

WARRUMBUNGLA SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLA SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 1

PRESENT: Cr Peter Shinton (Chairman), Cr Campbell, Cr Coe, 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).

APOLOGIES: Cr Dissanayake

69 RESOLVED that the apologies of Cr Dissanayake be accepted.

Coe/Schmidt
The motion was carried

Cr Peter Shinton welcomed Councillors and members of the gallery to the meeting, declared the meeting open and invited the General Manager to take the Chair.

1.05pm

1S) Election of Mayor and Deputy Mayor

The General Manager (acting as Returning Officer for the election) advised Council that the method of voting needed to be dealt with before taking nominations.

70 RESOLVED that voting be by way of open vote, ordinary voting system and that the order of candidates on the ballot paper will be in alphabetical surname order.

Coe/Schmidt

Election of Mayor

The General Manager called for nominations for the position of Mayor.

The General Manager announced that one nomination had been received for the position of Mayor being a nomination for Councillor Peter Shinton.

The General Manager declared Councillor Peter Shinton elected unopposed to the position of Mayor for the period 17 September 2009 to September 2010.

Election of Deputy Mayor

The General Manager called for nominations for the position of Deputy Mayor.

The General Manager announced that one nomination had been received for the position of Deputy Mayor, that of Councillor Murray Coe.

The General Manager declared Councillor Murray Coe elected unopposed to the position of Deputy Mayor for the period 17 September 2009 to September 2010.

2S) COUNCIL COMMITTEES

71 RESOLVED that Council endorse the following current Committees and Councillor representatives and **FURTHER** that the Finance Committee be renamed the Finance and Works Committee.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 2

External Committees – Elected for the full term of Council

Castlereagh Macquarie County Council

Councillors Shinton and Coe

Macquarie Regional Library

Councillors Powell and Campbell

Traffic Advisory Committee

Councillor Lewis

Warrumbungle Bushfire Management Committee

Councillor Shinton

Local Emergency Management Committee

Councillor Dissanayake

The North West Weight of Loads Group

Councillor Todd

Central West Explorer Country Tourism

1 Councillor representative being Councillor Schmidt

Police Accountability and Consultation

Mayor and General Manager represent Council

Central Ranges Natural Gas Association

Mayor and General Manager represent Council

Orana Regional Organisation of Councils

Mayor and General Manager represent Council

Golden Highway Consultative Committee

1 Councillor representative being Councillor Coe

Warrumbungle Shire Liquor Accord

1 Councillor representative being Councillor Schmidt

Internal Committees

Plant Advisory Committee

Councillors Sullivan, Coe, Lewis and Powell

Occupational Health & Safety Advisory Committee

Councillor Schmidt

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM**

PAGE 3

Consultative Advisory Committee

Councillor Schmidt

General Manager's Review Committee

All Councillors are representatives on this committee.

EEO Advisory Committee

Councillor Sullivan

Finance and Works Committee

All Councillors are representatives on this committee.

Community Committees

Warrumbungle Shire Tourism and Economic Development Advisory Committee

Councillors Schmidt and Campbell

Medical Services Advisory Committee

Councillors Dissanayake and Todd

Warrumbungle Aerodromes Advisory Committee

Councillors Powell and Campbell

Roads Review Committee

All interested Councillors

Coolah Town Committee

Councillor Powell

Dunedoo Town Committee

Councillor Coe

Mendooran/Merrygoen Town Committee

Councillor Lewis

Binnaway Town Committee

Councillor Lewis

Baradine Town Committee

Councillor Campbell

Warrumbungle Shire Council Social Services Advisory Committee

Councillor Campbell

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 4

Council Representation

Membership of Central Orana Regional Arts Steering Committee

Director of Community Services to represent Council

Namoi Catchment Management Authority

Councillor Sullivan

Central West Catchment Management Authority

Councillor Sullivan

Inland Rail Committee

Councillor Todd

Sullivan/Schmidt
The motion was carried

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGLE SHIRE COUNCIL HELD ON 20 AUGUST 2009

72 RESOLVED that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 20 August 2009 be endorsed subject to amendment of Resolution 59 to read as follows:

COLUMBARIUM WALL AT BINNAWAY CEMETERY

59 RESOLVED that Council pay \$1,000.00 by way of a supplementary vote from the Binnaway Cemetery M&R budget to the Binnaway Lions Club towards the cost of materials used in the construction of the columbarium wall and **FURTHER** that an additional \$1,000.00 be provided in the 2010/2011 budget from Binnaway Cemetery M&R budget as the final payment for the cost of materials used in the construction.

Campbell/Lewis
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE WARRUMBUNGLE SHIRE TOURISM AND ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MEETING HELD ON 29 JULY 2009

73 RESOLVED that the minutes of the Warrumbungle Shire Tourism and Economic Development Advisory Committee Meeting held on 29 July 2009 be adopted.

Todd/Schmidt
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 27 AUGUST 2009

74 RESOLVED that the minutes of the Traffic Advisory Committee meeting held on 27 August 2009 be adopted.

Sullivan/Lewis
The motion was carried

WARRUMBUNGL SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGL
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 5

1.18pm

75 RESOLVED that standing orders be suspended.

Sullivan/Campbell
The motion was carried

FORUM

Ms Barbara Welsh and Mr Brian Fuller addressed Council in relation to user pay sewerage charges levied on Coolah Cottages Limited. Their request is that Council reconsider the imposition of the charges and exempts the facility from the proposed rate increase.

1.23pm

Mr Col Young addressed Council in relation to user pay sewerage charges levied on the properties operated by Coolah and District Retirement Homes Ltd. Mr Young requested that Council reconsider the formula for the levying of the charges and consider levying one charge for each block of units.

1.28pm

At this time Mr Eric Roth and Mr James Harding of IPS Australia gave a presentation on renewable energy, solar and gas-powered power stations and desalination plants

2.44pm

Mr Kevin Humphries informed the meeting of possible funding sources for renewable energy projects.

2.58pm

The meeting broke for afternoon tea and to allow presenters to leave the room.

3.10pm

76 RESOLVED that standing orders be resumed.

Sullivan/Campbell
The motion was carried

GENERAL MANAGER'S REPORT

1.1 PREMIER & DISTRICT LIONS CLUB

77 RESOLVED that Council not accede to the request from the Premier & District Lions Club for sponsorship of the 7 A-side cricket weekend.

Todd/Schmidt
The motion was carried

1.2 MENDOORAN DUNEDOO AGED HOSTEL LTD

78 RESOLVED that in relation to the request that Council acquire the old Dunedoo Hospital site, that a committee including the Mayor, Deputy Mayor and General Manager be formed to progress this matter for Council.

Coe/Schmidt
The motion was carried

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 6

1.3 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

Received as information. Suggestions for projects to be sought when guidelines issued.

1.4 COUNCIL MEETING TIMES

79 RESOLVED that the ordinary October Council meeting be held on Thursday, 22 October 2009 at Coonabarabran commencing at 1.00pm.

Campbell/Powell
The motion was carried

1.5 BINNAWAY RAIL HERITAGE & PRESERVATION GROUP INC

80 RESOLVED that Council provide a donation of \$359.00 being the costs of the development application for the conversion of storage facility to caretakers' flat from Donations – other budget.

Todd/Lewis
The motion was carried

1.6 UNION PICNIC DAY

81 RESOLVED that Council agree to the union Picnic Day at Warrumbungle Shire being 26th October 2009 as requested by the majority of financial Union members. Further, that the Council offices at Coonabarabran and Coolah be closed to the public that day.

Lewis/Campbell
The motion was carried

1.7 LEAVE OF ABSENCE

82 RESOLVED that the requests for leave of absence from the October 2009 Council meeting, lodged by Cr Todd and Cr Sullivan, be approved.

Schmidt/Campbell
The motion was carried

1.8 NATIONAL ROADS CONGRESS

83 RESOLVED that the Mayor, Director of Technical Services and Councillor Todd be authorised to attend the 2009 ALGA National Local Roads and Transport Congress at Mackay, Queensland from the 8th to 10th November 2009.

Schmidt/Lewis
The motion was carried

1.9 AUSTRALIA DAY

84 RESOLVED that Council participate in the Ambassador Programme for 2010 with an Ambassador generally for the North and one generally for the South and **FURTHER** that Council advertise seeking nominations for Citizen of the Year, Young Citizen of the Year, Senior Citizen of the Year, Sportsperson of the Year and Young Sportsperson of the Year awards.

Schmidt/Powell
The motion was carried

1.10 DELEGATIONS TO THE GENERAL MANAGER

85 RESOLVED that Council endorse the following delegations to the General Manager:

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 7

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER SECTION 377, 379 & 381 LOCAL GOVERNMENT ACT 1993

FUNCTIONS OF THE GENERAL MANAGER

In pursuance of Section 335 of the Local Government Act, 1993, the General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council. The General Manager shall have the following particular functions:

- (i) the day to day management of the Council;
- (ii) to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- (iii) to appoint staff in accordance with the organisation structure and resources approved by the Council provided the General Manager may appoint or dismiss Senior Staff only after consultation with the Council;
- (iv) to direct and dismiss staff; and
- (v) to implement the Council's equal employment opportunity management plan.

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

In pursuance of Section 377, 379 & 381 of the Local Government, 1993, the Warrumbungle Shire Council hereby delegates to the **GENERAL MANAGER, Robert James Geraghty**, the exercise of the powers, functions, duties and authorities contained in the Local Government Act, 1993 and the various other Acts listed in Schedule 1.

This instrument of delegation shall commence on the 17th September 2009 and remain in force until otherwise amended or revoked in writing.

WARRUMBUNGL SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGL SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 17 SEPTEMBER 2009 COMMENCING AT 1.04PM **PAGE 8**

Generally the following are delegated as well as schedules 1 and 2 hereto attached.

GENERALLY

Administration

- To carry out the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with the resolutions of the Council.
- To authorise the payment of the salaries and wages of the employees of Council within the sums voted by Council for expenditure thereon.
- To exercise and implement the powers, authorities, duties and functions of the Council under the Local Government Act and any other Act of Parliament or any rule, regulation, ordinance or bylaw under or pursuant to any such Act, subject to Section 377 (What may be delegated).
- To exercise and implement any resolution or policy of the Council subject to Section 377.
- To control all correspondence of Council with all official mail to be addressed to the General Manager and for all outgoing mail, Section 603 Certificates of Local Government Act and Section 149 Certificates of Environment and Planning Act to be signed by himself or other persons authorised by him in any emergent circumstances.
- To determine the matters which are to be included in the business papers of Council in line with Council's policies and general practice and, in particular, matters to be referred to Closed Meeting in line with Council's policy in relation to confidentiality and the provisions of the Local Government Act, 1993, (Section 10). These would generally include:
 - i reports on matters which cannot be determined under delegated authority;
 - ii reports required to be submitted under any Act or Regulation.
 - iii matters requiring a determination of Policy;
 - iv reports directed by the Council to be submitted;
 - v matters essential for the Council's information;
 - vi matters requested by the Mayor;
- To authorise the purpose and travel arrangements of Council's representatives and staff outside Council's area on Council business and the reimbursement of the associated expenses including the attendance of the General Manager and Directors to attend one only annual conference or their professional organisation each year ie the Local Government Managers Association, the Institute of Professional Engineers Association, the Health and Building Surveyors Association.
- To authorise the purchase of stationery, seek quotes for office equipment, and acceptance of quotes for amounts covered within the budget.
- To authorise the issue of letters of reference by the General Manager.

Accounts - Payment

- Authority to pay all accounts as they fall due.

Cheques/Orders for Goods - Signing

- To sign and or to specify the servants authorised to sign cheques and orders for goods of Council.

WARRUMBUNGL SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGL SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 9

Complaints and Requests

- Instruct staff to take any necessary action in connection with any complaints or requests received, subject to all major matters being reported to Council.

Correspondence

- To reply to routine correspondence not involving a monetary vote by Council, not effecting Council policy and not requiring the consideration of Council. Further a reply is not necessary where the item is actioned and completed within 21 days of receipt.

Staff Matters

- Exercise the powers of the Council in relation to:
 - a The day to day management of Council employees.
 - b The conduct of staff education and staff attendance at training courses and computer user group.
 - c Engage and dismiss casual staff as and when required within the provisions made in the approved estimates.
 - d Deal with all industrial disputes involving the Council and its staff, subject to any formal dispute being referred to Council.
 - e Within the funds voted by Council to approve overtime being worked by staff in all departments or divisions of Council when considered necessary subject to any directions or policy of Council from time to time.
 - f Authority to approve staff leave.

Responsible Accounting Officer

- To be or designate an appropriate employee of Council as the responsible accounting officer in accordance with Part 4 of the Local Government (Financial Management) Regulation 1993.

Advances - Cash

- To fix and vary the level of cash advances.

SCHEDULE 1

LOCAL GOVERNMENT ACT, 1993

(a) Chapter 6 - Services Function

(i) PART 2 - PUBLIC LAND

Section 54 - Issue of Land Classification Certificates.

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 10**

(b) Chapter 7 - Regulatory Function

(i) PART 1 - APPROVALS

Section 68 - Approval of activities specified in the table (Section 68 Local Government Act), except in so far as the Local Government Act, 1993, the regulations or a local policy adopted by the Council allows the activity to be carried out without approval.

Section 82 - To modify provisions of Clauses 54 and 55 of the (Approvals) Regulations.

Section 94 - Determination of Applications by granting approval, either conditionally or subject to conditions, or by refusing approval.

Section 95 - Exercising Council's power for deferred commencement of approvals.

Section 96 - Exercising Council's power to grant Staged Approval.

Section 97 - Exercising Council's power to apply Conditions concerning security.

Section 98 - Exercising Council's power to impose Other Conditions.

Section 99 - Giving of notice to applicants of determination of Applications.

Section 100 - Review of Determination where made by a delegation of Council.

Section 106 - Exercising Council's power to amend an approval, in accordance with the procedures outlined in Section 106.

Section 107 - Exercise Council's power to extend or review an approval.

Section 108/ Exercise Council's power to revoke or modify an approval in any
109 - of the following circumstances:-

- (a) if the approval was obtained by fraud, misrepresentation or concealment of facts;
- (b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the Council not to have granted the approval (or not have granted it in the same terms);
- (c) for any future failure to comply with a requirement made by or under the Local Government Act, 1993 relating to the subject of the approval; and
- (d) for any failure to comply with a condition of the approval.

WARRUMBUNGL SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGL SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 11

(c) Chapter 7 - Regulatory Function

(i) PART 2 - ORDERS

Section 124 - Order a person to do or refrain from doing a thing specified in Column 1 Table No.2 (Chapter 7 - Orders) if the circumstances specified opposite in Column 2 of the Table exists and the person comes within the description opposite it in Column 3 of the Table.

Section 125 - Order a person responsible for a public nuisance to abate such nuisance.

Section 132 - Give notices of an Order under Section 121.

(d) Chapter 8 - Ancillary Functions

(i) PART 1 - ACQUISITION OF LAND

Section 186/187 - Negotiate on Council's behalf for the acquisition of land for the purpose of exercising any of the functions, up to the stage of presenting offers to Council for determination.

(ii) PART 2 - ENTRY ON TO LAND AND OTHER POWERS

Section 191/ 192 - Authorise Council employees (or other persons) to enter any premises for the purpose of enabling the Council to exercise its functions.

Section 194 - Authorise the use of force for the purposes of entering premises.

Section 201 - Make application to an authorised Justice for the issue of a Search Warrant.

(e) Chapter 11 – How Are Councils Staffed

(i) PART 3 – PUBLIC OFFICER

Section 342 - Designate a member of staff as a Public Officer.

Section 353 - Prohibit staff from engaging in private employment or contract work outside Council.

(f) Chapter 12 - Operation of Councils

(i) PART 3 - SALE OF COUNCIL PROPERTY - PLANT AND EQUIPMENT

To dispose of Council plant and equipment by way of sale at the best offer received when:

(1) the sale of such item of plant and equipment is approved in the current year's annual operating plan and budget or approved by the Asset Management Committee; or

WARRUMBUNGLA SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLA SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 12

(2) the item of plant, equipment or material is obsolete, unserviceable and/or surplus to Council's requirements and the sale of such item of plant or equipment represents the most cost effective option.

(ii) PART 4 - INSURANCE

Section 382 - Make arrangements for adequate insurance against public liability and professional liability.

(g) Chapter 15 - Council Finances

(i) PART 3 - ORDINARY RATES

Section 548A - Determine applications for aggregation of land values by Council and to adjust and re-levy accordingly.

(ii) PART 5 - LEVYING OF RATES AND CHARGES

Section 552 - Determination of what land may be subject to a water supply special rate or charge.

Section 553 - Determination of time at which land becomes subject to special rate or charge.

(iii) PART 6 - RATEABLE LAND

Section 555 - Determination of what land is exempt from all rates.

Section 556 - Determination of what land is exempt from all rates, other than water supply special rates and sewerage special rates.

(iv) PART 7 - PAYMENT OF RATES AND CHARGES

Section 564 - Approval of agreements as to periodical payment of rates and charges.

Section 569 - Issue and serve notices on occupiers for liability for payment of unpaid rates and charges.

(v) LOCAL GOVERNMENT GENERAL REGULATION (2005)

Clause 131 - To write off Rates and Charges in accordance with the regulation under this clause.

- To write off Rates and Charges up to \$10,000 in accordance with this clause (errors, at law or cost effectiveness).

- To write off debts to Council up to \$500.00 in accordance with this clause.

(vi) PART 13 - INVESTMENTS

Section 625 - Arrange the investment of money that is not, for the time being, required by the

WARRUMBUNGL SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGL SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 17 SEPTEMBER 2009 COMMENCING AT 1.04PM **PAGE 13**

Council for any other purpose.

Money may only be invested in the following:-

- (a) in any security authorised by the Trustee Act; or
- (b) in a form of investment notified by order of the Minister published in the Government Gazette.

(vii) LOCAL GOVERNMENT GENERAL REGULATION, 2000

Clause 144 - To apply water restrictions under the terms of this clause.

OTHER ACTS

The General Manager is further delegated to act specifically in terms of the following Acts and Regulations:

RURAL FIRES ACT 1997

Section 66 Issue Notices requiring owners or occupiers (not being a public authority) of land to carry out bush fire hazard reduction work.

Section 67 Resolve objections to Section 66 Notices.

Section 70 Enter on land and carry out bush fire hazard reduction work.

Division 2A Investigate bush fire hazard complaints.

Sections 100D,

100E, 100F, 100G Issue bush fire hazard Certificates.

Section 100H Remedy and restraint for breaches under Sections 100F and 100G by bringing proceedings in the Land & Environment Court.

Section 131 To serve penalty notices on a person.

COMPANION ANIMALS ACT, 1998

To authorise staff to carry out and undertake all Council's functions and take legal actions under the Companion Animals Act, 1998 and Regulations.

FOOD ACT, 2003 AND FOOD REGULATIONS 2004

Powers and authorities as the appropriate enforcement agency under the Food Act 2003 and Food Regulations 2004.

IMPOUNDING ACT 1993

To appoint designated Impounding Officers and carry out all Council's functions and take legal actions under the Impounding Act 1993.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 14

PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Section 91 Issue Clean Up Notices.
Section 92 Undertake clean up and recover costs in relation to reasonable costs and expenses.
Section 94 Recover costs.
Section 96 Issue Prevention Notices.
Section 98 Take action where a person does not comply with Prevention Notice.
Section 187 Appoint authorised officers
Section 224 Serve a Penalty Notice
Section 264 Issue Noise Control Notices

PROTECTION OF THE ENVIRONMENT OPERATIONS (CLEAN AIR) REGULATION 2002

Issue and revoke approvals for the Control of Burning under part 2A, subject to:

- Such conditions as may be specified
- Consideration of the matters as listed under Section 6G
- No approvals for burning vegetative matter being issued in village zones, industrial or rural residential zones except in exceptional circumstances as determined in consultation with the Department of Environment & Conservation, NSW Rural Fire Service or NSW Fire Brigade
- No approvals for burning of vegetative matter being issued during periods in which a permit is required to be issued by the NSW Rural Fire Service or other authority unless a permit is issued
- No approvals being issued for burning during periods of Total Fire Bans.

PUBLIC HEALTH ACT 1991

Section 10 Exercise Functions
Section 10F Power to Enter and Inspect Premises of a Supplier of Water
Section 10I Closure of Water Supply
Section 47 Power of Authorised Officer under Part 4 – Microbial Control
Section 51 Power of Authorised Officer under Part 5 – Skin Penetration
Section 70 Inspection of Records
Section 72 Power of Entry

PUBLIC HEALTH (DISPOSAL OF BODIES) REGULATIONS 2002

Section 28 Supervision of Exhumations
Section 49 Power to Enter and Inspections

PUBLIC HEALTH (SKIN PENETRATION) REGULATIONS 2000

Section 4 Powers to Enter and Inspection

PUBLIC HEALTH (SWIMMING POOLS & SPAS) REGULATIONS 2000

Section 6 Powers of Entry and Inspection
Section 7 Powers to Close Swimming Pool or Spa

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 15

PUBLIC HEALTH REGULATIONS

Section 39 Supervision of Exhumations
Section 57 Power of Entry and Inspection

SWIMMING POOL ACT 1992

Section 27 Power to Appoint Inspector
Section 28 Power of Entry and Inspection
Section 24 Issue Compliance Certificates
Section 34 Serve Notices
Section 35 Issue Penalty Notices

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

i) The authority to determine development applications lodged for consent under Part 4 of the Environmental Planning & Assessment Act, 1979 which:

- (a) comply with the provisions of any Environmental Planning Instrument;
- (b) are consistent with relevant Development Control Plans, Codes or Policies adopted by the Council;
- (c) may be considered under Part 4 Division 2 (Existing Use) of the Environmental Planning & Assessment Act, 1979;
- (d) are the subject of public submissions to which the objection relates; [Section 90]
 - (i) solely to the type of development proposed;
 - (ii) to a design standard contained within an adopted Development Control Plan, Code or Policy;
 - (iii) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.

ii) The authority to, on behalf of the Director-General, prepare Section 65 Certificates and Section 69 Reports to the Minister to approve such amendments.

(N.B. Council must still apply to the Director to complete the relevant documents under Sections 65 and 69 of the Act).

iii) The authority to impose conditions on a development consent granted under Part 4 of the Environmental Planning & Assessment Act, 1979, which are:

- (a) for a purpose identified in Section 80 and 80A of the Environmental Planning and Assessment Act 1979;
- (b) in accordance with the terms of any environmental planning instrument;
- (c) in accordance with any development control plan, code or policy adopted by the Council;
- (d) requirements specified by any public authority or public undertaking.

iv) The authority to refuse a development application which:

- (a) is prohibited under the provisions of any environmental planning instrument;
- (b) does not comply with the statutory provisions of the Environmental Planning & Assessment Act, 1979;
- (c) does not contain adequate information to enable assessment under the relevant heads of consideration listed in Section 76(C) of the Environmental Planning & Assessment Act, 1979.

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 16**

- v) The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96 of the Environmental Planning & Assessment Act, 1979.
- vi) The authority to approve an extension of any development consent in accordance with the provisions of Section 95 of the Environmental Planning & Assessment Act, 1979.
- vii) The function of the Council in relation to Part 5 of the Environmental Planning & Assessment Act, 1979 for an activity which is not of a prescribed kind or an activity that is not likely to significantly affect the environment.
- viii) The authority to reject a development application within 7 days after its receipt if it is not clear as to the development consent sought or it is not easily legible.
- ix) The function of the Council under Section 118B of the Environmental Planning and Assessment Act 1979 to authorise a person to carry out inspections for the purposes of that Act, the regulations under that Act and any environmental planning instrument under that Act.
- x) The function of the Council under Section 123 of the Environmental Planning and Assessment Act 1979 to bring proceedings to remedy or restrain a breach of that Act.
- xi) Authority to forward a Draft Local Environmental Plan under Section 68 of the Environmental Planning & Assessment Act, 1979 to the Department of Planning where no public submissions are received as a result of the public exhibition required under Section 66 of the Act.
- xii) Authority to vary any numeric standard contained within any Council code, policy or development control plan by up to 10% provided the development still meets the objectives of the particular code, policy or development control plan.
- xiii) The authority to require the lodgement of a cash bond or bank guarantee for work outstanding in any partly completed development with the amount of the bond being sufficient to complete the approved work allowing for inflation and administration costs or as provided for in Council's policy.
- xiv) The authority to act on Council's behalf in relation to legal proceedings lodged with the Land & Environment Court as follows:
 - (a) To determine the nature of action to be taken to defend the appeal and thereafter institute any action deemed necessary in the circumstances.
 - (b) To negotiate on matters in issue during conferences between parties when presided over by an assessor appointed by the Land & Environment Court and to delegate such authority to the Director - Works and/or the Director – Environmental & Community Services, where appropriate.
- xv) The function of the Council under Section 149, 149A, 149C and 149D.
- xvi) The authority to issue Certificates under Part 4A including Construction, Occupation, Compliance and Subdivision Certificates.

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 17**

xvii) Part 6 - Division 1A Power of Entry onto Land and Other Powers.

xviii) Issue Notice of Intent under Section 21H for an Order under Section 121B.

ixx) Issue Orders under Section 121B.

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATIONS 2000

Issue Fire Safety Orders, Notices, Schedules, Certificates and Offences under Part 9 – Fire Safety and Matters Concerning the Building Code of Australia.

INDEPENDENT COMMISSION AGAINST CORRUPTION ACT, 1988

To exercise the statutory role of the Principal Officer in accordance with Section 11 of the Independent Commission against Corruption Act, 1988, as and when considered appropriate.

PRIVACY AND PERSONAL INFORMATION PROTECTION ACT, 1998

To implement Council's functions under the Act.

ROADS ACT, 1993

To authorise the North West Weight of Loads Group to proceed or not proceed with prosecution for breaches of regulations made under Section 108(2) of the Roads Act, 1993.

The function under section 71 of the Roads Act to decide to carry out work on any public road in respect of which the Council is the roads authority under the Act and on any other land under its control.

The function under section 78 of the Roads Act to decide to construct bridges and tunnels across navigable waters.

The function under section 86 of the Roads Act to direct the owner of a private road to carry out work on the road or to decide that the Council is to carry out the work.

The function under section 87(2) of the Roads Act to decide to carry out traffic control work on a classified road with the consent of the Roads and Traffic Authority (RTA).

The function under section 87(3) of the Roads Act to decide to carry out traffic control work on any unclassified road, and on any public street that is not a public road, except where otherwise notified by the RTA.

The function under section 92(1) of the Roads Act to decide to alter the landform of land adjoining a public road to ensure the stability of the road.

The function under section 93 of the Roads Act to direct the owner of any land adjoining a public road to fill in any excavation that, in the Council's opinion, threatens the stability of the road.

The function under section 94 of the Roads Act to carry out drainage work in or on any land in the

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 18**

vicinity of a public road.

The function under section 95 of the Roads Act to direct the occupier of land from which matter has been washed or blown onto a public road to take action to remove the obstruction and prevent its recurrence.

The function under section 96 of the Roads Act to direct the occupier of any land in the vicinity of a public road to alter a fence, provide floodgates in any such fence or repair any such fence or floodgates.

The function under section 97 of the Roads Act to direct any person who is entitled to place utility services in on or over a public road to locate new or replacement services in a conduit and to make payments in respect of the costs incurred by the Council in constructing the conduit.

The function under section 98 of the Roads Act to direct the person having control over any work or structure that is situated in on or over a public road to alter the work or structure or its location.

The function under section 99 of the Roads Act to direct a private body established under the legislation referred to in the section to repair or maintain any water supply or drainage work situated in on or over a public road and that is controlled by that body.

The function under section 100(1)(b) of the Roads Act to direct the owner of a private railway which is passed over under or across by a public road to repair or replace the bridge or level crossing or the road under an overbridge.

The function under section 101(1) of the Roads Act to direct any person by whom a public road is dug up to restore the road to its previous condition.

The function under section 101(4) of the Roads Act to decide to take such action as is necessary to restore a road that has been dug up to its previous condition instead of giving a direction under section 101(1).

The function under section 103(1) of the Roads Act to direct the owner or occupier of land to erect or install fences lights or other equipment on or around any premises in the circumstances set out in the section.

The function under section 107 of the Roads Act to direct any person who causes an obstruction or encroachment on a public road, or the owner of any land that is used or is able to be used in connection with an obstruction or encroachment on a public road, to remove the obstruction or encroachment.

The function under section 115 of the Roads Act to decide to regulate traffic on a public road by means of barriers or notices conspicuously displayed on or adjacent to the road.

The function under section 122 of the Roads Act to decide to regulate traffic on specified or all public roads for which the Council is the Roads Authority under the Act in the manner set out in the section.

The function under section 125 of the Roads Act to grant an approval that allows a person who conducts a restaurant adjacent to a footway to a public road that is vested in fee simple in the

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 19**

Council to use part of the footway for the purposes of the restaurant.

The function under section 126(1) of the Roads Act to authorise the holder of an approval under section 125 to erect and maintain structures in on or over any part of the footway the subject of the approval or, if requested by the holder of the approval, erect and maintain any such structure.

The function under section 126(2) of the Roads Act to decide to erect and maintain structures in on over any part of the footway the subject of an approval for the protection of public health and safety.

The function under section 128 of the Roads Act to permit the occupier of any land through which an unfenced public road passes to erect a gate across the road at any place at which the road intersects a boundary fence.

The function under section 130 of the Roads Act to revoke a permit granted under section 128.

The function under section 133(1) of the Roads Act to permit the construction of a by-pass for vehicles as provided for in the section.

The function under section 136 of the Roads Act to revoke a permit granted under section 133(1).

The function under section 138 of the Roads Act to grant consent for works and other structures in respect of public roads.

The function under section 140 of the Roads Act to decide to revoke a consent granted under section 138.

The function under section 144 of the Roads Act to grant a permit to conduct a road event (as defined in the Act) on a public road.

The function under section 174 of the Roads Act to decide to apply to an authorised Justice to enter and inspect land for the purposes of the Act and in the circumstances set out in the section.

The function under section 242 of the Roads Act to decide to take proceedings in a Local Court for an offence against the Act or any Regulations made under the Act.

The function of deciding to bring, defend, appear in or settle such proceedings, as may be competently brought defended, appeared in or settled by Council.

Conditions and Limitations

This function may only be exercised with the concurrence of the General Manager.

The function of deciding to bring, defend, appear in or settle such proceedings, as may be competently brought defended, appeared in or settled by Council.

The function under section 246 of the Roads Act to decide to take such action as is necessary to rectify a contravention of the Act.

Conditions and Limitations

The function under section 246 of the Roads Act may only be exercised with the concurrence of

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 20

the General Manager.

The function under section 247 of the Roads Act to decide to recover money owed to the Council under the Act as a debt in a court of competent jurisdiction.

The exercise of all the functions of the Authority under:

1 Division 2 of Part 8 (Regulation of Traffic by Roads Authorities) of the Roads Act 1993

Conditions and Limitations

1 A council and its sub-delegate must not exercise a function:

- (1) Outside the area constituted under the Local Government Act 1993 for which council is the council, or*
- (2) On a classified road under the Roads Act 1993 (except where exercising a function in respect of portable traffic control light signals).*

2 A Council and its sub-delegate may only exercise a function in respect of any prescribed traffic control device (defined in clause 131 of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 for the purposes of section 50 of the Road Transport (Safety and Traffic Management) Act 1999 being:

- (1) any prescribed traffic control device contained in the document, "Regulatory Signs" Version 1.0 dated may, 2001 (Reference No RTA/Pub 01.038 issued by the Authority, but excluding those which are indicated as 'Not delegated to Council' as listed in that document, and*
- (2) any portable traffic control lights,*

and under no circumstances, that is, despite (1) above, will a council or its sub-delegate be permitted to exercise a function in respect of any internally illuminated traffic control device.

3 (1) A Council and its sub-delegate must not exercise a function in respect of the following activities including the referral of the matter to the Local Traffic Committee until a Traffic management Plan, which must include an assessment of the impact of the exercise of the function and proposed measures to ameliorate such impact, has been approved by the Authority:

(a) The prohibition of the passage of traffic on a public road or road or road related area to any one or more of the following classes of traffic:

- pedestrians*
- vehicles*
- motor vehicles*

by physical means or regulatory signs (whether a prescribed traffic control device or otherwise) or both;

(b) the installation or display of the following traffic control signs on roads or road related areas:

- No Right Turn*
- No Left Turn*
- No Entry*
- No Turns*
- Left Turn Only*

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 21

- *Right Turn Only*
- *No Trucks*
- *No Buses*
- *No Pedestrians*

or the installation or display of any other sign or road marking prohibiting or compelling a turning movement;

(c) changing a two-way street into a one-way street or reversing the direction of a one-way street;

(d) the construction of a median strip including a painted island which prevents a turn by a vehicle at the intersection of public roads or roads or road related areas;

(e) reduction in the number of traffic lanes on a public road or road or road related area by physical means or regulatory signs (whether a prescribed traffic control device or otherwise) or both.

(2) A Traffic management Plan is not required if council certifies to the Authority in writing that a No Trucks or No buses traffic control sign is to be erected solely for the purpose of protecting a road from damage by the passage of motor vehicles.

4 A council and its sub-delegate must not exercise a function in respect of portable traffic control light signals unless:

(1) the signals are used in connection with the carrying out of road work on public roads as authorised by the roads Act 1993; and

(2) no fixed equipment or fixed cables are used.

5 A sub-delegate must not exercise a function in respect of Division 2 or Part 8 (Regulation of Traffic by Roads Authorities) of the Roads Act 1993.

6 A council or its sub-delegate must not exercise a function until they have notified the Commissioner of Police and the Authority of any decision taken to exercise a function except where:

(1) the advice of the Local Traffic Committee is unanimous; and

(2) the council or its sub-delegate propose to follow such advice.

7 Where a council or its sub-delegate has notified or should have notified the commissioner of Police and the Authority of a decision to exercise a function, the council or its sub-delegate must not exercise a function for a period of fourteen (14) days from the date of notification.

8 Where an appeal has been made to the Chairperson of a Regional Traffic Committee in respect of a decision taken by a council or its sub-delegate to exercise a function, a council or its sub-delegate must not exercise the function until the Chairperson of the Regional Traffic Committee determines the appeal.

9 Where the chairperson of the Regional Traffic Committee has determined an appeal, the council and its sub-delegate must not exercise the function in respect of which an appeal has been made, otherwise than in accordance with the determination of the Chairperson.

10 Before installing or displaying a prescribed traffic control device, a council and its sub-delegate must authorise installation or display (or interference with, alteration or removal) of the device in writing in accordance with section 51 of the Road Transport (Safety and

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 22

traffic Management) Act 1999.

11 A council or its sub-delegate shall keep a record of installation, display, alteration or removal of a traffic control device. Such a record must include the following:

- *Type and location of the traffic control device;*
- *Time and date of completion of installation, display, alteration or removal of the traffic control device.*

12 Where a council or its sub-delegate wishes to exercise a function in respect to a “Roadwork Speed Limit” traffic sign (Speed Series (R4) Sign No R4-212 in the document, “regulatory Signs” Version 1.0 dated may, 2001 reference No RTA/Pub 01.038, issued by the Authority), the following conditions apply:

(1) *When the installation period of a ‘Roadwork Speed Limit’ sign is to be for 6 working days or less:*

- a) authorisation of the use of the ‘Roadwork Speed Limit’ sign must be carried out by council or a sub-delegate who holds a current Traffic Control at worksites certificate issued by the Authority; and*
- b) the nearest office of the Authority is to be notified in writing of Council’s intention to implement a roadwork speed limit prior to works commencing; and*
- c) the nearest Police Station is to be notified in writing of Council’s intention to implement a roadwork speed limit prior to works commencing.*

(2) *When the installation period of a ‘Roadwork Speed Limit’ sign is to be for more than 6 working days:*

- a) authorisation of the use of the ‘Roadwork Speed Limit’ sign must be carried out by council or a sub-delegate who holds a current Traffic Control at Worksites Certificate issued by the Authority, and*
- b) the nearest office of the Authority is to be notified in writing of Council’s intention to implement a roadwork speed limit 7 days prior to works commencing; and*
- c) the nearest Police Station is to be notified in writing of Council’s intention to implement a roadwork speed limit 7 days prior to works commencing.*

(3) *The need for a ‘roadwork Speed Limit’ sign shall be determined in accordance with the document, “traffic Control at worksites” Version 2.0 dated October 1998 (Reference No TTT-003) issued by the Authority;*

(4) *‘Roadwork Speed Limit’ signs shall be installed in accordance with the “Traffic Control at Worksites” document (as already referred to);*

(5) *Records maintained by a council and its sub-delegate in respect to a ‘Roadwork Speed Limit’ sign must include:*

- a) council’s or its sub-delegate’s written authorisation of the installation [The sub-delegate’s Traffic Control at Worksites Certificate number must be shown],*
- b) the location,*
- c) the installation time and date, and*
- d) the removal time and date.*

(6) *The ‘Roadwork Speed Limit’ sign is to be removed as soon as practicable after the road*

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 23**

works have been completed.

13 Council and its sub-delegate must not exercise a function in respect to any of the roads within Sydney Olympic Park including the roads that are coloured mauve on the drawing marked "Sydney Olympic park Authority, Sydney Olympic Park, Drawing Number HS-J-L-006" dated 29 May 2001 and deposited in the office of the Sydney Olympic Park Authority (being all the roads referred to in section 41 of the Sydney Olympic Park Authority Act 2001).

To exercise Council's functions and responsibilities under the Roads Act, 1993.

Section 15 - Grant Approval for Structures on Footpaths.

WATER MANAGEMENT ACT 2000

The function under Section 306 of the Act, as a Water Supply Authority, to require an applicant for a certificate of compliance under Section 305 of the Act to do either or both of the following:

- (a) To pay a specified amount to the Water supply Authority by way of a contribution towards the cost of such water management works as are specified in the notice, being existing works or projected works, or both;
- (b) To construct water management works to serve the development.

The function under Section 307 of the Act to grant a certificate of compliance for development:

- (a) Within 60 days after an application under Section 305 of the Act for the Granting of such a certificate is made; or
- (b) If, within the period, the Water Supply Authority imposes a requirement on the applicant, as soon as it is satisfied that the requirement has been complied with.

FREEDOM OF INFORMATION ACT 1989

To authorise the conduct of an internal review.

Authorisation to carry out the duties and functions of the Information Officer.

LEGAL AND OTHER DOCUMENTS

To sign and execute documents under the Common Seal of the Council in conjunction with the Mayor.

OCCUPATIONAL HEALTH & SAFETY ACT, 2002

To implement Council's responsibilities under the Act.

MEDIA STATEMENTS AND PRESS RELEASES

To make Media Statements and issue Press Releases in respect of Council resolutions and

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 24**

decisions.

MINES INSPECTION ACT, 1901

Authorisation to nominate the General Manager and Production Manager.

HERITAGE ACT, 1977

Section 25 - Make Interim Orders for items of local significance.

(i) To make Interim Heritage Orders for items in the Liverpool Plains Shire Local Government Area in accordance with Section 25 of the Heritage Act, 1977, and subject to the following conditions:

1. A Council must not make an Interim Heritage Order (IHO) unless:

(a) an environmental planning instrument containing a schedule of heritage items derived from a heritage study and provisions for the management plan of those items is in force in the Local Government area;

(b) it has considered a preliminary heritage assessment of the item prepared by a person with appropriate heritage knowledge, skills and experience employed or retained by the Council and considers that:

- i) the items is or is likely to be found, on further enquiry and investigation, to be of local heritage significance;
- ii) the items is being or is likely to be harmed;
- iii) the IHO is confined to the item determined as being under threat; and

(c) where the IHO is made over land which includes an item which is likely to be found, on further enquiry and investigation, to be of significance to Aboriginal people, a Council must refer the proposal to make an IHO to the Heritage Office for assessment regarding significance and community consultation, before the IHO is made. Council must comply with the recommendations of the Heritage Office made in its assessment prepared pursuant to the referral.

2. A Council must not make an IHO where:

(a) the item is listed on:

- i) an environmental planning instrument as an item of environmental heritage;
- ii) the item is within a conservation area identified in an environmental planning instrument;

(b) the item is covered by an order under Section 130 or Section 136 of the Heritage Act 1977;

(c) the Council has previously placed an IHO on the item;

(d) the Court has granted development consent in relation to the item that permits the item to be harmed and the development consent is still in force.

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 25**

3. A Council must not make an IHO in relation to item (s) that are located on land:
- (a) that is Crown Land;
 - (b) which is being developed by or on behalf of the Crown;
 - (c) which is subject to a development declared to be State Significant Development under the Environmental Planning & Assessment Act, 1979.

For the purposes of this clause, “the Crown” includes State Government Agencies, State Owned Corporations, Statutory Corporations, Statutory Authorities and Ministerial Corporations. “Crown” is also taken to have the same meaning as specified in Section 57 (1A) (b) of the Heritage Act, 1977.

4. A Council must not make an IHO in respect of an item (which includes a building, work, relic or place) that is subject to an approval, consent, licence, permit, permission or any other form of authorisation that requires or permits the item to be harmed and that is issued by the Crown, an office or employee of the Crown or a Minister.

For the purposes of this clause, the “Crown” includes State Government Agencies, State Owned Corporations, Statutory Corporations, Statutory Authorities and Ministerial Corporations. “Crown” is also taken to have the same meaning as specified in Section 57 (1A) (b) of the Heritage Act, 1977. This clause does not apply to an approval, consent, licence, permit, permission or any other form of authorisation that requires or permits the item to be harmed and that is issued by the Council.

5. An IHO made by a Council must contain the following condition:
- (a) “This Interim Heritage Order will lapse after six months from the date it is made unless the local Council has passed a resolution before that date;
 - (b) in the case of an item which, in the Council’s opinion is of local significance, to place the item on the heritage schedule of a local environmental plan (LEP) with appropriate provisions for protecting and managing the item; and
 - (c) in the case of an item which in the Council’s opinion is of State heritage significance, to nominate the item for inclusion on the State Heritage Register.”
6. A Council must ensure that the authorisation is carried out in accordance with guidelines issued from time to time by the Heritage Council and/or Heritage Office.
7. A Council must publish annually in its State of Environment Report or Annual Report a summary of all decisions regarding IHOs for that year and provide a copy to the NSW Heritage Office.
8. A Council will be responsible for defending proceedings in any Court relating to its decisions made under this authorisation (including the bearing of all costs).
- (ii) That where it is considered that if upon further investigation of any item that Council may determine the item to be of local heritage significance and that it considers is being or is likely to be harmed.

Section 61 - To determine if public notice is to be given.

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 26**

Section 62 - To determine applications for approval by granting approval either unconditionally or subject to conditions, or by refusing approval.

Section 63 - Determine deferred commencement approvals.

Section 63B - Grant particular conditional approvals.

Section 64 - Issue Notice of Determination

Section 65A - Determine applications for modification of approvals.

STATE EMERGENCY & RESCUE MANAGEMENT ACT, 1989

Carry out Council's functions under the State Emergency and Rescue Management Act, 1989 and authorised to appoint Local Emergency Management Officer.

SCHEDULE 2

- (1) The function of delegation and sub-delegation by the General Manager pursuant to Section 378 of the Local Government Act, 1993 shall be exercised in writing signed by the General Manager.
- (2) The Council may by resolution, direct the General Manager in the exercise of any of the functions herein delegated.
- (3) The General Manager shall exercise the functions herein delegated in accordance with and subject to:-
 - (i) the provisions of the Local Government Act, 1993 and other relevant legislation;
 - (ii) Council Management Practices Manuals, Codes and Practices and Guidelines; and
 - (iii) each and every policy of the Council adopted by resolution and current at the time of the exercise of the function herein delegated.

Coe/Schmidt
The motion was carried

3.32pm

At this time the reports presented by the Acting Director Environmental Services were brought forward for consideration.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 27

ACTING DIRECTOR OF ENVIRONMENTAL SERVICES

4.1 RE-CLASSIFICATION OF COMMUNITY LAND TO OPERATIONAL LAND

86 RESOLVED that, after considering the consultation responses received from the Rural Fire Service and Department of Climate Change, Council issue the Section 65(1) certificate pursuant to the requirements of the Environmental Planning and Assessment Act 1979 to exhibit Draft Coonabarabran Local Environmental Plan 1990- (Amendment No 2) - Classification and Reclassification of Public Land, within Warrumbungle Shire Council local government area, for the purpose of:

- (a) Reclassifying public land as operational or community land within the meaning of the Local Government Act 1993, and
- (b) To ensure public awareness of the reclassification process and identify Council interests affecting the land.

Campbell/Sullivan
The motion was carried

4.2 PLANNING PROPOSAL FOR RURAL RESIDENTIAL AND RURAL SMALL HOLDINGS LAND AT DUNEDOO

87 RESOLVED that Council supports the concept of the submission of a planning proposal to the Department of Planning to amend the Coolah Local Environmental Plan 2000 by creating rural residential and rural small holding zonings in the immediate vicinity of the town of Dunedoo subject to confirmation of costing and funding opportunities at a future Council meeting.

Coe/Lewis
The motion was carried

4.3 SMOKE FREE AREAS FOR SWIMMING POOLS

88 RESOLVED:

- That Council adopt specific designated smoke-free areas at the public swimming pools to ensure a safe and healthy environment at our swimming pool facilities and that smoking areas be specifically designated away from the main pool areas at each facility.
- That Council create appropriate facilities located in a small area of each of the pool grounds for smokers as shown on the 6 site maps. This will ensure that supervising parents do not leave their children unattended within the pool grounds while they exit to smoke.

Todd/Coe
The motion was carried

4.4 WARRUMBUNGLE SHIRE COUNCIL APPLICATIONS RECEIVED FOR THE MONTH OF AUGUST 2009

Received.

3.30pm

Councillor Coe left the meeting.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGL
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 28

DIRECTOR OF CORPORATE SERVICES

2.1 BANK ACCOUNTS AND INVESTMENTS AS AT 31 AUGUST, 2009

Received as information.

2.2 INVESTMENTS HELD AS AT 31 AUGUST 2009

Received as information.

2.3 RECONCILIATION OF GENERAL FUND BANK ACCOUNT – AS AT 31 AUGUST 2009

Received as information.

2.4 RATES AND CHARGES COLLECTION – UP TO and INCLUDING END AUGUST 2009

Received as information.

2.5 APPLICATION FOR A CHANGE OF RATING CATEGORY

89 RESOLVED that the property at 38-40 Bullinda Street Binnaway (Assessment No: 00618-0) be rated as residential.

Lewis/Todd
The motion was carried

2.6 REQUEST FOR CONSIDERATION IN INTRODUCTION OF USER PAY SEWERAGE – Coolah & District Retirement Homes Ltd

This matter was withdrawn for further investigation.

2.7 REQUEST FOR CONSIDERATION IN INTRODUCTION OF USER PAY SEWERAGE – Coolah Cottages Limited

This matter was withdrawn for further investigation.

2.8 COUNCIL STOCK TAKE AS AT 30 MARCH 2009

90 RESOLVED:

1. To write off net Stores and Materials totaling \$72,838.61 as listed in the attachment below **and FURTHER** that Council write on \$27,426.90 relating to Fuel Trailer suspense account with a net write off of \$45,411.71
2. That adopted procedures are to be followed by **all** staff in the case of purchasing and issuing of fuel, with tanker returns being submitted weekly.
3. That Council writes back an amount of \$30,091.97 relating to stores control fuel adjustments and stores and materials back to 2005/06 financial year.

FURTHER that following investigation of the loss of fuel over the last three (3) years, that a report detailing the discrepancies, stolen fuel and other anomalies be presented to the October 2009 meeting.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 29

STOCKTAKE as at 30 March 2009

Stores Item Description	Quantity Counted	Qty Calc	Adj. Val
LIGHT GLOBES	299	307	92.40
OIL - TWO STROKE R-1118.60	7	8	3.97
PAINT-VARIOUS	18	19	66.84
RAIN COAT	10	11	37.56
STRAPS - GLASSES	6	7	3.00
SPANNER-OPENENDER/RING ETC.	60	58	-25.02
SHOVEL	11	12	39.18
CEMENT	61	62	5.77
ENDBAC	12	13	8.95
FIRST AID KIT	4	5	83.10
GOGGLES	16	17	8.40
GREASE GUN ATTACHMENTS	14	15	13.44
GUIDE POSTS - STEEL	140	150	123.90
INSECT REPELLENT	48	49	7.96
ADAPTER HOSE TO TAP 18MM MAXIF	9	8	-5.18
AXE	0	3	82.14
BAGS,GARBAGE,75L BIN LINER,IN	17	21	38.24
BLADE,WIPER,WINDSCREEN,TRICO T	20	21	2.50
BLADE,WIPER,WINDSCREEN,TRICO T	8	9	2.27
BLADE,WIPER,WINDSCREEN,TRICO M	17	18	1.68
BLADE,WIPER,WINDSCREEN,TTR610-	7	10	14.64
BOLT WITH NUT,STEEL, HEX HEAD,	11	10	-0.11
BOLT WITH NUT, STEEL, HEX HEAD	27	32	0.50
BOLT WITH NUT, STEEL HEX HEAD,	19	24	1.00
BOLT WITH NUT, STEEL, HEX HEAD	16	17	0.50
BOLT WITH NUT, STEEL HEX HEAD,	22	23	0.50
BOLT WITH NUT, STEEL, HEX HEAD	38	39	0.23
BOLT WITH NUT,CUPHEAD,(10X50MM	79	83	0.92
BOLT WITH NUT,CUPHEAD,10X75MM(55	54	-0.19
BOLT, HT5, COARSE, 10X35MM GAL	33	40	3.50
BOLT WITH NUT, STEEL, HEX HEAD	29	31	1.00
BOLT WITH NUT, STEEL, HEX HEAD	48	46	-0.56
BOLT WITH NUT, STEEL, HEX HEAD	46	50	2.00
BOLT WITH NUT,STEEL,HEX HEAD,1	8	14	10.44
BOLT WITH NUT, STEEL, HEX HEAD	99	100	0.36
BOLT WITH NUT,STEEL, HEX HEAD,	52	54	4.00
BOLT WITH NUT,STEEL, HEX HEAD,	68	70	0.74
BOLT WITH NUT, STEEL,HEX HEAD,	74	75	0.41
BOLT WITH NUT,STEEL,HEX HEAD,	0	4	2.96
BOLT WITH NUT, STEEL, HEX HEAD	12	13	0.60
BOLT WITH NUT, STEEL, HEX HEAD	43	44	1.53
BOLT WITH NUT,STEEL,HEX HEAD,M	91	94	0.39
BOLTS,NUTS,WASHERS,COX SITON B	5	6	2.08
BOLTS-PLOUGH	146	398	362.88

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 30

Stores Item Description	Quantity Counted	Qty Calc	Adj. Val
BOOTS-LEATHER	22	9	-740.09
BOX CULVERTS 4 X 1	0	8	1680.00
BRACE,CARPENTERS,200MM SWEEP,0	4	4	0.00
BRACKET - SIGN	136	172	282.24
BRUSH HOOK	2	4	65.30
CHISEL, WOOD 38MM	2	3	9.00
CLEANER, BATTERY, IN 150ML TIN	0	1	3.67
CREAM,SORBOLENE WITH GLYCERINE	3	4	2.69
DELINEATORS-SMALL	850	860	19.00
ELEMENT FILTER/HYD TANK/BREATH	0	1	21.69
EXTENSION,FLEXIBLE, 430MM KF17	4	5	32.41
FITTING-COPPER PIPE	227	230	21.93
FITTINGS - PVC	358	361	11.28
FITTING, AIRHOSE, 3/8 BARB F91	13	10	-28.77
FLAP, PAVEMENT, RAISED TEMPORA	1120	1122	1.84
FORK	0	1	54.50
FUEL CONTAINER 5 LITRE	1	2	18.04
NUT & TAIL	0	9	52.74
PAPER,ABRASIVE,230X280MM,WET/D	11	12	0.45
PIN 8E 6358 CATERPILLAR (WAS 9	17	18	6.50
SCREW, TRILOBULAR, 10 X 20MM	161	160	-0.47
SCREWDRIVER	18	10	-71.28
663 SCREWDRIVERS - EX TOOLS AT STO	17	21	39.72
SLASHER BLADES	8	10	63.60
SOAP,ABRASIVE,120G,Q912420	16	17	0.55
SPANNER, OPEN END, 10 X 12 MM,	1	2	2.00
TAPE - PLASTIC THREAD SEAL - 0	41	44	1.74
TIN SNIPS,WISS,AVIATION,STRAIG	2	3	28.37
UNLEADED COOLAH	3626.2	12755.24	10498.40
UNLEADED PETROL AT STORE	0	3300	2706.00
UNLEADED AT NEW DEPOT	6500	10872.74	4941.20
UNLEADED DUNEDOO	1684.9	1529.79	-170.62
V-BELT KIT 3810420M1 P-164-5	0	2	77.74
V-BELT,FAN SET,1S-1136711940,T	0	1	50.09
V-BELT 2235816 FOR I/R ROLLER	1	2	14.43
VEST SAFE NIGHT/DAY YELLOW 3XL	13	15	33.20
WASHER, FLAT, 3/8 HT8 00380885	121	122	0.05
WASHER, FLAT, 9/16 HT8	56	57	0.20
WASHER, SPRING, 1	106	109	0.45
WASHER, FLAT, 1/2	23	24	0.06
WASHER, FLAT, 1-1/8	6	5	-0.16
WATER BOTTLE	6	7	42.80
WEAR GUIDE 5T8367 CUTTING EDGE	6	5	-55.15
WHEEL,DEPRESSED CENTRE GRINDING	1	2	1.53
WHEEL METAL CUTTING-OFF 102 X	13	14	1.13
WHEEL,MASONARY,102X3.2X16.0,FH	0	4	4.96

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 31

Stores	Item Description	Quantity Counted	Qty Calc	Adj. Val
	WHEEL,OTTO BIN,BLACK	25	27	12.88
060	DISTILLATE DUNEDOO	350	344.9	-5.56
60	DISTILLATE COOLAH	2768	17907.44	16956.17
080	DISTILLATE	2201.3	42666.63	35035.13
5	DISTILLATE TRAIL275 1140LITRES	1662.95	1684.96	26.63
6	DISTILLATE 276 2000LITRES	1160.6	1165.9	6.31
9	DISTILLATE 2000LITRES J96711	1984	2011.2	33.18
4	FUEL TRAILER 800litre K62433	826.15	914.45	98.01
7	FUEL TRAILER MENDOORAN	1015.15	1009.2	-6.60
239	DISTILLATE AT BINNAWAY	2850	2814	-43.92
				72838.61

Schmidt/Powell
The motion was carried

2.9 SUNDRY DEBTORS BALANCES WRITE-OFF

91 RESOLVED that Council write off the net amount of \$1,306.15 as follows:

1. Prepaid Rates to be written off \$2,532.79
2. Sundry Debtor Goods & services to be written off \$288.44
3. Sundry Rate Payers to be written off \$2,576.41
4. Sundry Debtor Employee Super Sacrifice to be written on \$4,091.50

Lewis/Campbell
The motion was carried

2.10 FINANCIAL STATEMENTS

92 RESOLVED that a statement be provided to Council's auditors confirming that the 2007/2008 Financial Reports for Warrumbungle Shire Council presented for audit are a true and fair view of Council's state of affairs and in accordance with the Act, Regulations and relevant Codes and Standards. **FURTHER** that the Statements be submitted to the Department of Local Government following receipt by Council of the Auditors Final Report.

Schmidt/Campbell
The motion was carried

4.26pm

DIRECTOR OF TECHNICAL SERVICES

3.1 APPLICATIONS RECEIVED FOR CLOSURE AND OR LEASE OF ROAD RESERVE

93 RESOLVED that the unformed road reserve be leased to the owner of Lot 16 DP753378 to full extent of the frontage of Lot 16, subject to the consultation process outlined in the Roads Act 1993.

Schmidt/Powell
The motion was carried

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 32

3.2 BARADINE WATER SUPPLY BORE

94 RESOLVED:

1. That Council approves the construction of a new water supply bore within the existing treatment plant grounds in Baradine for a total project cost of \$112,364.
2. That Council reallocates funding of \$25,000 in the 2009/2010 management plan for Baradine water mains extension to the new water supply bore project in Baradine.
3. That a supplementary vote of \$24,864 be made and allocated to the new water supply bore project in Baradine.

Lewis/Campbell
The motion was carried

4.31pm

DIRECTOR OF COMMUNITY SERVICES

5.1 BINNAWAY RAIL BARRACKS

95 RESOLVED that Council authorise the Mayor and General Manager to sign the Licence Agreement and formalise the peppercorn rental agreement between Council and Binnaway Rail Heritage and Preservation Group Inc for the Binnaway Rail Barracks and Gang Shed, being part of the premises and land being Lot 53 DP 1006838 and part 1 of Lot 56 in DP 1006838.

Schmidt/Campbell
The motion was carried

4.34pm

96 RESOLVED that the final review of the budget for the year 2008/2009 as at 30th June 2009 as presented be endorsed and further that the following General Fund revotes amounting to \$1,908,077 and Water fund revotes of \$166,186 and Sewer Fund revotes of \$263,724 (totalling \$2,337,987) be revoted from the budget year 2008/2009 to 2009/2010.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 33

REVOTE REQUESTS	GRANTS	FAGS	R2R	Council	Other	TOTAL
GENERAL FUND						
EXECUTIVE						50,751
GOVERNANCE						
RLCIP Programme - Inc	-423,502					-423,502
Governance - Donations - Exp				11,012		11,012
RLCIP Programme	423,502					423,502
	0	0	0	11,012	0	11,012
GENERAL MANAGER						
General Management FAGS Grant - Inc		805,203				805,203
From R/Assets Fags/Advance Payment - Inc		-805,203				-805,203
	0	0	0	0	0	0
HUMAN RESOURCES MANAGEMENT						
Apprentice/Trainee Subsidy - Inc	-20,033					-20,033
Apprentice/Trainee Costs - Exp	20,033					20,033
Staff Training - Exp				8,648		8,648
	0	0	0	8,648	0	8,648
TOURISM and ECONOMIC DEVELOPMENT SERVICES						
From R/Assets Tourism Coolah - Inc					-1,481	-1,481
From R/Assets Coolah Econ Dev/Tourism - Inc					-13,066	-13,066
Economic Promotion - Exp				9,666		9,666
Tourism Promotion - Exp				18,925		18,925
Tourism Information Boards South - Cap					14,040	14,040
Tourist Centre - Image Library - Cap					507	507
Tourist Centre - Cap				2,500		2,500
	0	0	0	31,091	0	31,091

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 34**

REVOTE REQUESTS	GRANTS	FAGS	R2R	Council	Other	TOTAL
TECHNICAL SERVICES						1,710,730
ROAD OPERATIONS						
Local Roads-FAGS - Inc	484,224					484,224
To & From R/Assets FAGs in advance	-484,224					-484,224
To & From R/Assets Block Grant - Cap Inc	0					0
To & From R/Assets Block Grant - Saltwater	-264,126					-264,126
Baradine Rd Rail Bridge - Cap Inc	-338,386					-338,386
From R/Assets Special Projects Baradine - Cap Inc		-50,000				-50,000
Local Rds-Flood Damage - Exp	69,347					69,347
Local Rds-Flood Damage Council Contrib - Exp	39,993					39,993
To & From R/Assets Flood Damage	-286,874					-286,874
Local Rds-Gravel Resheeting - Exp				40,000		40,000
Regional Roads-Flood Damage - Exp	177,534					177,534
MR 618 - Exp	0					0
MR 7519 - Exp	0					0
Avonside Road R2R - Cap			6,002			6,002
Bingie Grumble Rd R2R - Cap			144,290			144,290
Boomley Rd FAGs - Cap				13,712		13,712
Coolah Crk Rd - FAGs - Cap				24,387		24,387
Flags Rockedgiel R2R - Cap			18,514			18,514
Goorianawa Rd Milchomie Crk Causeway - Cap				9,743		9,743
Mt Nombi - Fags - Cap				28,858		28,858
Munns Rd FAGS - Cap				11,644		11,644
Neilrex Coolah Rd FAGs - Cap				109,294		109,294
Neilrex Coolah Rd R2R - Cap			40,440			40,440
Neilrex Coolah Rd R2R Common - Cap			20,000			20,000
Orana Rd Culvert FAGS - Cap				15,000		15,000
Pandoras Pass - Cap				7,299		7,299
Piambra Rd R2R - Cap			23,732			23,732
Sandy Creek Rd R2R - Cap			16,520			16,520
Stannix Park Rd - Cap				8,550		8,550
Teridgerie Crk Causway - Cap				23,997		23,997
Terridgerie Protection FAGs - Cap				25,000		25,000
Wyuna Road Widening R2R			5,000			5,000
Regional Rds - MR55 - Black Spot - Cap	9,080					9,080
To R/Assets - MR55 - Black Spot - Cap	-9,080					-9,080
Regional Rds -MR 129 - 3X4s - Cap	88,791					88,791

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM** **PAGE 35**

REVOTE REQUESTS	GRANTS	FAGS	R2R	Council	Other	TOTAL
To & From R/Assets 3X4 MR 129	-88,791					-88,791
To & From R/Assets 3X4 Saltwater	-77,000					-77,000
Regional Rds -Boomera Bridge REPAIR - Cap	99,928					99,928
MR 129 - Saltwater - REPAIR - Cap Inc	-99,928					-99,928
Regional Rds -Saltwater Creek Bridge Block Grant - Cap	264,126					264,126
Regional Rds -Saltwater Creek Bridge 3X4 - Cap	77,000					77,000
Regional Rds -Saltwater Creek Bridge Council \$s - Cap				79,591		79,591
Regional Rds -Yearinan Crk Bridge - Cap				270,425		270,425
Baradine Rd Rail Bridge - Cap	338,386			54,389		392,775
Regional Rds-Castlereagh River Bridge - Cap				9,794		9,794
Baradine Sts Walker St Bridge R2R - Cap			40,000			40,000
Baradine Sts Walker St Bridge - Special Projects - Cap		50,000				50,000
Baradine Sts Walker St Bridge - Cap				33,000		33,000
Streets-Lighting - Baradine - Cap				2,500		2,500
Baradine Sts Barwon Street FAGs - Cap				16,181		16,181
Reservoir Street Upgrade Fags - Cap				64,727		64,727
Binnia St Upgrade FAGs- Cap				50,000		50,000
	0	0	314,498	898,091	0	1,212,589

FLEET SERVICES

Depot Binnaway - Cap				1,282		1,282
Depot Coonabarabran-Ex RTA - Cap				1,862		1,862
Depot Coolah - Cap				12,500		12,500
Depot Dunedoo - Cap				348		348
Plant & Equipment Purchases - Cap				333,117		333,117
Plant Minor - Cap				15,086		15,086
Radio Network - Cap				5,000		5,000
	0	0	0	369,195	0	369,195

URBAN SERVICES

From R/Assets Mendooran Town Special Projects					-28,200	-28,200
Parks - David Bell - Irrigation - Cap				7,034		7,034
Parks - Mendooran - Cap					28,200	28,200
Toilets - Coona - Toilet Block CBD - Cap				89,661		89,661
	0	0	0	96,695	0	96,695

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 37

REVOTE REQUESTS	GRANTS	FAGS	R2R	Council	Other	TOTAL
Yuluwirri Kids Centre						
Yuluwirri Kids Preschool - Exp					-52,941	-52,941
	0	0	0	0	-52,941	-52,941
CORPORATE SERVICES						78,204
CORPORATE STRATEGIC MANAGEMENT						
Mendooran Medical Centre - Exp				6,154		6,154
Coolah Council Chambers - Cap				8,500		8,500
Dunedoo - Medical Related Centre - Cap				3,000		3,000
Coona Medical Centre - Cap				7,300		7,300
	0	0	0	24,954	0	24,954
FINANCIAL SERVICES & SYSTEMS						
RLCIP Income	-26,649					-26,649
Financial RLCIP - Exp	26,649					26,649
	0	0	0	0	0	0
RURAL FIRE SERVICES						
Bushfire Programme Charges - Exp					53,250	53,250
	0	0	0	0	53,250	53,250
GENERAL FUND						1,908,077
0						0
0						314,498
1,593,270						309
1,908,077						1,908,077
WATER SUPPLY						
BARADINE WATER SERVICES				53,978		53,978
Treatment Works - Cap				53,978		53,978
COONABARABRAN WATER SERVICES				51,000		51,000
Dam Structural Test				51,000		51,000
COOLAH WATER SERVICES				61,208		61,208
Reservoir Roof Replacement				61,208		61,208
MENDOORAN WATER SERVICES				0		0
Augmentation Scheme From R/Assets- Mendooran Water Supply				654,962		654,962
				-654,962		-654,962
TOTAL WATER SUPPLY				166,186		166,186
SEWERAGE FUNDS						
COONABARABRAN SEWERAGE SERVICES				217,324		217,324
Mains Extensions				148,276		148,276
Pumping Station				69,048		69,048
COOLAH SEWERAGE SERVICES				46,400		46,400
Treatment Works				20,000		20,000
Mains Extension				26,400		26,400
TOTAL SEWERAGE				263,724		263,724
Total Revotes						2,337,987
	0	0	314,498	2,023,180	309	2,337,987

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM

PAGE 38

Explanation Key

Grants Column - Figures shown here are grant funds that will be off set by income expected to be received during the year 2009/10
FAGS Column - this shows amounts that were received in advance and the income has been received.
R2R Column - This shows works to do where the funds have been received in 2008/09 and there is no offset in 2009/10.
Council Column - This is all works funded from internal Council dollars
Other Column - Includes sundry adjustments

Sullivan/Lewis
The motion was carried

Confidential Items

4.56pm

97 RESOLVED

- that Council go into closed committee to consider matters of a commercial basis and personnel matters
- 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).
- 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/Schmidt
The motion was carried

4.56pm

Council closed its meeting to the public.

5.49pm

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

Campbell/Schmidt
The motion was carried

The following resolution of Council while the meeting was closed to the public was reported to the meeting by the General Manager:

1C CRANE BUILDING SITE

A motion was moved by Councillor Schmidt that Council proceed with the two storey option built over the full block.

The motion lapsed for want of a seconder.

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE SPECIAL AND ORDINARY MEETINGS OF THE WARRUMBUNGLE
SHIRE COUNCIL HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY,
17 SEPTEMBER 2009 COMMENCING AT 1.04PM PAGE 39

99 Councillor Sullivan moved a motion seconded by Councillor Powell that Council proceed to obtain professional building design plans, a geotechnical site report and structural engineering preliminary designs and costings for a single storey building over the whole block with option of extra support for second floor.

5.49pm

Councillor Schmidt moved a spill on the motion.

The motion was put and carried with Councillors Lewis, Sullivan, Powell, Campbell, Todd and Shinton each recording their vote in favour of the motion and Councillor Schmidt recording his vote against the motion.

There being no further business the meeting concluded at 5.51pm.

.....
CHAIRMAN