic and safety signage; contract period is 24 months commencing 1 April 2010, with provision for 12 month extension.
2. Corporate Express – For supply and delivery of stationary and ancillary items; contract period is 24 months commencing 1 April 2010, with provision for 12 month extension.
3. Elster Metering – For supply of water meters; contract period is 24 months commencing 1 April 2010, with provision for 12 month extension.

Lewis/Coe  
The motion was carried

### **3.4 REUSE OF TREATED EFFLUENT AT DUNEDOO – AN UPDATE REPORT**

**247 RESOLVED** that:

1. An Environmental Management Plan be prepared in relation to the proposal to irrigate treated sewage effluent on the Dunedoo golf course. Furthermore, the EMP covers

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- operational and management issues to minimize license conditions that may be imposed by the Environmental Protection Agency
2. Discussions are held with the Dunedoo Golf Club with the aim of developing an agreement regarding operation and management of the proposed sewage effluent irrigation scheme. Furthermore, any proposed agreement is considered by Council.
  3. In relation to the proposed sewage effluent irrigation scheme an irrigation designer be engaged to assess the suitability of the current irrigation system at the Golf Club for effluent irrigation.
  4. In relation to the proposed sewage effluent irrigation scheme, detailed designs and working drawings are prepared for the necessary works at the Dunedoo Sewage Treatment Plant and at the site of storage dam.
  5. A cost estimate of the proposed sewage effluent irrigation scheme be prepared and made available during preparation of the 2010/2011 budget.

**Schmidt/Dissanayake**  
**The motion was carried**

## **DIRECTOR OF ENVIRONMENTAL SERVICES**

**4.1 DA 70/0910 PROPOSED ANIMAL BOARDING KENNELS (File No. P90903) 248 RESOLVED, pursuant to Section 80/91 of Environmental Planning and Assessment Act 1979 (As Amended),** that Council refuse development consent to Development Application No. 70/0910 for development of Dog/Cat boarding kennels on land at Lot: 5 DP:848625, Lot 5 Purlewaugh Road, Coonabarabran, for the following one (1) reason:-

1. The proposed development is located in a residential area and as such the likely noise 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.

**Councillors Campbell, Coe, Dissanayake, Lewis, Powell, Schmidt, Shinton, Sullivan and Todd** voted unanimously in favour of the recommendation to refuse development consent to Development Application No. 70/0910.

## **4.2 ADOPTION OF SECTION 94A DEVELOPER CONTRIBUTIONS PLAN (File No. LU0006)**

**249 RESOLVED** that Council include the additional projects tabled by the Director Technical Services as follows and adopt the Warrumbungle Shire Council Section 94A (Indirect Community Infrastructure Contributions) Plan 2010 as presented to commence on the 1<sup>st</sup> of March 2010 and that notification be provided of the adoption of the plan to the Minister for Planning and the general public by public advertisement:

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Location	Works / Facility	Cost \$	Priority
<b>Coonabarabran</b>			
Waste Depot	Additional landfill cells	\$20,000.00	M
Riverbank Castlereagh River Upstream of Bridge	Walking track	\$20,000.00	H
Oval Complex	Resurface multipurpose courts	\$40,000.00	L
		\$80,000.00	
<b>Coolah</b>			
Cunningham St – Charles Street	Cycleway	\$50,000.00	H
McMaster Park	Softfall under playground equipment	\$20,000.00	M
Cameron Park	Playground equipment	\$20,000.00	L
		\$90,000.00	
<b>Dunedoo</b>			
Waste Depot	Bitumen sealing access road	10,000.00	M
Waste Depot	Loading dock	5,000.00	M
Milling Park	Irrigation system	35,000.00	H
Yarrow Street (Between Tallwang St and Wallaroo St)	Kerbing and guttering	40,000.00	H
Bullinda Street (between Wallaroo & Wargundy)	Kerbing and guttering	40,000.00	M
		130,000.00	
<b>Binnaway</b>			
Castlereagh Ave River Park	Walking Track	20,000.00	M
Renshaw Street	Stormwater drainage	30,000.00	M
		50,000.00	
<b>Mendooran</b>			
Mendooran Park	Irrigation system	20,000.00	H
Waste Depot	Bitumen seal access road	15,000.00	M
		35,000.00	
<b>Baradine</b>			
Waste Depot	Bitumen seal access road	20,000.00	M
Lions Park	Irrigation	10,000.00	H
		30,000.00	

**Lewis/Powell**  
The motion was carried

#### **4.3 REQUEST TO RE-NAME A PORTION OF BINGIE GRUMBLE ROAD TO RACECOURSE ROAD (File No: RO0026)**

##### **250 RESOLVED:**

1. That Council advise Mrs Dowsett that it is not prepared to change part of Bingie Grumble Rd to Racecourse Rd to the town boundary as requested and that she should use the correct road name registered with the Geographical Names Board for all deliveries and emergency services, being Bingie Grumble Rd.
2. That Council's rates database be amended to alter any property addresses describing the road as Racecourse Rd to the correct name of Bingie Grumble Rd.

**Powell /Dissanayake**  
The motion was carried

**Councillors Schmidt and Lewis recorded their votes against the motion.**

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## **4.4 APPLICATIONS RECEIVED FOR MONTH OF DECEMBER 2009**

Received.

## **DIRECTOR OF COMMUNITY SERVICES**

### **5.1 MACQUARIE REGIONAL LIBRARY 2010/2011 PER CAPITA ANNUAL CONTRIBUTIONS**

**251 RESOLVED** that Council supports the proposed 3.5% increase for the purpose of estimating the 2010/2011 Annual Contribution with a 10% Book Vote to Macquarie Regional Library by Warrumbungle Shire Council and **FURTHERMORE** noting that the rate pegging percentage increase as determined by the NSW Government in 2010 will provide any adjustment required to the actual contribution for 2010/2011.

**Schmidt/Powell**  
**The motion was carried**

### **Confidential Items**

**5.05pm**

#### **252 RESOLVED**

- (a) that Council go into closed committee to consider an item regarding the sale of land – 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**

**5.05pm**

Council closed its meeting to the public.

**5.16pm**

**253 RESOLVED** Council moved out of closed Council and into open council.

**Coe/Schmidt**  
**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:

**254 A motion was moved by Councillor Lewis seconded by Councillor Campbell** that the General Manager tables any formal offers made on Lots 3, 4 and 5 DP18607 Newell Highway Coonabarabran, either as one lot or separately, to Council for consideration.

**The motion was put and LOST.**



# **WARRUMBUNGL E SHIRE COUNCIL**

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## **QUESTIONS WITHOUT NOTICE**

**255 RESOLVED** that Council staff be formally thanked for their commitment and assistance during the storms and floods.

**Sullivan/Lewis  
The motion was carried**

There being no further business the meeting concluded at 5.43pm.

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**CHAIRMAN**