

WARRUMBUNGLE SHIRE COUNCIL

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 19 NOVEMBER 2009
COMMENCING AT 10.08AM

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PRESENT: Cr Peter Shinton (Chairman), Cr Campbell, Cr Coe, Cr Lewis, Cr Powell, Cr Schmidt, Cr Sullivan, Cr Todd, Acting General Manager (Kevin Tighe), Director Corporate Services, Acting Director Technical Services (Greg Kable) and Director Community Services.

In attendance: S Morris (minutes).

10.08am

At this time Council's Finance and Works Committee met to undertake a review of the quarterly budget report and reviewed the quarterly report against the Management Plan.

10.10am

Mr Tony Meppem, Acting Director Environmental Services joined the meeting.

137 RESOLVED that Council write to the RTA regarding the causeway on the Golden Highway near Uarbry and express concern about disruption to traffic should flooding rains occur. Furthermore urging that the RTA give consideration to a box culvert in preference to a bridge.

Coe/Todd
The motion was carried

138 RESOLVED that investigations be undertaken regarding Council owned land at Leadville, previously considered as a landfill site, and determine suitability as a gravel pit.

Coe/Todd
The motion was carried

139 RESOLVED that Council investigate a previous report concerning the utilization of waste water at Dunedoo and report back to Council.

Coe/Sullivan
The motion was carried

140 RESOLVED that Council provide a supplementary vote of \$3,500 to enable purchase of additional numbers required to complete the rural addressing project.

Campbell/Schmidt
The motion was carried

12.26am

141 RESOLVED that standing orders be suspended to adjourn for lunch.

Schmidt/Campbell
The motion was carried

1.04am

142 RESOLVED that standing orders be resumed.

Schmidt/Campbell
The motion was carried

WARRUMBUNGL

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APOLOGIES: Robert Geraghty (General Manager)

143 RESOLVED that the apologies of Mr Robert Geraghty be accepted.

Sullivan/Lewis
The motion was carried

MAYORAL MINUTE

144 RESOLVED that Council support the campaign to maintain the 110kph speed limit on the Newell Highway.

Todd/Lewis
The motion was carried

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGL SHIRE COUNCIL HELD ON 22 OCTOBER 2009

145 RESOLVED that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 22October 2009 be endorsed.

Coe/Campbell
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE BINNAWAY TOWN COMMITTEE MEETING HELD ON 19 OCTOBER 2009

146 RESOLVED that the minutes of the Baradine Town Committee meeting held on 19 October 2009 be accepted.

Lewis/Schmidt
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE BARADINE TOWN COMMITTEE MEETING HELD ON 19 OCTOBER 2009

147 RESOLVED that the minutes of the Baradine Town Committee meeting held on 19 October 2009 be accepted.

Campbell/Todd
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE MENDOORAN/MERRYGOEN TOWN COMMITTEE MEETING HELD ON 20 OCTOBER 2009

148 RESOLVED that the minutes of the Mendooran/Merrygoen Town Committee meeting held on 20 October 2009 be accepted.

Lewis/Todd
The motion was carried

ACCEPTANCE OF THE MINUTES OF THE DUNEDOO TOWN COMMITTEE MEETING HELD ON 20 OCTOBER 2009

149 RESOLVED that the minutes of the Mendooran/Merrygoen Town Committee meeting held on 20 October 2009 be accepted.

Coe/Schmidt
The motion was carried

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ACCEPTANCE OF THE MINUTES OF THE COOLAH TOWN COMMITTEE MEETING HELD ON 20 OCTOBER 2009

150 RESOLVED that the minutes of the Coolah Town Committee meeting held on 20 October 2009 be accepted with the exclusion of recommendation CTC 03.

Powell/Schmidt
The motion was carried

151 RESOLVED that Recommendation CTC 03 from the Coolah Town Committee minutes dated 20 October 2009 be referred to the December 2009 meeting of Council together with a report back on S.355 committees and the proposed structure, purpose, delegation and charter.

Powell/Sullivan
The motion was carried

ADOPTION OF THE RECOMMENDATIONS OF THE PLANT ADVISORY COMMITTEE MEETING HELD ON 19 NOVEMBER 2009

152 RESOLVED that the minutes of the Plant Advisory Committee held on 19 November 2009 be adopted.

Sullivan/Coe
The motion was carried

1.27pm

Cr Dissanayake joined the meeting.

GENERAL MANAGER'S REPORT

1.1 AUSTRALIA DAY AWARDS

153 RESOLVED that late nominations not be included and that the following awards be made for presentation on Australia Day 2010:

- that John Sawyer of Coonabarabran receive Council's Citizen of the Year Award
- that Malcolm Fleming of Coolah receive Council's Young Citizen of the Year Award
- that Mr Kevin Stewart of Binnaway receive Council's Senior Citizen of the Year Awards
- that Ken Campbell of Baradine receive Council's Sportsperson of the Year Award
- that Casey Burgess of Coolah receive Council's Young Sportsperson of the Year Award

Powell/Schmidt
The motion was carried

1.40pm

Councillor Dissanayake left the meeting to attend a medical emergency.

1.2 MENDOORAN SPECIAL PROJECTS – RESTRICTED ASSET

154 RESOLVED that Council fund the cost of purchasing and installation of the new synthetic pitch for the Mendooran Cricket Club at the Mendooran Sports and Recreation Grounds and the funds required being \$4,000 are transferred from the Mendooran Special Projects reserve held in restricted assets.

Sullivan/Lewis
The motion was carried

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1.45pm

At this time the Director of Community Services provided an overview of the Integrated Planning and Reporting requirements.

2.03pm

Presentation finished.

1.3 IMPLEMENTATION OF THE INTEGRATED PLANNING AND REPORTING (IP&R) FRAMEWORK

155 RESOLVED that Council nominate to the Department of Local Government to be part of Group 3, Community Strategic Plan and Delivery Program adopted by 30 June 2012 and by nominating for this group, Council understands it is agreeing to adopt a Community Strategic Plan and Delivery Program by 30 June 2012 and that Council will be named in a Ministerial Order to this effect, which will be formally Gazetted.

Powell/Schmidt
The motion was carried

1.4 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM (RLCIP): ROUND TWO PROJECTS – NON COMPETITIVE FUNDING

156 RESOLVED:

1. That Council make a submission to the Australian Governments RLCIP Round 2 for the following projects; in priority order; Number 1: Dunedoo Recycling Centre Project for \$224,000 and Number 2: Coonabarabran Town Hall Project for \$224,000.
2. That the land area taken up by the existing transfer station in Dunedoo be acquired under the Land Acquisition (Just Terms Compensation) Act 1991.
 - (a) That Council acquire by compulsory acquisition the land described as Lot 178 in Deposited Plan 754291 Town of Dunedoo Parish of Bolero County of Lincoln under section 178 of the Roads Act 1993 for Road Construction and Dedication.
 - (b) That Council apply to the Minister and/or Governor for approval to acquire the subject land by compulsorily process under the Land Acquisition (Just Terms) Compensation Act 1991.
 - (c) that all minerals are to be excluded from the compulsory acquisition of the subject land.
 - (d) That upon acquisition, the subject land be classified operational land.
 - (e) That any necessary documentation be executed under the common seal of Council.

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3. That a submission regarding purchase of a forklift and lifting equipment be made to Council during consideration of the 2010/2011 budget.

Coe/Todd
The motion was carried

1.5 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM STRATEGIC PROJECTS (RLCIP –SP)

157 RESOLVED that Council makes a submission to the Australian Government RLCIP-SP Round Two for The Crane Centre project in Coonabarabran.

Sullivan/Powell
The motion was carried

1.6 STAFF CHRISTMAS BREAKUP FUNCTION

158 RESOLVED that Council provide an additional amount of \$1,037 (incl GST) from Donations – Other budget to cover the cost of hiring a bus to transport employees to the breakup function. **FURTHER** that Council staff be required to work up time before they attend the function.

Schmidt/Powell
The motion was carried

1.7 INVITATION TO NOMINATE COUNCIL REPRESENTATIVES TO PROPOSED WIND ENERGY PRECINCT ADVISORY COMMITTEE

159 RESOLVED that Council endorse the nomination of Councillors Shinton and Powell to the proposed Wind Energy Precinct Advisory Committee.

Schmidt/Sullivan
The motion was carried

1.8 NOTICE OF MOTION

160 RESOLVED that Warrumbungle Shire Council recognizes that the Warrumbungle Shire - Western, Northern and Eastern regions have once again fallen into Exceptional Circumstances as listed previously with the Central North LPHA. **FURTHER** that the Warrumbungle Shire write to the Minister requesting that the area of Warrumbungle Shire be recognized by the Federal Government to be an Exceptional Circumstance area as legislated.

Schmidt/Sullivan
The motion was carried

1.9 OLD WORKS DEPOT IN ESSEX STREET COONABARABRAN

161 RESOLVED that the old works depot site in Essex Street Coonabarabran be withdrawn from sale.

Lewis/Schmidt
The motion was carried

1.10 BUDGET REVIEW – END OF SEPTEMBER

162 RESOLVED that the budget review as presented be accepted.

Schmidt/Lewis
The motion was carried

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1.11 MANAGEMENT PLAN QUARTERLY REVIEW – September 2009

163 RESOLVED that the quarterly review as presented be accepted.

Schmidt/Lewis
The motion was carried

2.43pm

DIRECTOR OF CORPORATE SERVICES

2.1 BANK ACCOUNTS AND INVESTMENTS AS AT 31 OCTOBER, 2009

Consideration deferred – reports to be resubmitted to December meeting.

2.2 INVESTMENTS HELD AS AT 31 OCTOBER 2009

Consideration deferred – reports to be resubmitted to December meeting.

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

Consideration deferred – reports to be resubmitted to December meeting.

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

Received as information.

2.47pm

Councillor Dissanayake rejoined the meeting.

2.5 PRIVACY MANAGEMENT PLAN

164 RESOLVED that Council endorse the Draft Privacy Management Plan as submitted.

Schmidt/Sullivan
The motion was carried

2.6 APPLICATION FOR A CHANGE OF RATING CATEGORY

165 RESOLVED that the property at 3 Yarran Street Binnaway (Assessment No: 873.2) be rated as residential.

Sullivan/Coe
The motion was carried

2.7 FINANCIAL STATEMENTS 2008/2009

166 RESOLVED that a statement be provided to Council's auditors confirming that the 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 Auditors be invited to address Council and present the 2009 Financial Statements to the December 2009 meeting.

Sullivan/Coe
The motion was carried

A copy of the Annual Report was tabled and it was noted that this document will be submitted to the Department of Local Government by 30 November 2009.

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DIRECTOR OF TECHNICAL SERVICES

3.1 MENDOORAN PARK WATERING SYSTEM

167 RESOLVED that Council allocates an amount of \$32,300 for the installation of a pipe line from Mendooran's previous water supply to the Mendooran Park, and installation of irrigation system as described. Further a supplementary vote of \$8000 be allocated to maintenance works in Mendooran Park to cover increases in grass cutting and sprinkler maintenance.

Lewis/Powell
The motion was carried

3.2 RENAMING OF JOHN RENSHAW PARKWAY TO TIMOR ROAD

168 RESOLVED that Council advise the Geographical Names Board and the Department of Lands that it wants to pursue the name Timor Road in preference to John Renshaw Parkway and that application be made to change the name of Timor Street to Little Timor Street. Furthermore, adjoining property owners in Timor Street be notified of the proposal and the proposal be advertised.

Sullivan/Schmidt
The motion was carried

3.3 INVITATION BY CENTRAL WEST CMA TO NOMINATE SIGNIFICANT ENVIRONMENTAL ASSETS

169 RESOLVED that Council nominate the following sites and provide additional nominations prior to 2 December 2009.

Warrumbungle National Park	Coolah Tops
Purlewaugh Cricket Ground	Coolah White Box Forest - Common
Chalk Mines	Leadville Mines
Leadville Gravel Pit	Pandoras Pass
Timor Rock	Ivory Rock
Coolaburagundy Water hole	Nandi Common
Yearinan Creek	Beni Crossing
Buggery Waterhole	Dandry Gorge
Ulungra Springs	Fossil bed areas – Willicombes Road,
Ulumambri Water hole	Neilrex swimming hole

Lewis/Powell
The motion was carried

3.4 VACANT POSITION IN THE BINNAWAY CREW

170 RESOLVED that Council advertise for a position of plant operator for the Binnaway crew.

Lewis/Todd
The motion was carried

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3.6 APPLICATION BY 2WCR FM TO ERECT A RADIO MAST AT WATER RESERVOIR SITE IN COONABARABRAN.

171 RESOLVED:

That Council permit 2WCR FM to erect a radio mast alongside the town water reservoir in Reservoir Street subject to the following conditions;

- A lease agreement is made between Council and 2WCR FM with a renewal period of 5 years and renewal is subject to Council resolution.
- There is no annual lease fee applicable to the radio mast.
- Electricity costs and any maintenance costs associated with the mast must be met by 2WCR FM.
- The operation of the mast does not impact upon the operation of Council's water telemetry system.
- Access to the site for construction and maintenance purposes is via arrangement with the Director Technical Services
- Public Liability Insurance that covers the site is held by 2WCR FM.
- A Development Application is lodged which indicates that the mast and foundations have been designed by an appropriately qualified person.

Schmidt/Campbell
The motion was carried

ACTING DIRECTOR OF ENVIRONMENTAL SERVICES

4.1 STATE OF ENVIRONMENT REPORT

172 RESOLVED that Council adopt the Regional Comprehensive State of the Environment Report 2008-2009 as presented.

Lewis/Todd
The motion was carried

4.2 PROPOSED ROAD NAME CHANGE FROM MONKS ROAD TO BONA VISTA ROAD

173 RESOLVED that Council seek to change the name of Monks Road to Bona Vista Road to provide continuity with the majority of the road in Gilgandra Shire.

Campbell/Sullivan
The motion was carried

4.3 PUBLIC LAND LEASES FOR GRAZING STOCK

174 RESOLVED that Council grant a lease to the following persons, in line with the Licence Agreement, for the period of the lease commencing 1 January 2010 and terminating 31 December 2012.

Queensborough Park Coolah	per annum
Q Hutchinson, Mona Vale	\$1550.00
Former Sanitary Depot Coolah	
F Wright, Coolah	\$ 200.00

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Pt Botheroo Street Coolah

G Malone, Coolah \$ 260.00

BMX Park Coolah

G Atkinson, Coolah \$ 700.00

Swanston Park Coolah

J Bennetts, Coolah \$ 800.00

Adjoining Lot 81 MR 398 Weetaliba

D Hooper, Weetaliba \$ 100.00

Lots 61,80,63, 64 Mendooran

D Webb, Mendooran \$ 200.00

Lots 60 Mendooran

D Webb, Mendooran \$ 200.00

Reserve 1592 Mendooran

P and D McCormack, Mendooran \$ 300.00

Pt Lot 176 Uarbry

A Adams, Uarbry \$ 200.00

Lot 1 DP 883570 Leadville

J Abbott, Leadville \$ 110.00

Campbell/Dissanayake
The motion was carried

4.4 COONABARABRAN POOL IMPROVEMENT INVESTIGATION

175 RESOLVED:

1. That Council endorse option 2 as its preferred method of developing the Coonabarabran Pool with the proviso that designs should incorporate the necessary reticulation system to allow half of the 50m pool to be heated for winter use at some stage in the future should funding become available.
2. That Council engage a suitable facilities design firm to develop a more detailed concept plan with accurate costs of construction for option 2 to enable further progress on the project to continue subject to successful grant funding being received.
3. That the estimated costs of the design of \$10000 be provided from the savings generated in not attracting kiosk operators at three shire pools

Lewis/Powell
The motion was carried

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4.5 APPLICATIONS RECEIVED FOR MONTH OF OCTOBER 2009

Noted.

3.33pm

DIRECTOR OF COMMUNITY SERVICES

5.1 COUNCIL SEAL NSW BUSINESS LINK AGREEMENT

176 RESOLVED that Council authorise the General Manager and Mayor to duly sign and attach the Council Seal to the Agreement with NSW Businesslink so that compliance with DADHC and MoT policies is upheld in relation to carrying out Criminal Record Checks for all staff and volunteers employed in the Home and Community Care programs auspiced by Warrumbungle Shire Council.

Schmidt/Campbell
The motion was carried

Confidential Items

3.34pm

177 RESOLVED

- (a) that Council go into closed committee to consider the matters of the sale of land for unpaid rates and the personal hardship of any resident or ratepayer.
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(b) and (c)
- (c) that the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Schmidt/Campbell
The motion was carried

3.35pm

Council closed its meeting to the public.

4.45pm

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

Schmidt/Lewis
The motion was carried

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

1C SALE OF LAND FOR UNPAID RATES UNDER DIVISION 5 OF THE LOCAL GOVERNMENT ACT (1993)

179 RESOLVED that Council set reserve prices at its discretion for any property being offered at public auction for unpaid rates.

Sullivan/Coe
The motion was carried

WARRUMBUNGL E SHIRE COUNCIL

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2C REQUEST FOR COUNCIL TO DEFER SALE OF LAND FOR UNPAID RATES

180 RESOLVED that Council does not agree to the proposed arrangement for
Assessment No. 1959-2 and proceeds with the sale of the property.

Powell/Schmidt
The motion was carried

There being no further business the meeting concluded at 4.46pm.

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CHAIRMAN