

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 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).

## **Presentations**

**1.04pm**

### **The Far West Academy of Sport**

Kathy Barker and Matthew Thompson representing the Far West Academy of Sport informed Council of the Athlete Development Program activities and planned events for 2009 and outlined the scholarship programs offered to participants.

**1.26pm**

### **Western Research Institute**

Rachel Jackson and Tom Murphy explained to Council the process undertaken in the Household Fluoridation Survey for Warrumbungle Shire Council.

**1.35pm**

### **John Irving (Department of Health)**

Mr Irving addressed Council concerning the fluoridation of the town water supplies, outlining the benefits of adding fluoride to the water to reduce tooth decay.

**1.56pm**

### **Glenn King**

Mr King addressed Council outlining objections to the fluoridation of the town water supplies.

**2.13pm**

### **Sam Davis and Kirby Byrne - DPI**

Ms Davis informed Council of the objectives of the Aquatic Habitat Rehabilitation section of DPI and discussed the decline of native fish populations and the need for fish to migrate. Ms Byrne outlined the area of concern regarding the Merryula Road causeway and the remediation proposed.

**2.52pm**

At this time the various representatives who had made presentations to Council withdrew from the meeting.

Director of Technical Services left the room.

**APOLOGIES:** Cr Dissanayake

**422 RESOLVED** that the apologies of Cr Dissanayake be accepted.

**Todd/Schmidt  
The motion was carried**

# **WARRUMBUNGLE SHIRE COUNCIL**

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 2

---

## **CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF WARRUMBUNGLE SHIRE COUNCIL HELD ON 21 MAY 2009**

**423 RESOLVED** that the minutes of the ordinary meeting of the Warrumbungle Shire Council held on 21 May 2009 be endorsed.

Coe/Schmidt  
The motion was carried

## **ADOPTION OF THE RECOMMENDATIONS OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 28 MAY 2009**

**424 RESOLVED** that the minutes of the Traffic Advisory Committee meeting held on 28 May 2009 be adopted.

Lewis/Todd  
The motion was carried

## **GENERAL MANAGER'S REPORT**

### **1.1 RESCISSION MOTION – POOL OPENING HOURS**

The Mayor ruled that this matter be deferred for consideration as part of Item 1.9 (5)

**3.09pm**

Director of Technical Services rejoined the meeting.

### **1.2 FLUORIDATION OF WATER SUPPLIES**

**425 A motion was moved by Councillor Sullivan seconded by Council Todd** that Council fluoridate the water supplies in all towns.

**Councillor Sullivan moved a spill on the motion.**

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

### **1.3 FLYING OF THE AUSTRALIAN AND ABORIGINAL FLAGS**

**426 RESOLVED** that the Warrumbungle Shire Council adopt the following policy on flying the Australian Flag and the Aboriginal Flag:

- i) The Australian flag will be flown on Anzac Day; Armistice Day and Australia Day.
- ii) The Aboriginal flag will only be flown in company with the Australian flag and that it be flown for the working days in Reconciliation Week and NAIDOC Week and **FURTHER** that the flags be flown for additional working days in the period from 26 May to 8 June which includes the milestones for Indigenous people of the 1992 Mabo Decision and 1967 referendum and Myal Creek Massacre.

Lewis/Campbell  
The motion was carried

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 3

---

## **1.4 FLYING OF THE ABORIGINAL FLAG**

Item 1.4 was considered as part of 1.3.

## **1.5 NOTICE OF MOTION – COMMUNITY GARDEN**

**427 A motion was moved by Councillor Schmidt seconded by Councillor Powell** that Council investigate its current land holding, with a view to allowing a community garden project to begin on an allotted section of Council owned land.

**The motion was put and carried.**

## **1.6 NOTICE OF MOTION – COONABARABRAN SWIMMING POOL**

**A motion was moved by Councillor Schmidt seconded by Councillor Lewis** that Council acknowledge the Coonabarabran Swimming Pool committee and will seek funding for the construction of a swimming complex similar to the plans presented to Council at its previous meeting.

**428 An amendment was moved by Councillor Sullivan seconded by Councillor Powell** that Council acknowledge the Coonabarabran Swimming Pool committee and seek input from the committee regarding funding needs. **FURTHER** that a report be prepared by staff and submitted for Council consideration incorporating an estimate of costs of operating and maintaining a 50m pool as well as the estimated cost of construction.

**The amendment was put and carried.**

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

**3.31pm**

### **429 RESOLVED**

- (a) that Council go into closed committee to consider matters affecting the security of the council, councillors, council staff or council property
- (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)(f) as outlined above
- (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.

**Sullivan/Todd**

**The motion was carried**

At this time Mr Paul Cornall of Forsyths, Chartered Accountants, addressed Council and also provided an update on progress to completion of the 2008 Financial Statements.

**4.35pm**

Mr Cornall left the meeting.

# **WARRUMBUNGLE SHIRE COUNCIL**

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 4**

---

## **4.37pm**

At this time Mr Geraghty informed the meeting that he wished to speak to the Councillors and asked staff to leave the room.

At this time the Director Technical Services, Director Community Services, Director Corporate Services, Acting Director Environmental Services and S Morris left the room.

## **5.04pm**

**430 RESOLVED** Council move out of closed Council and into open Council.

**Sullivan/Todd**

**The motion was carried**

## **5.05pm**

**431RESOLVED** that standing orders be suspended to break for afternoon tea.

**Sullivan/Todd**

**The motion was carried**

## **5.17pm**

**432 RESOLVED** that standing orders be resumed at which time all staff previously excluded rejoined the meeting.

**Todd/Sullivan**

**The motion was carried**

## **1.7 POLICIES**

**433 RESOLVED** that Council adopt the following Rating Policy, Bank Signatories Policy and Land and Building Policy as follows:

### **Rating**

- i) Date of Service  
To serve Rate Notices as required by the Local Government Act.
- ii) Recovery Action  
To take action to recover amounts outstanding after the said last day, excepting where prior arrangements have been made or the debt is known to be irrecoverable.
- iii) Sale of Land for Overdue Rates  
To have sales at irregular intervals, as and when a sufficient number of saleable properties have become eligible to be sold;
- iv) Acceptance of land in lieu of Rates  
To accept the land, where after investigation it appears in Council's interest to do so.

### **Bank Signatories**

That the authorized signatories to Council's bank accounts be any two of the General Manager, Director of Corporate Services, Manager of Finance, Manager Administration and Senior Expenditure Officer.

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 5

---

## **Land and Buildings**

That Council, in relation to Council owned land and buildings:

- i) Ensure that the asset is adequately insured against fire and extraneous perils;
- ii) Provide on-going maintenance at a level sufficient to ensure the preservation of the property in the asset;
- iii) Encourage the public use of Councils land and buildings wherever appropriate and to provide proper arrangements for the care, control and management of the assets.

Lewis/Todd

The motion was carried

## **1.8 BOUNDARY ADJUSTMENT**

**434 RESOLVED** that the Warrumbungle Shire Council agree to the transfer to Lot 3 DP 251071 (1.118ha) and Part Lot 195 DP 755487 from Gunnedah Shire Council Local Government area to Warrumbungle Shire Council Local Government area. Further that if Gunnedah Shire Council agrees to the proposal then a formal proposal be lodged with the Department of Local Government for the transfer to be completed.

Coe/Sullivan

The motion was carried

## **1.9 SUBMISSIONS FOR THE DRAFT MANAGEMENT PLAN**

### **1) BINNAWAY PROGRESS ASSOCIATION – STRATEGIC PLAN**

At this time the General Manager informed the meeting that Council had been advised that the Government would not fund a sewerage scheme for Binnaway and that there was no opportunity for placement on a list for such consideration.

The Association's comments were noted.

### **2) GENERAL MANAGER - WASTE MANAGEMENT CHARGES**

**435 RESOLVED** that no action be taken to amend the domestic and non-domestic waste charges included in the Draft Management Plan for 2009/2010.

Coe/Powell

The motion was carried

### **3) COONABARABRAN SWIMMING POOL**

Dealt with under item 1.6 above.

### **4) SMIMMING POOLS CHARGES**

**436 RESOLVED** that Council reverse its decision to charge season tickets to only four (4) members of a family, but be issued to all immediate members of a family regardless of the number of family members. **FURTHER** that there will be no budget impact from this decision.

Todd/Sullivan

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 6**

---

## **5) SMIMMING POOLS OPENING HOURS**

The Mayor determined that this matter and the rescission motion referred to in item 1.1 of the General Manager's report be referred to the July meeting at which time a further report will be submitted for Council's consideration.

## **6) PETITION – YEARINAN STATION ROAD**

**437 RESOLVED** that the Director of Technical Services investigate and report back to the July meeting regarding the request for tar seal of Yearinan Station Road.

**Sullivan/Todd  
The motion was carried**

## **7) MOW ROCK AND LOUGHLAN'S GULLY CAUSEWAYS**

**438 RESOLVED** that an amount of \$20,000 be included in the 2009/2010 budget for investigation of the structure and preparation of working drawings required at the Mow Rock causeway.

**Sullivan/Schmidt  
The motion was carried**

## **8) COONABARABRAN VRA SHED**

**439 RESOLVED** that the Warrumbungle Shire Council put \$10,000 in its 2009/2010 budget to assist the VRA organisation with its plan to voluntarily build a new shed for their operation.

**Schmidt/Sullivan  
The motion was carried**

## **9) COONABARABRAN PUBLIC SCHOOL – MOORAMBILLA CHILDREN'S CHOIR**

**440 RESOLVED** that no action be taken in relation to the request for financial assistance for students to participate in the Moorambilla Children's Choir

**Sullivan/Campbell  
The motion was carried**

## **10) PRIVATE WORKS**

**441 RESOLVED** that the following amendments to the Private Works section of the Annual Operation Plan (AOP) be endorsed and included in the final 2009/2010 Management Plan together with the following amended Private Plant Hire Rates:

### **PRIVATE WORKS**

In accordance with Section 67 of the Local Government Act 1993, Council may, by agreement with the owner or occupier of any private land, carry out on the land any kind of work that may lawfully be carried out on the land including the following types of work;

- Paving and roadmaking
- Kerbing and guttering
- Fencing and ditching
- Tree planting and tree maintenance
- Grass planting and maintenance

# **WARRUMBUNGLE SHIRE COUNCIL**

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 7**

- Waste collection
- Demolition and excavation
- Land clearing and tree felling
- Water, sewerage and drainage connections

## **PRIVATE WORKS POLICY**

The procedure for undertaking private works and recovering costs are set out in Council's Policy on Private Works. Under this policy private works are categorised into either external private works or internal private works. The procedures for internal private works relate to staff members and they are different to procedures for external private works

For external private works, Council will send an invoice to clients when payment is not received up front. Payment up front is required for minor works less than \$150(excl GST) in value.

## **PRIVATE WORKS PRICING**

The determination of an invoice amount for Private Works listed above will be based on the following pricing factors;

1. Labour at direct cost plus oncost and overheads at a combined rate of 62%
2. Stores at direct cost plus overhead rate of 15%
3. Creditors at direct cost including freight plus overhead rate of 15%
4. Plant cost in accordance with 'Private Plant Hire Rates Schedule' and associated conditions on page 302 of the AOP.
5. Administration charge in accordance with the following schedule;
  - i. 10% on projects between the values \$0 - \$1,000 (excl GST)
  - ii. 5.0% on projects exceeding \$1,000 (excl GST) in value.

Additionally at the end of the AOP Draft the following is added to allow the separation between internal and external private works.

## **Private Plant Hire Rates**

Council will hire out the following items of plant subject to the following conditions and pricing factors

1. Hire of plant is subject to Council's policy on Private Works
2. Hire of plant is subject to suitability of application and availability. Council has absolute discretion in relation to hiring of plant items.
3. Plant must be hired with a Council Operator who has been assessed as competent to operate the plant item. **No plant item will be hired without a Council operator.**
4. The charge out rate will be based on the rates listed in the table below and the following pricing factors:
  - a. Operator at direct cost plus oncost and overhead charges at a combined rate of 62%

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 8**

- b. Administration charge of 2.0% on the hourly plant hire rate listed in the table below:

<b>Plant Type</b>	<b>2009/2010 Hourly Plant Hire Rates (Excl. GST)</b>
BACKHOE	68.97
BOBCAT	70.58
POST HOLE DIGGER	23.44
COMPRESSOR & TOOL	45.00
CAT COMPACTOR	110.00
EXCAVATOR	101.63
FRONT END LOADER	75.95
FUEL TRAILER	3.85
FORKLIFT	10.91
GRADERS	89.05
KERBMAKER	15.84
LIGHT MOTOR VEHICLE	10.50
LIGHT MOTOR VEHICLES	9.37
LEASED	
MOWERS OUTFRONT	55.86
MOWERS RIDE ON	45.00
MINOR PLANT (SMALL)	8.84
MINOR PLANT (LARGE)	9.75
ROADBROOM	38.14
ROAD ROLLERS	56.90
ROLLERS WICKET	22.43
SLASHERS	14.00
STREET SWEEPER	85.00
TRACTORS	37.20
TRAILER DEAN	24.80
TRAILER LIGHT	24.80
TRENCHER (Ditch Witch)	44.87
TIPPER TRUCK GVM <8t	30.29
TIPPER TRUCK GVM 8 – 10t	31.14
TIPPER TRUCK GVM > 20t	58.58
LOW LOADER	144.62
TRUCK MAINTENANCE (Patching)	95.00
TRUCK GARBAGE	64.26
TRUCKS WATER CART	50.52
WELDERS	14.96
<b>COMBINATIONS</b>	
TRACTOR / SLASHER	51.20
TRACTOR / POST HOLE DIGGER	60.64

**Sullivan/Schmidt  
The motion was carried**

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 9

---

## **11) OFF ROAD CYCLEWAY FACILITY IN COOLAH**

**442 RESOLVED** that the following modifications be made to the Management Plan for 2009/2010:

- Delete the allocation of \$10,000 for Booyamurra Street drainage
- Reduce the allocation to Binnia Street upgrade by \$12,000 to \$38,000.
- Add the Coolah Cycleway Project to the Management Plan with a funding allocation of \$62,000.
- Income of \$40,000 be shown from the RTA

Powell/Sullivan  
The motion was carried

## **12) BOWEN OVAL**

**443 RESOLVED** that \$4,000 be moved from the Dunedoo Community Building review budget to the Bowen Oval budget area for rectification works on the grandstand.

Powell/Coe  
The motion was carried

## **13) BINNAWAY PROGRESS ASSOCIATION**

The Association's comments were noted.

At this time the items listed in the Supplementary Report were considered.

## **14) MENDOORAN & DISTRICT DEVELOPMENT GROUP INC**

No action to be taken in relation to reviewing decision not to donate towards the costs of advertising and marketing the Garden Day in Mendooran on Sunday, 25th October, 2009.

## **15) DIRECTOR OF CORPORATE SERVICES**

**444 RESOLVED** that provision be made in the 2009/2010 budget for revised income of \$13,150 under the heading Operating Income - Risk Management.

Campbell/Schmidt  
The motion was carried

## **16) INDUSTRIAL LAND – COONABARABRAN**

Noted.

## **MANAGEMENT PLAN – 2009/2010**

**445 RESOLVED** following all considerations and changes listed above that Council adopt the 2009/2010 Management Plan (incorporating Revenue Policy, fees, charges and budget) with a General Fund surplus of \$839.00.

Sullivan/Todd  
The motion was carried

## **Various Funds**

**446 RESOLVED** that the budget as presented for Coonabarabran Water Supply Fund with a total deficit of \$28,311 be adopted.

Sullivan/Todd  
The motion was carried

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 10**

---

**447 RESOLVED** that the budget as presented for Baradine Water Supply Fund with a total deficit of \$7,333 be adopted.

**Sullivan/Todd  
The motion was carried**

**448 RESOLVED** that the budget as presented for Binnaway Water Supply Fund with a total deficit of \$84,027 be adopted.

**Sullivan/Todd  
The motion was carried**

**449 RESOLVED** that the budget as presented for Coolah Water Supply Fund with a total surplus of \$22,082 be adopted.

**Sullivan/Todd  
The motion was carried**

**450 RESOLVED** that the budget as presented for Dunedoo Water Supply Fund with a total surplus of \$35,845 be adopted.

**Sullivan/Todd  
The motion was carried**

**451 RESOLVED** that the budget as presented for Mendooran Water Supply Fund with a total deficit of \$21,512 be adopted.

**Sullivan/Todd  
The motion was carried**

**452 RESOLVED** that the budget as presented for Coonabarabran Sewerage Fund with a total surplus of \$85,840 be adopted.

**Sullivan/Todd  
The motion was carried**

**453 RESOLVED** that the budget as presented be endorsed with a surplus of \$60,835 for the Baradine Sewerage Fund.

**Sullivan/Todd  
The motion was carried**

**454 RESOLVED** that the budget as presented be endorsed with a deficit of \$40 for the Coolah Sewerage Fund.

**Sullivan/Todd  
The motion was carried**

**455 RESOLVED** that the budget as presented be endorsed with a deficit of \$15,203 for the Dunedoo Sewerage Fund.

**Sullivan/Todd  
The motion was carried**

## **Fees and Charges**

**456 RESOLVED** that the fees and charges as advertised for the year 2009/2010 be endorsed with the previous changes noted.

**Sullivan/Todd  
The motion was carried**

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 11

---

## **Rates and Charges**

### **457 RESOLVED**

- A That in accordance with Section 535 of the Local Government Act, 1993 that Council make the following rates and charges for 2009/2010.
- B That the following rates and charges be endorsed for 2009/2010.

## **ORDINARY RATES**

- a) **Farmland Rate** be set at point zero zero four one six zero four zero eight cents (0.004160408¢) in the dollar plus a base rate of three hundred and forty dollars (\$340.00).
- b) **Residential Rate (sub-category Rural North)** be set at point zero zero eight six three one four three four cents (0.008631434¢) in the dollar plus a base rate of two hundred dollars (\$200.00).
- c) **Residential Rate (sub category – Villages One (North) – Kenebri, Ulamambri, Neilrex, Bugaldie, Rocky Glen, Purlewaugh)** be set at point zero two zero zero four cents (0.02004¢) in the dollar plus a base rate of one hundred and five dollars (\$105.00).
- d) **Residential Rate (sub category Baradine)** be set at point zero two one three four zero four seven six cents (0.021340476¢) in the dollar plus a base rate of one hundred and fifty dollars (\$150.00).
- e) **Residential Rate (sub category Binnaway)** be set at point zero one zero two cents (0.0102¢) in the dollar plus a base rate of one hundred and fifteen dollars (\$115.00).
- f) **Residential Rate (sub category Coonabarabran)** be set at point zero zero eight seven seven five zero nine seven cents (0.008775097¢) in the dollar plus a base rate of two hundred dollars (\$200.00).
- g) **Residential Rate (sub category Coolah)** be set at point zero one three zero nine zero zero nine three cents (0.013090093¢) in the dollar plus a base rate of two hundred and ten dollars (\$210.00).
- h) **Residential Rate (sub category Dunedoo)** be set at point zero zero seven two three four one seven four cents (0.007234174¢) in the dollar plus a base rate of two hundred and forty five dollars (\$245.00).
- i) **Residential Rate (sub category Mendooran)** be set at point zero one seven four four four one five four cents (0.017444154¢) in the dollar plus a base rate of one hundred and seventy dollars (\$170.00).

# **WARRUMBUNGLE SHIRE COUNCIL**

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HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 12

- 
- j) **Residential Rate (sub category Village Two (South) – Leadville, Merrygoen, Uarbry)** be set at point zero one two cents (0.012¢) in the dollar plus a base rate of eighty five dollars (\$85.00)
  - k) **Residential Rate (sub category Rural South)** be set at point zero zero six eight six nine two seven cents (0.00686927¢) in the dollar plus a base rate of two hundred dollars (\$200.00)
  - l) **Rural Residential Rate (sub category Coolabah)** be set at point zero zero four four eight cents (0.00448¢) in the dollar plus a base rate of one hundred and thirty dollars (\$130.00)
  - m) **Rural Residential Rate (sub category Village Three (Cobbora) – Cobbora)** be set at point zero zero four three four nine zero one cents (0.00434901¢) in the dollar plus a base rate of one hundred and ten dollars (\$110.00)
  - n) **Business Rate (sub category Rural North)** be set at point zero one five six one five six six eight cents (0.015615668¢) in the dollar plus a base rate of two hundred dollars (\$200.00)
  - o) **Business Rate (sub category Village One (North) – Kenebri, Ulamambri, Neilrex, Bugaldie, Purlawaugh)** to be set at point zero four three six eight three three cents (0.0436833¢) in the dollar plus a base rate of one hundred and thirteen dollars and fifty cents (\$113.50)
  - p) **Business Rate (sub category Coonabarabran)** to be set at point zero two two eight zero four nine eight four cents (0.022804984¢) in the dollar plus a base rate of three hundred dollars (\$300.00)
  - q) **Business Rate (sub category Baradine)** to be set at point zero two nine two nine zero zero eight three cents (0.029290083¢) in the dollar plus a base rate of two hundred and dollars (\$200.00)
  - r) **Business Rate (sub category Binnaway)** to be set at point zero one four zero two six zero one nine cents (0.014026019¢) in the dollar plus a base rate of one hundred and sixty five dollars (\$165.00)
  - s) **Business Rate (sub category Coolah)** to be set at point zero one seven four seven one five four cents (0.01747154¢) in the dollar plus a base rate of two hundred and fifty dollars (\$250.00)
  - t) **Business Rate (sub category Dunedoo)** to be set at point zero zero eight nine one nine zero six two cents (0.008919062¢) in the dollar plus a base rate of two hundred and eighty dollars (\$280.00)

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 13

- 
- u) **Business Rate (sub category Mendooran)** to be set at point zero one zero two nine one two three three cents (0.010291233¢) in the dollar plus a base rate of one hundred and sixty five dollars (\$165.00)
  - v) **Business Rate (sub category Village Two (South) – Leadville, Merrygoen)** to be set at point zero three seven five three cents (0.03753¢) in the dollar plus a base rate of eighty two dollars and fifty cents (\$82.50)
  - w) **Business Rate (sub category Rural South)** to be set at point zero one one five six three two five cents (0.01156325¢) in the dollar plus a base rate of two hundred (\$200.00)

## **DOMESTIC AND NON-DOMESTIC WASTE CHARGES**

- i) **Domestic Waste charge (Northern)** be set at two hundred and sixty three dollars and eighty cents (\$263.80) for the rendering of one (1) weekly service.
- ii) **Domestic Waste charge (Southern)** be set at three hundred and forty nine dollars and fifty cents (\$349.50) for the rendering of one (1) weekly service.
- iii) **Non Domestic Waste (Northern) charge** be set at two hundred and thirty five dollars and fifty five cents (\$235.55) for the rendering of one (1) weekly service.
- iv) **Non Domestic Waste (Southern) charge** be set at two hundred and thirty eight dollars and sixty five cents (\$238.65) for the rendering of one (1) weekly service.
- v) **Domestic Waste (Vacant) (Northern) charge** be set at sixty nine dollars and seventy cents (\$69.70) for each vacant land assessment serviced by the waste disposal service.
- vi) **Domestic Waste (Vacant) (Southern) charge** be set at sixty nine dollars and seventy cents (\$69.70) for each vacant land assessment serviced by the waste disposal service.
- vii) **Non Domestic Waste (Recycling) (Northern) charge** be set at two hundred and thirty dollars and fifty cents (\$230.50) for the rendering of one (1) weekly service.
- viii) **Non Domestic Waste (Recycling) (Southern) charge** be set at two hundred and thirty dollars and fifty cents (\$230.50) for the rendering of one weekly service.

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 14

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- ix) **Domestic Waste Rural Access Charge (Occupied Land)** be set at one hundred and twenty seven dollars and eighty five cents (\$127.85) for those rural residents of occupied land with a residence who has access to the service and does not take full service.
  - x) **Domestic Waste Rural Non Occupied Access Charge** be set at sixty dollars (\$60.00) for vacant land where the owner has access to the service and does not use the service.

## ***SEWERAGE CHARGE – UNDER SECTION 501***

- xi) **User Pay Sewerage Charges Residential Properties - Baradine** be set at four hundred and ninety six dollars (\$496.00)
- xii) **User Pay Sewerage Charges Residential Properties - Coolah** be set at three hundred and ninety dollars (\$390.00)
- xiii) **User Pay Sewerage Charges Residential Properties - Coonabarabran** be set at four hundred and sixty one dollars and thirty six cents (\$461.36)
- xiv) **User Pay Sewerage Charges Residential Properties - Dunedoo** be set at four hundred and four dollars (\$404.00)
- xv) **User Pay Sewerage Charges NON-Residential Properties - Baradine – minimum charge** be set at four hundred and ninety six dollars (\$496.00)
- xvi) **User Pay Sewerage Charges NON-Residential Properties - Baradine – usage charge** be set at zero point two six cents per kL (\$0.26¢)
- xvii) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 20mm water meter size** be set at two hundred and sixty five dollars and twenty one cents (\$265.21)
- xviii) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 25mm water meter size** be set at four hundred and fourteen dollars and thirty nine cents (\$414.39)
- xix) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 32mm water meter size** be set at six hundred and seventy eight dollars and ninety four cents (\$678.94)
- xx) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 40mm water meter size** be set at one thousand and sixty dollars and eighty four cents (\$1,060.84)

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 15

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- xxi) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 50mm water meter size** be set at one thousand six hundred and fifty seven dollars and fifty six cents (\$1,657.56)
- xxii) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 80mm water meter size** be set at four thousand two hundred and forty three dollars and thirty six cents (\$4,243.36)
- xxiii) **User Pay Sewerage Charges NON-Residential Properties - Baradine – Access Charge 100mm water meter size** be set at six thousand six hundred and thirty dollars and twenty five cents (\$6,630.25)
- xxiv) **User Pay Sewerage Charges NON-Residential Properties - Coolah – minimum charge** be set at three hundred and ninety dollars (\$390.00)
- xxv) **User Pay Sewerage Charges NON-Residential Properties - Coolah – usage charge** be set at zero point zero nine cents per kL (\$0.09¢)
- xxvi) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 20mm water meter size** be set at three hundred and forty five dollars and ninety nine cents (\$345.99)
- xxvii) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 25mm water meter size** be set at five hundred and forty dollars and sixty one cents (\$540.61)
- xxviii) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 32mm water meter size** be set at eight hundred and eighty five dollars and seventy three cents (\$885.73)
- xxix) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 40mm water meter size** be set at one thousand two hundred and sixty four dollars and thirty two cents (\$1,264.32)
- xxx) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 50mm water meter size** be set at one thousand nine hundred and seventy five dollars and fifty cents (\$1,975.50)
- xxxi) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 80mm water meter size** be set at five thousand five hundred and thirty five dollars and eighty four cents (\$5,535.84)
- xxxii) **User Pay Sewerage Charges NON-Residential Properties - Coolah – Access Charge 100mm water meter size** be set at seven thousand nine hundred and two dollars (\$7,902.00)

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 16**

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- xxxiii) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – minimum charge** be set at four hundred and sixty one dollars and thirty six cents (\$461.36)
- xxxiv) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – usage charge** be set at one dollar point one nine cents per kL (\$1.19¢)
- xxxv) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 20mm water meter size** be set at one hundred and twenty eight dollars (\$128.00)
- xxxvi) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 25mm water meter size** be set at two hundred dollars (\$200.00)
- xxxvii) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 32mm water meter size** be set at three hundred and twenty seven dollars and sixty eight cents (\$327.68)
- xxxviii) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 40mm water meter size** be set at five hundred and twelve dollars (\$512.00)
- xxxix) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 50mm water meter size** be set at eight hundred dollars (\$800.00)
- xl) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 80mm water meter size** be set at two thousand and forty eight dollars (\$2,048.00)
- xli) **User Pay Sewerage Charges NON-Residential Properties -  
Coonabarabran – Access Charge 100mm water meter size** be set at three thousand two hundred dollars (\$3,200.00)
- xl ii) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo –  
minimum charge** be set at four hundred and four dollars (\$404.00)
- xl iii) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo –  
usage charge** be set at zero point one three cents per kL (\$0.13¢)
- xl iv) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo –  
Access Charge 20mm water meter size** be set at two hundred and seventy seven dollars and eighty one cents (\$277.81)

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 17**

- xlvi) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo – Access Charge 25mm water meter size** be set at four hundred and thirty four dollars and eight cents (\$434.08)
  
- xlvi) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo – Access Charge 32mm water meter size** be set at seven hundred and eleven dollars and nineteen cents (\$711.19)
  
- xlvi) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo – Access Charge 40mm water meter size** be set at one thousand one hundred and eleven dollars and twenty four cents (\$1,111.24)
  
- xlvi) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo – Access Charge 50mm water meter size** be set at one thousand seven hundred and thirty six dollars and thirty one cents (\$1,736.31)
  
- xlvi) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo – Access Charge 80mm water meter size** be set at four thousand four hundred and forty four dollars and ninety six cents (\$4,444.96)
  
- l) **User Pay Sewerage Charges NON-Residential Properties - Dunedoo – Access Charge 100mm water meter size** be set at six thousand nine hundred and forty five dollars and twenty five cents (\$6,945.25)

## ***LIQUID TRADE WASTE CHARGES***

<b>Category of Discharge</b>	<b>Baradine</b>	<b>Coolah</b>	<b>Coonabarabran</b>	<b>Dunedoo</b>
<b>Category 1</b>	Annual fee - \$70 Reinspection where warranted - \$70.	Annual fee - \$70 Reinspection where warranted - \$70.	Annual fee - \$70 Reinspection where warranted - \$70.	Annual fee - \$70 Reinspection where warranted - \$70.
<b>Category 2</b>	Annual fee - \$70 Reinspection - \$70 Usage charge - \$1.31/kL No pretreatment - \$11/kL	Annual fee - \$70 Reinspection - \$70 Usage charge - \$0.46/kL No pretreatment - \$11/kL	Annual fee - \$70 Reinspection - \$70 Usage charge - \$1.19/kL No pretreatment - \$11/kL	Annual fee - \$70 Reinspection - \$70 Usage charge - \$0.64/kL No pretreatment - \$11/kL
<b>Category 3</b>	Annual fee and usage charge by agreement.	Annual fee and usage charge by agreement.	Annual fee and usage charge by agreement.	Annual fee and usage charge by agreement.

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 18

---

## **WATER ACCESS CHARGES**

- li) **Coonabarabran Water Access charge** be set at two hundred and sixty eight dollars (\$268.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Coonabarabran Water supply and further any other properties outside the town boundary that are connected to the water supply.
- lii) **Timor Gravity Main Water access charge** be set at two hundred and sixty eight dollars (\$268.00) for all properties connected to the Timor Dam Gravity Main outside of the town boundary.
- liii) **Baradine Water access charge** be set at two hundred and ninety one dollars (\$291.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Baradine Water supply and all rural properties not within the town boundary that are connected to the Baradine Water supply.
- liv) **Binnaway Water access charge** be set at three hundred and ninety seven dollars and eighty cents (\$397.80) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Binnaway Water supply and all rural properties not within the town boundary that are connected to the Binnaway Water supply
- lv) **Village Water access charge** be set at four hundred and sixty dollars (\$460.00) for all properties in the villages of Kenebri, Bugaldie and Merrygoen that are connected to the village water supplies.
- lvi) **Coolah Water Access charge** be set at three hundred and thirty dollars (\$330.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Coolah Water supply and further any other properties outside the town boundary that are connected to the water supply.
- lvii) **Dunedoo Water Access charge** be set at three hundred and thirty dollars (\$330.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Dunedoo Water supply and further any other properties outside the town boundary that are connected to the water supply.
- lviii) **Mendooran Water Access charge** be set at seven hundred and twenty three dollars (\$723.00) for all rateable and non-rateable properties within the town boundary connected or able to be connected to the Mendooran Water supply and further any other properties outside the town boundary that are connected to the water supply.

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 19

---

## **ANNUAL WATER USEAGE CHARGES**

- lix) **Coonabarabran Water Usage Charge** be set at one dollar (\$1.00) per kilolitre up to 450kl and one dollar and twenty cents (\$1.20) per kilolitre 451kl and above.
- lx) **Northern Business - Coonabarabran Water Usage Charge** – be set at one dollar (\$1.00) per kilolitre.
- lxi) **Timor Dam Gravity Main Water Usage Charge** be set at one dollar (\$1.00) per kilolitre up to 450kl and one dollar and twenty cents (\$1.20) per kilolitre 451kl and above.
- lxii) **Baradine Water Usage Charge** be set at one dollar and thirty eight cents (\$1.38) per kilolitre up to 450kl and one dollar and sixty six cents (\$1.66) per kilolitre 451kl and above.
- lxiii) **Binnaway Water Usage Charge** be set at one dollar and thirty eight cents (\$1.38) per kilolitre up to 450kl and one dollar and sixty six cents (\$1.66) per kilolitre 451kl and above.
- lxiv) **Northern Business Water Usage Charge (Baradine and Binnaway)** be set at one dollar and thirty eight cents (\$1.38) per kilolitre.
- lxv) **Village Water Usage Charge (Bugaldie, Kenebri and Merrygoen)** be set at one dollar and twenty cents (\$1.20) per kilolitre up to 450kl and one dollar and forty four cents (\$1.44) per kilolitre 451kl and above.
- lxvi) **Coolah Water Usage Charge** be set at one dollar and thirty eight cents (\$1.38) per kilolitre up to 450kl and one dollar and sixty six cents (\$1.66) per kilolitre 451kl and above.
- lxvii) **Dunedoo Water Usage Charge** be set at one dollar and thirty eight cents (\$1.38) per kilolitre up to 450kl and one dollar and sixty six cents (\$1.66) per kilolitre 451kl and above.
- lxviii) **Mendooran Water Usage Charge** be set at one dollar and thirty eight cents (\$1.38) per kilolitre up to 450kl and one dollar and sixty six cents (\$1.66) per kilolitre 451kl and above.
- lxix) **Southern Business Water Usage Charge (All areas)** be set at one dollar and thirty eight cents (\$1.38) per kilolitre.

Schmidt/Coe  
The motion was carried

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 20

---

## **1.10 BARADINE PROGRESS ASSOCIATION – ACQUISITION OF LAND**

**458 RESOLVED** that Council proceed to compulsorily acquire the area of land in accordance with the Land Acquisition Act 1991 and **FURTHER** that the land be designated operational land.

**Campbell/Todd**  
The motion was carried

## **2S GOODS AND SERVICES TAX CERTIFICATE**

**459 RESOLVED** that Council authorise the signing of the Goods and Services Tax Certificate for the year 1 May 2008 to 30 April 2009 by the Mayor, Deputy Mayor and General Manager.

**Powell/Sullivan**  
The motion was carried

## **MAYORAL MINUTE – ELDERS CLOSURE - BINNAWAY**

**460 RESOLVED** that the Warrumbungle Shire Council express its concern at the reduction of yet another business from its small communities. Further that all efforts be made to source assistance to establish a replacement business in Binnaway.

**Powell/Lewis**  
The motion was carried

**6.26pm**

## **DIRECTOR OF CORPORATE SERVICES**

### **2.1 DUE BY THE BANK TO THE FOLLOWING FUNDS AS AT 31 MAY 2009**

Received.

### **2.2 RECONCILIATION OF GENERAL FUND BANK ACCOUNT – 31/5/90**

Received.

### **2.3 INVESTMENTS HELD AS AT 31 MAY 2009**

Received.

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

Received.

## **DIRECTOR OF TECHNICAL SERVICES**

### **3.1 PROPOSED SUNDIAL FOR FOOTPATH IN COONABARABRAN CBD 461 RESOLVED:**

1. That the Armillary Sundial donated by the AAO at Siding Springs be mounted on a round concrete pedestal in the footpath area in Dalgarno Street Coonabarabran adjacent to the Court House. Further, a Development Application be submitted for the proposed sundial feature.

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 21**

2. That the following supplementary votes be made to fund the installation of the proposed Armillary Sundial:

- - \$6,500 Coonabarabran CBD Streetscape Improvement Project
- +\$6,500 Coonabarabran Sundial Project

Further, consideration is given to revoting this amount in 2009/10

**Schmidt/Sullivan  
The motion was carried**

## **3.2 DUNEDOO RLCIP PROJECT – MILLING PARK & BOLARO STREET FOOTPATH**

### **462 RESOLVED:**

1. That Council agrees in principle with the concept of replacing certain sections of concrete footpath in Bolaro Street between Wallaroo Street and Tallawang Street and then treat the entire footpath length with a coloured sealer.
2. That second hand pavers from Coonabarabran are installed in Milling Park in the locations as outlined in attachment 1.0 of the report.
3. That the existing irrigation system in Milling Park is upgraded to ensure the grass areas around the BBQ shelter and the toilet block is covered by irrigation.

**Coe/Powell  
The motion was carried**

## **3.3 MENDOORAN WATER TREATMENT PROJECT – TENDER FOR RESERVOIR WORKS**

**463 RESOLVED** that the tender from Moree Engineering Pty Ltd for fabrication and installation of a roof on the reservoir in Cobra Street Mendooran be accepted at a price of \$96,243 (incl GST).

**Lewis/Todd  
The motion was carried**

## **3.4 COONABARABRAN CBD TOILET – WESTERN CARPARK ADJACENT DALGARNO STREET.**

**464 A motion was moved by Councillor Schmidt seconded by Councillor Campbell:**

1. That Council's resolution No 97 made on the 16 October 2008 in relation to the location of the proposed Coonabarabran CBD toilet block be rescinded.
2. A Development Application be lodged for construction of a toilet block in the carpark between Dalgarno Street and Timor Lane, west of John Street and approximately 35 metres from the Dalgarno Street frontage.
3. The general configuration of the proposed Coonabarabran CBD toilet block be as shown in attachment 1.0 of the report
4. Quotations be obtained for construction of a toilet block in accordance with the concept plan shown in attachment 1.0 of the report

and **FURTHER** that consideration be given to the installation of a urinal and baby change table.

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 22**

---

**An amendment was moved by Councillor Todd seconded Councillor Sullivan** that two toilet cubicles be provided in the women's toilet and that a urinal be installed in the men's toilet and baby change table also be installed.

**The amendment was put and lost.**

**The motion was put and carried.**

## **3.5 FISH PASSAGE PROPOSAL ON MERRYULA ROAD**

**465 RESOLVED** that Warrumbungle Shire Council representatives meet with DPI and CMA representatives and Urabrible Land Care Group representatives on site to discuss the causeway and to establish options for fish ramps/passages to help fish migrate.

**Sullivan/Todd**

**The motion was carried**

**7.15pm**

## **DIRECTOR OF ENVIRONMENTAL SERVICES**

### **4.1 SELECTION OF COUNCIL REPRESENTATIVES TO THE JOINT REGIONAL PLANNING PANEL**

**466 RESOLVED** that Council nominate Councillors Schmidt and Powell to the Joint Regional Planning Panel.

**Campbell/Todd**

**The motion was carried**

### **4.2 RE-CLASSIFICATION OF COMMUNITY LAND TO OPERATIONAL LAND**

#### **467 RESOLVED:**

1. That a Draft Local Environmental Plan be prepared for the purpose of reclassifying the public land identified as Lot 1 DP 1033599, lot 2 DP 847880 and lot 337 DP 753378 Coonabarabran from their current classification as community land to the classification of operational land.
2. That includes replacing clause 38 and Schedule 6 of Coonabarabran Local Environmental Plan 1990 with the current wording adopted in clause 5.2 of the standard instrument and schedule 4 of the standard instrument.
3. That a letter be sent to the NSW Department of Planning informing them that Warrumbungle Shire Council:
  - (a) Has resolved to prepare a draft Local Environmental Plan, and is now giving notice of that resolution in accordance with Section 54 of the Environmental Planning & Assessment Act 1979 and clause 9 of the Environmental Planning & Assessment Regulation 2000.
  - (b) The proposed plan will not have any effect in relation to matters of state or regional significance.

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 23**

- 
- (c) In relation to Section 62 of the Environmental Planning & Assessment Act 1979, regards the Rural Fire Service and the Department of Environment and Climate Change as the only government authorities that should be consulted during the preparation of the Local Environmental Plan.
  - (d) Will undertake consultation with the community in accordance with Sections 66 & 68 of the Environmental Planning & Assessment Act 1979.
  - (e) Proposes not to undertake an environmental study in the course of developing the Local Environmental Plan, given that its sole purpose will be to reclassify certain public lands as operational lands under the Local Government Act 1993.
4. That the General Manager be authorised to proceed with the preparation of the Draft Local Environmental Plan in accordance with the requirements of:
- (a) The Environmental Planning & Assessment Act 1979 and associated Regulations.
  - (b) The Department of Local Government Practice Note No 1- Public Land Management dated May 2000.
  - (c) The Department of Urban Affairs & Planning Best Practice Guideline LEPs and Council Land dated January 1997.
5. That Council's Technical Services Department provide a report providing cost estimates for the provision of all necessary services to proposed stage one (1) being proposed lots 1,2,3,4,11,12,13 & 20.

**Schmidt/Todd  
The motion was carried**

## **4.3 WARRUMBUNGLE SHIRE COUNCIL APPLICATIONS RECEIVED FOR THE MONTH OF MAY 2009**

Received.

### **DIRECTOR OF COMMUNITY SERVICES**

#### **5.1 VOLUNTEER RESCUE ASSOCIATION – LICENCE AGREEMENTS**

**468 RESOLVED** that Council adopt the draft Licence Agreement as presented for both the Coolah and Coonabarabran Volunteer Rescue Associations.

**Todd/Campbell  
The motion was carried**

# **WARRUMBUNGLE SHIRE COUNCIL**

MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM

PAGE 24

## **5.2 PROVISION OF SPATIAL INFORMATION TO EMERGENCY INFORMATION COORDINATION UNIT – NSW DEPARTMENT OF LANDS**

**469 RESOLVED** that Council authorise the General Manager to sign on behalf of Warrumbungle Shire Council the NSW Department of Lands Memorandum of Understanding concerning the Provision of Information for Emergency Services Use to the Emergency Information Coordination Unit Department of Lands.

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

## **5.3 EXECUTION OF DOCUMENTS UNDER COUNCIL SEAL – COMMUNITY SERVICES PROGRAMS**

**470 RESOLVED** that the Mayor and General Manager be authorised to attach the Council Seal and sign the ongoing Funding Agreements for the following activities provided there are no changes to the conditions of each and Council's commitment to each does not change:

Department Ageing Disability and Home Care (DADHC)  
Greater Western Area Health Service (GWAHS)  
NSW Ministry of Transport (MoT)  
NSW Department of Community Services (DoCS)  
Department Education, Employment  
and Workplace Relations (DEEWR)  
Child Care Benefit and Sustainability Assistance/Network Support Programs for:  
Castlereagh Family Day Care  
Yuluwirri Kids  
Coonabarabran After School/Vacation Care  
Indigenous Education Support Programme.

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

**7.24pm**

### **Confidential Items**

#### **471 RESOLVED**

- (a) that Council go into closed committee to consider matters of a commercial basis
- (b) that pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(c) as outlined above
- (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.

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

# **WARRUMBUNGLE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL  
HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 18 JUNE 2009  
COMMENCING AT 1.04PM**

**PAGE 25**

---

**7.24PM**

Council closed its meeting to the public.

**7.40PM**

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

**Coe/Schmidt**

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

**1C CHAMBER EXTENSION**

**473 RESOLVED** that Council review the plans for a two storey building which includes a library and cultural/arts centre with a view to lodging a grant application for financial assistance **AND FURTHER** that plans be prepared for a single storey building utilising the full block to allow maximum floor space that does not include a library or cultural/arts centre with foundations capable of allowing a further storey to be added to the building in the future.

**Sullivan/Lewis**

**The motion was carried.**

There being no further business the meeting concluded at 7.41 PM.

.....  
**CHAIRMAN**