

WARRUMBUNGLA SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLA SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 20 MAY 2010 COMMENCING AT
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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 ordinary Council meeting.

11.09am

FORUM

Mr Bob Harper addressed Council in relation to the request by the Coonabarabran Men's Shed committee for use of site and facilities at Essex Street depot for the Coonabarabran Men's Shed.

11.19am

Ms Eleanor Cook addressed Council on behalf of the Coolah District Development Group, regarding the CoolART project including housing of photographic collection, the POD project and CoolAH water project. Ms Cook also provided to Council a copy of the Public Art Plan for Coolah.

11.33am

374 RESOLVED that standing orders be suspended to break for morning tea.

Campbell/Sullivan
The motion was carried

11.45am

375 RESOLVED that standing orders be resumed.

Campbell/Sullivan
The motion was carried

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.

MAYORAL MINUTE

Mining Royalties for Regions

At this time the Mayor outlined information relating to the decision by Council at the April meeting to become a member of the Mine Related Councils organisation.

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Councillor Shinton informed the meeting that:

The General Manager and Mayor attended a meeting of the Mine Related Councils at Bland Shire on the 13th and 14th May 2010.

Arising from that meeting and discussions the issue of Councils directly receiving a portion of the royalties by mines was raised.

The meeting sought Councils support for a joint approach to the Federal and State Governments by the Group for a fixed portion or percentage of the Royalties to be paid directly to the Council in whose area the mines are located and a smaller portion to adjoining Councils.

376 RESOLVED that Council support the Mining Related Councils determination to seek up to 30% of the mining royalties being returned to the Region and that the major share of those royalties be with the Council in whose area the mine is located.

Shinton/Coe
The motion was carried

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGL SHIRE COUNCIL HELD ON 15 APRIL 2010

377 RESOLVED that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 15 April 2010 be endorsed subject to amendment of Resolution 340.

Todd/Coe
The motion was carried

378 RESOLVED that Resolution 340 be amended to read:

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

Campbell/Todd
The motion was carried

CONFIRMATION OF MINUTES OF THE SPECIAL COMMITTEE MEETING OF WARRUMBUNGL SHIRE COUNCIL HELD ON 22 MARCH 2010

379 RESOLVED that the minutes of the special committee meeting of the Warrumbungle Shire Council held on 22 March 2010 be endorsed.

Coe/Schmidt
The motion was carried

It was noted that the General Manager and Councillors would meet in committee on 24 June 2010 prior to the ordinary Council meeting to discuss the recommendations from the Organisational Review Report and the impacts Council is prepared to wear in relation to the outcomes.

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ADOPTION OF THE RECOMMENDATIONS OF THE FINANCE AND WORKS COMMITTEE MEETING HELD ON 7 MAY 2010

380 RESOLVED that the minutes of the Finance and Works Committee meeting held on 7
May 2010 be adopted.

Sullivan/Todd
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE FINANCE AND WORKS COMMITTEE MEETING HELD ON 8 APRIL 2010

381 RESOLVED that the minutes of the Finance and Works Committee meeting held on
8 April 2010 be adopted.

Powell/Schmidt
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 22 APRIL 2010

382 RESOLVED that the minutes of the Traffic Advisory Committee meeting held on 22
April 2010 be endorsed.

Lewis/Dissanayake
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE BINNAWAY TOWN COMMITTEE MEETING HELD ON 19 APRIL 2010

383 RESOLVED that the minutes of the Baradine Town Committee meeting held on
19 April 2010 be accepted.

Lewis/Sullivan
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE BARADINE TOWN COMMITTEE MEETING HELD ON 19 APRIL 2010

384 RESOLVED that the minutes of the Baradine Town Committee meeting held on
19 April 2010 be accepted.

Campbell/Todd
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE MENDOORAN/MERRYGOEN TOWN COMMITTEE MEETING HELD ON 20 APRIL 2010

385 RESOLVED that the minutes of the Mendooran/Merrygoen Town Committee meeting
held on 20 April 2010 be accepted.

Lewis/Todd
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE DUNEDOO TOWN COMMITTEE MEETING HELD ON 20 APRIL 2010

386 RESOLVED that the minutes of the Mendooran/Merrygoen Town Committee meeting
held on 20 April 2010 be accepted.

Coe/Campbell
The motion was carried

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ACCEPTANCE OF THE MINUTES OF THE COOLAH TOWN COMMITTEE MEETING HELD ON 20 APRIL 2010

387 RESOLVED that the minutes of the Coolah Town Committee meeting held on 20 April 2010 be accepted with the following amendment to the notes contained in the General Business section relating to Anzac Day:

“That traffic be diverted through the top end of town during the Anzac Day service to see whether this was successful and if this redirection was not successful, that the traffic would be stopped on the main bypass for approximately 15 minutes during the actual service to allow people to hear the service.”

Powell/Todd
The motion was carried

The General Manager raised the matter of the cost of attendance at Town Committee meetings compared to the value of the meetings to the organisation and community. Following discussions the following was resolved:

388 RESOLVED that Council organise one meeting a year in lieu of town committee meetings in each of the towns including Coonabarabran prior to budget deliberations to provide an opportunity for each community to contribute to the budget discussions. **FURTHER** that these meetings be held in either February or March.

Sullivan/Campbell
The motion was carried

389 RESOLVED that in relation to requests for road closures for Anzac Day services, that Council write to the RSL branches at the end of January reminding them of the need to lodge formal applications for road closures. **FURTHER** that this matter be an agenda item for the Traffic Advisory Committee each November.

Sullivan/Powell
The motion was carried

12.19pm

390 RESOLVED that standing orders be suspended to receive a presentation from RFS Zone Manager, Garry Wilson and a representative of the Cobbora Mine Management Company.

Powell/Sullivan
The motion was carried

Mr Wilson presented an overview of the work of the Rural Fire Service personnel and volunteers detailing incidents responded to and an overview of council's funding. Mr Wilson also spoke of the housing of the brigade appliances.

12.59pm

Mr Brett Peterkin of Cobbora Management Company and Trish McDonald of Macquarie Generation addressed Council regarding the Cobbora Coal mine project. Mr Peterkin stated: that the coal mine was to secure a coal supply for electricity generation in NSW; that tenders for a miner had closed and appointment of miner may be announced June 2010; that

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construction may commence in October 2011 with coal production to possibly commence in 2013.

1.22pm

The meeting adjourned for lunch.

2.04pm

391 RESOLVED that standing orders be resumed.

Campbell/Sullivan
The motion was carried

GENERAL MANAGER'S REPORT

1.1 NOTICE OF MOTION

A motion was moved by Councillor Lewis seconded by Councillor Todd that Council investigate the possibility of commencing an annual kerbside clean up day for items too large or bulky for normal kerbside collection.

392 An amendment was moved by Councillor Sullivan seconded by Councillor Powell that Council investigate the costs of conducting an annual kerbside clean up day in each town and lodge a submission for consideration at the final 2010/2011 budget deliberations.

The amendment was put and carried.

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

2.14pm

Councillor Dissanayake left the room.

1.2 NOTICE OF MOTION

393 RESOLVED that Council transfer the sum of \$918.00 plus GST (Total of \$1009.80) from the Coolah Town Improvement Fund (a restricted asset) to the account of the Coolah District Development Group account to be used by the Coolah Historical Arts and Tourism Sub-committee for the purposes of advertising, including promotion of the POD (Photographic Outback Development Initiative).

Powell/Schmidt
The motion was carried

1.3 YULUWIRRI KIDS CENTRE POLICIES

394 RESOLVED that Council adopt the Policies as presented for Yuluwirri Kids Centre.

Lewis/Campbell
The motion was carried

2.16pm

Councillor Dissanayake returned to the room.

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1.4 RFS SHED

395 RESOLVED that Council endorse the draft licence agreement dated 10 March 2010 for the erection of Rural Fire Services sheds on private property.

Schmidt/Campbell
The motion was carried

1.5 RURAL FIRE SERVICE HEADS OF AGREEMENT – WARRUMBUNGL E AND GILGANDRA SHIRE COUNCILS

396 RESOLVED that Council authorise the Mayor and General Manager to sign the Draft Heads of Agreement under Council' seal.

Schmidt/Dissanayake
The motion was carried

1.6 NOTICE OF MOTION

397 RESOLVED that Council approve the installation and use of Credit Card and EFTPOS payments at the Shire offices for a trial period of twelve (12) months.

Schmidt/Coe
The motion was carried

1.7 RURAL FIRE SERVICE – COOLAH OFFICE

398 RESOLVED that Council give in principle support to the relocation of the Officer from Coolah to Gilgandra.

Schmidt/Todd
The motion was carried

1.8 DONATION – COONABARABRAN PAI&H ASSOCIATION

399 RESOLVED that Council provide a donation of \$555.03 to the Coonabarabran PAI&H Association to cover the cost of garbage collection charges and that the funds be provided from the Donations – other budget.

Sullivan/Dissanayake
The motion was carried

1.9 RFS SERVICE LEVEL AGREEMENT

400 RESOLVED that Council authorise the Mayor and General Manager to sign and attach the Council Seal to the Castlereagh Zone Service Level Agreement and **FURTHER** that the document be reviewed in three (3) years time.

Sullivan/Schmidt
The motion was carried

1.10 COMMUNITY GARDEN – NAMOI STREET

401 RESOLVED that a licence agreement with the Coonabarabran Community Garden Group Incorporated be executed. The licence agreement will be for an initial period of 5 years at an annual rental of one dollar (\$1). To finalize this licence agreement the Mayor and the General Manager are authorized to attach the seal of Council and sign the agreement.

Schmidt/Lewis
The motion was carried

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1.11 RESCISSION MOTION

402 A motion was moved by Councillor Coe seconded by Councillor Lewis that Council defer the decision on the Crane Building and finance thereof till further discussions are implemented.

Councillor Schmidt moved a spill on the motion.

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

1.12 MEN'S SHED

403 RESOLVED that Council enter into a Licence Agreement for three (3) years with the Coonabarabran Men's Shed following their incorporation for a section of the old works depot site in Essex Street Coonabarabran.

Schmidt/Sullivan
The motion was carried

1.13 COUNCIL INVESTMENTS

404 RESOLVED that should any of Council's investments crystallize a loss that that loss be distributed on the following basis.

| | % |
|------------------------|-------------|
| General Fund | 65.2 |
| Baradine Water | 0.1 |
| Binnaway Water | 2.5 |
| Coonabarabran Water | 7.6 |
| Coolah Water | 4.5 |
| Coonabarabran Sewerage | 11.8 |
| Baradine Sewerage | 2.0 |
| Coolah Sewerage | 6.2 |

Sullivan/Campbell
The motion was carried

1.14 MANAGEMENT PLAN REPORT – MARCH 2010

405 RESOLVED that Council note and receive the report.

Lewis/Coe
The motion was carried

DIRECTOR OF CORPORATE SERVICES REPORTS

2.1 BANK ACCOUNTS AND INVESTMENTS AS AT 30 APRIL, 2010

Received.

2.2 INVESTMENTS HELD AS AT 30 APRIL 2010

Received.

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2.3 RECONCILIATION OF GENERAL FUND BANK ACCOUNT – AS AT 30 APRIL 2010

Received.

2.4 RATES AND CHARGES COLLECTION REPORT UP TO and INCLUDING APRIL 2010

Received.

2.5 GOODS AND SERVICES TAXATION CERTIFICATE

406 RESOLVED that the Mayor, Deputy Mayor and General Manager be authorised to sign the Voluntary GST Taxation Certificate.

Campbell/Sullivan
The motion was carried

2.6 USER PAYS SEWERAGE CHARGES

407 RESOLVED that Council recognise Coolah Cottages Limited and Coolah & District Retirement Homes as residential properties as rated and that the sewerage access fee be one fee of \$390 per four units.

Further that any fees paid by these ratepayers as a consequence of their previous categorisation for user pays sewerage as non-residential be credited to their accounts or refunded if requested.

Powell/Dissanayake
The motion was carried

2.7 BUDGET REVIEW – END OF MARCH

This matter was discussed at the Finance and Works Committee meeting.

3.38pm

DIRECTOR OF TECHNICAL SERVICES REPORTS

3.1 REVIEW OF USER PAY SEWERAGE CHARGES

408 RESOLVED:

1. That no changes are made to the proposed sewerage charges for 2010/11 outlined in the 2009/10 management plan.
2. That credit adjustments are made to sewer access charges imposed on non residential properties in 2009/10 by applying the relevant Sewerage Discharge Factor(SDF) to each property in accordance with the formula:

$$B = SDF \times (AC + C \times UC)$$

Where: B = Annual non-residential sewerage bill (\$)

C = Customer's water annual consumption (kL)

AC = $(AC_{20} \times D^2/400)$

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D = Water supply service connection size (mm)

SDF = Sewer discharge factor

UC = Sewer usage charge (\$/kL).

Campbell/Schmidt
The motion was carried

3.2 HIGH SEWERAGE CONSUMPTION CHARGE DUE TO WATER LEAK

409 RESOLVED that the sewerage invoice issued to Lot 1 DP731441 for the water billing period 1/10/2009 to 31/01/2010 in relation to water consumption is reduced by \$2,149.33. Furthermore, a fee of \$120.00 is imposed on the owner to recover some of the administrative and investigation cost associated with this matter.

Lewis/Schmidt
The motion was carried

3.3 BARADINE FLOODPLAIN MANAGEMENT PLAN – PROCUREMENT OF CONSULTANT

410 RESOLVED that the tender for the development of a Baradine Floodplain Management Plan be awarded to Lyall & Associates at a cost of \$64,600.00.

Campbell/Todd
The motion was carried

3.4 WASTE COLLECTION CONTRACT FOR SOUTHERN AREA OF SHIRE FOR THE PERIOD 2010 -2015

411 RESOLVED that the five year contract for the kerbside collection of domestic and non domestic non recyclable waste is awarded to R J Johnson at the costs tendered.

Sullivan/Powell
The motion was carried

3.5 DUNEDOO RECYCLING FACILITY – SOLAR POWER

412 RESOLVED that Council proceeds to extending Country Energy's 3 Phase electricity network to the Waste Recycling Facility that involves creation of an easement on private property through which the line will run and establishment of a 50kVA pole mounted substations at the facility and **FURTHER** when the NSW Feed in Tariff review is completed another assessment of the installation of a Grid Connected Solar Power PV system and level of payback be undertaken.

Powell/Coe
The motion was carried

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DIRECTOR OF ENVIRONMENTAL SERVICES

4.1 REPORT ON HERITAGE ACTION PLAN 2009/2010

413 RESOLVED that Council adopt the report on the Heritage Advisory Service for 2009/2010 and adopt the 2010/2013 draft Heritage Strategy.

Coe/Campbell
The motion was carried

4.2 RIVERSIDE RESERVE DUNEDOO – REQUEST TO LEASE

414 RESOLVED that Council accede to the request to lease Riverside Reserve Dunedoo at an annual rental of \$220, in line with Council's current Lease Agreement, and that Mr Rouse be informed of Council's decision.

Lewis/Powell
The motion was carried

4.3 APPLICATIONS RECEIVED FOR MONTH OF APRIL 2010

Received.

4.10pm

DIRECTOR OF COMMUNITY SERVICES

5.1 BINNAWAY YOUTH GROUP - BINNAWAY HALL

415 RESOLVED that Council approves the principal of community organised Youth Drop In and Health and Fitness Sports Centre activities being conducted at the Binnaway Memorial Hall and **FURTHER** authorise the General Manager to sign and execute the Licence Agreement between Warrumbungle Shire Council and the Binnaway Youth Group and/or its legal parent organisation.

Schmidt/Dissanayake
The motion was carried

5.2 SMOKE FREE OUTDOOR AREAS – SPORTING FIELDS AND PLAYGROUNDS

416 RESOLVED that Council adopt the Outdoor Smoke Free Areas Policy which includes banning smoking in the following areas of Council land:

1. Within ten (10) metres of all children's playground equipment, youth centre facilities and children's services/childcare centres
2. Within the immediate areas of all sporting and playing fields including grandstands, canteens/kiosks and immediate environs.

Coe/Powell
The motion was carried

5.3 MACQUARIE REGIONAL LIBRARY (MRL) SERVICE AGREEMENT 2010-2014

417 RESOLVED that Council authorise the General Manager to sign and execute on behalf of Warrumbungle Shire Council, as a delegate member Council, the Macquarie Regional Library Service Agreement 1 September 2010 – 31 August 2014; with a per capita base rate

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set at \$10.00 indexed each year from July 2012 by rate pegging as determined by the NSW Government and a book contribution set at 15%.

Campbell/Powell
The motion was carried

5.4 COMMUNITY TRANSPORT GARAGE COONABARABRAN

This matter was held over for further investigation and resubmission.

5.5 PHOTOGRAPHY OUTBACK DEVELOPMENT (POD) PROJECT - COOLAH

418 RESOLVED that Warrumbungle Shire Council provides in principle support to the Coolah POD Project and **FURTHER** that Council transfer \$5,000 from the Coolah Town Improvement Fund to the Coolah District Development Group to enable the development of a business plan for the project.

Powell/Dissanayake
The motion was carried

QUESTIONS WITHOUT NOTICE

419 RESOLVED that Council be updated on rural road categories and the expectation of maintenance in relation to categorisation. **FURTHER** that Council be made aware as to why this maintenance is not taking place in a timely manner and should this become a budget issue.

Lewis/Todd
The motion was carried

2010/2011 DRAFT MANAGEMENT PLAN

420 RESOLVED that Council place on exhibition for 28 days Council's Draft 2010/2011 Management Plan.

Sullivan/Powell
The motion was carried

421 RESOLVED that Council adopt the Draft Revenue Policy incorporating the fees and charges and place that on exhibition as part of the Draft 2010/2011 Management Plan.

Powell /Sullivan
The motion was carried

There being no further business the meeting concluded at 4.53pm.

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CHAIRMAN