



# **Warrumbungle Shire Council**

**Council meeting**

**Thursday, 19 July 2007**

**to be held at the Goolhi Hall, Goolhi**

**commencing at 9.00 am**

***MAYOR***

Councillor Peter Shinton

***DEPUTY MAYOR***

Councillor Garry Connelly

***COUNCILLORS***

Councillor Murray Coe

Councillor Carol Dawson

Councillor Col Egan

Councillor Wendy Hill

Councillor Ray Lewis

Councillor Ron Sullivan

Councillor Denis Todd

***MANAGEMENT TEAM***

Robert Geraghty (General Manager)

Elizabeth White (Director Corporate Services)

Kevin Tighe (Director Technical Services)

Ron VanKatwyk (Director Environmental Services)

Rebecca Ryan (Director Community Services)

Date: 16 July 2007

Cr Peter Shinton  
Mayor  
Warrumbungle Shire Council  
John Street  
COONABARABRAN 2357

Cr Shinton

## **AGENDA**

I submit the following report for Council's consideration at its July meeting. I further attach relevant reports from the Directors to me for the consideration of Council.

**CONFIRMATION OF MINUTES** of the ordinary meeting of Warrumbungle Shire Council held on 21 June 2007

**CONFIRMATION OF MINUTES** of the special meeting of Warrumbungle Shire Council held on 25 June 2007

**ADOPTION OF THE RECOMMENDATIONS** of the Traffic Advisory Committee meeting held on 28 June 2007

**ACCEPTANCE of the minutes** of the Binnaway Town Committee meeting held on 13 June 2007

**ACCEPTANCE of the minutes** of the Baradine Town Committee meeting held on 13 June 2007

**ACCEPTANCE of the minutes** of the Dunedoo Town Committee meeting held on 14 June 2007

**ACCEPTANCE of the minutes** of the Coolah Town Committee meeting held on 14 June 2007

**ACCEPTANCE of the minutes** of the Mendooran/Merrygoen Town Committee meeting held on 14 June 2007

**ORDINARY MEETING OF THE WARRUMBUNGLA SHIRE COUNCIL TO BE HELD AT  
GOOLHI ON THURSDAY, 19 JULY 2007 COMMENCING AT 9.00AM**

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**R J GERAGHTY**  
**GENERAL MANAGER**

## GENERAL MANAGER'S REPORT

## ANNEXURE 1

### 1.1 RATES AND CHARGES

The rates and charges as determined by Council at the budget meeting held on 25 June 2007 have now been prepared.

In preparing the rates and charges it was noted that a number of the villages along with Coolah Business and Binnaway Residential rates did not meet the requirements of Section 500 of the Local Government Act. This requires that less than 50% of any rates raised in any category or sub-category can come from the base rate. This for the above was not the case.

*Section 500 states:*

*500 Limit on revenue that can be raised from base amount*

*The amount specified as the base amount of a rate (or the base amount of the rate for a category or sub-category of an ordinary rate) must not be such as to produce more than 50 per cent of the total amount payable by the levying of the rate (or of the rate for the category or sub-category concerned) on all rateable land subject to the rate (or the rate for the category or sub-category concerned).*

The base rates and ad valorem charges have been changed to meet the requirements. More specifically:

Coolah Business Rate – the changes made here will have a minimal effect on the individual assessments.

Binnaway Residential Rate – this change will have an impact on approximately six properties on the edges of the town where they have valuations well above the average.

In both cases the total rate from the sub-category changes little.

#### **Village Changes**

In both residential and business sub-categories for villages the changes made to meet the requirements of Section 500 would have had huge relative effects on assessments within each village. Under the past regime the southern villages were stated separately as sub-category while in the north, Bugaldie, Kenebri and Ulamambri identified together and Rocky Glen and Purlawaugh while separated all had the same base rate and ad valorem charges.

To avoid or reduce the impact the villages have now been combined in the statement of rates in the management plan into three village categories. They have been identified as follows:

#### Village One (North)

Kenebri, Ulamambri, Neilrex, Bugaldie, Rocky Glen and Purlewaugh

Village Two (South)

Leadville, Merrygoen, Uarbry

Village Three (Cobbora)

Cobbora

The underlying issue in those categories is the bringing together of villages with similar property valuation ranges. Generally the village lot valuation in Village One is significantly lower than Village Two while Village Three is the highest.

There are within Village One six properties that have significant increases due solely to compliance with Section 500 – one property in Bugaldie and five properties in Ulamambri. Within both other village groups there are no significant changes.

Set out below is the statement of rates in the management plan:

Rate Group	Rate Type	Category	Sub Category	Ad Valorum	Base Rate
62	Ordinary	Farmland		0.0064546	331.00
50	Ordinary	Residential	Rural North	0.012963	171.00
5, 7, 10, 63, 65, 66	Ordinary	Residential	Village One (North) Kenebri, Ulamambri, Neilrex, Bugaldie, Rocky Glen, Purlewaugh	0.047	100.00
3	Ordinary	Residential	Baradine	0.029146	129.00
4	Ordinary	Residential	Binnaway	0.0425	100.00
1	Ordinary	Residential	Coonabarabran	0.022149	180.00
2	Ordinary	Residential	Coolah	0.023784	185.00
6	Ordinary	Residential	Dunedoo	0.015671	225.00
9	Ordinary	Residential	Mendooran	0.031482	149.00
8, 12, 13	Ordinary	Residential	Village Two (South) Leadville, Merrygoen, Uarbry	0.019	80.00
50	Ordinary	Residential	Rural South	0.00745	171.00
61	Ordinary	Residential	Coolabah	0.007007	118.00
64	Ordinary	Residential	Village Three (Cobbora) Cobbora	0.0105	100.00

Rate Group	Rate Type	Category	Sub Category	Ad Valorum	Base Rate
28	Ordinary	Business	Rural North	0.0112	186.00
5, 7, 63, 25, 66	Ordinary	Business	Village One (North) Kenebri, Ulamambri, Neilrex, Bugaldie, Purlewaugh	0.0407	110.00
18	Ordinary	Business	Coonabarabran	0.058668	242.00
20	Ordinary	Business	Baradine	0.045845	155.00
21	Ordinary	Business	Binnaway	0.055176	155.00
19	Ordinary	Business	Coolah	0.028	200.00
22	Ordinary	Business	Dunedoo	0.018284	246.00
23	Ordinary	Business	Mendooran	0.019	150.00
24, 26	Ordinary	Business	Village Two (South) Leadville, Merrygoen	0.035	80.00
28	Ordinary	Business	Rural South	0.026155	186.00

## RECOMMENDATION

That Council note the advice provided.

### 1.2 LEGAL ASSISTANCE

Council has been approached by the Shires Association to make a contribution of \$7,634.80 towards the legal costs of Bankstown City Council. This request is well outside any claim that has been made in the past. Council has a provision of \$1,500 for legal contributions.

The Shires Association makes the following comments in support of their request:

*Bankstown City Council has sought the Association's assistance in relation to a court case in which it has been involved, and which culminated in action in the High Court.*

*The facts of the matter were:*

1. *Alamdo Holdings are the owners of land within the Bankstown City Council area.*
2. *Alamdo's property was flooded as a result of water overflowing from an unlined storm water channel belonging to the council.*
3. *The Supreme Court granted a prohibitory injunction that required the council not to continue nuisance and to abate the flooding.*
4. *The Supreme Court also granted a mandatory injunction ordering that remediation work commence on the stormwater channel.*
5. *The matter was appealed to the Court of Appeal which held that even though the council had acted in good faith, it could not rely on the protection of Section 733 of the Local Government Act 1993, "Exemption from liability-flood liable land and land in coastal zone" as an exemption to liability by Section 733 relates to "anything done or omitted to be done" and does not literally extend to something "intended to be done".*

6. *Bankstown Council sought leave to appeal to the High Court. The High Court asked the council to give an undertaking to agree to bear the costs of the appeal as council were attempting to obtain a proper interpretation of Section 733 of the Local Government Act and therefore set a precedent not only for Bankstown Council but all councils and that Alamdo should not be liable for such costs.*
7. *Bankstown Council agreed to this request from the High Court and leave to appeal was granted.*
8. *Bankstown City Council were successful in overturning the decision of the Court of Appeal and the protection afforded by Section 733 of the Local Government Act for "anything done or omitted to be done" has been affirmed by the High Court.*

*The Associations agreed that the matter was of great importance to all councils and should be appealed because if the decision was allowed to stand it would allow other land owners in similar circumstances to make claims against councils for alleged damage to property where the council in question would otherwise be protected by Section 733 of the Local Government Act.*

*The council incurred the sum of \$1,534,242 in pursuing the appeal. The Joint Executive of the two Associations has given approval for these costs to be sought. In accordance with the usual formula, your council's proportion of this amount is \$7,634.80 and we would appreciate receipt of this amount in due course. An invoice is attached.*

#### **RECOMMENDATION**

For Council's consideration.

#### **1.3 DIRECTOR OF CORPORATE SERVICES**

On 6<sup>th</sup> July 2007 I received the resignation of Mrs Elizabeth White as Director of Corporate Services. The advice is as follows:

*I wish to tender my resignation from the position of Director of Corporate Services with the Warrumbungle Shire Council.*

*My last working day will be 3<sup>rd</sup> August 2007.*

At this stage I have had discussions with the Shires Association Employment Service about beginning the process of advertising for and appointing a replacement.

#### **RECOMMENDATION**

That Council accept Mrs White's resignation with regret and authorise the General Manager to proceed to appoint a replacement.

#### **1.4 BUDGET REVIEW**

After the conclusion of the budget determination on 25 June 2007 a number of allocations have come to light and these are:



**A Grants Commission**

In the preparation of the budget the two Financial Assistance Grants figure were calculated on the previous year's allocation and an estimate of the increase. The figures received in 2005/6 were:

General FAG	\$2,779, 977
Roads FAG	\$1,708,303

Advice verbally by a Grants Commission representative was that the indicative increases were as follows with our assessment of the expected increase being as also listed.

General FAG	3.2%	\$2,868,936
Roads FAG	3.7%	\$1,771,510

These were the final figures that were included in the Management Plan.

Advice has been received from the Local Government Grant Commission of the indicative figures as being:

General FAG	\$2,945,954
Roads FAG's	\$1,780,367

These figures are indicative because the rate of inflation over the forthcoming year is included as an estimate and at the end of the year an adjustment (plus or minus) will be made on the payments in the following year 2008/09. For the purpose of our current budget the above advised figures can be applied. This means that an increase of \$85,875.00 can be brought to account for 2007/08 – this is split up into increases of the following amounts:

General FAG	\$2,868,936	to \$2,945,954	increase \$77,018
RoadsFAG	\$1,771,510	to \$1,780,367	increase \$ 8,857

**B REPAIR Programme**

Council provided in the 2007/2008 budget for the following amounts under the REPAIR Programme.

MR129	to Premer	\$300,000
MR55	Dunedoo to Mullaley	\$150,000

Traditionally the Councils had provided the above amounts over the past decade. Each Council was however entitled to an amount of \$300,000 each and this year, 2007/2008, is the last year of that entitlement. In future years Council will be entitled to one bid of \$400,000 which will be \$50,000 less than traditionally available. This is one consequence of the amalgamation.

The Council is required to match these amounts from its own funds in equal proportion turning the proposals into the following:

MR129	\$600,000
MR55	\$300,000

The MR129 amount was matched out of the block grant while the MR55 was matched from R2R and 3x4 funds.

Recognising that this was the last year of past entitlements Council made a bid of \$300,000 for each previous shire. This bid has been successful and Council now needs to find funding of \$150,000 for MR55.

With regard to MR55 Council was using the REPAIR funds to match the Roads of Strategic Significance Grant what was believed to be \$655,000. The overall project was to be \$820,000 with Council required to find \$265,000 to match the grant. In the 2007/08 budget it was anticipated that we could do 50% of the project.

The additional REPAIR Programme funds will allow Council to undertake (or budget for) the full project in 2007/08.

The advised income is now \$664,336 and is further explained in the Director of Technical Services report.

#### **C Roads of Regional Significance**

A report on this programme is contained in the Director of Technical Services report. In a budget sense this means that an income and expenditure vote of \$336,836 needs to be brought to account. This now means that the project in total for upgrades on MR55 will be:

REPAIR Programme	\$300,000
Roads of Regional Significance	<u>\$664,336</u>
	<u>\$964,336</u>

This is measured off against the traditional upgrade along this road on an annual basis of \$300,000.

Such a funding arrangement will meet the grant requirements of both programmes.

#### **D Coonabarabran CBD Upgrade**

Council as part of its deliberation determined that an amount of \$50,000 would be returned to the Coonabarabran CBD to offset funds taken in 2006/07 and applied to a study in residential development needs across the Shire. The amount shown in the budget is \$60,000 and relates to a contribution from the Coolah Town Development fund which at the last part of the budget deliberations was withdrawn as a transfer from restricted assets.

It is appropriate that the CBD upgrade transfer be brought back to the expected \$50,000. Thus a reduction of \$10,000 should be made to this expenditure item.

#### **E Library Operations**

A review of the library operations shows that no allowance was made to pass the grant from the NSW Public Libraries to the Macquarie Regional Library as required by the Deed of Agreement.

The amount that needs to be added to the budget is \$58,133.

The culmination of these above changes is:

Financial Assistance General Grant	\$77 018 CR
Financial Assistance Road Grant	8 857 CR
REPAIR program	150 000CR
REPAIR program MR55	150 000DR
Roads of Regional Significance – Inc.	336 836 CR
Roads of Regional Significance MR55	336 836 DR
Coonabarabran CBD restricted asset	10 000 CR
Library Expenditure	58 133 DR
	<b>\$37 742 CR</b>

This will reduce the deficit to \$146 473.

#### **RECOMMENDATION**

Recommend that Council make the following changes to the 2007/08 budget by way of supplementary votes.

**Financial Assistance Grants** – that a supplementary vote be made to the General FAG’s grant of \$77 018 along with the Roads FAG’s grant to be increased by \$8 857.

**REPAIR Programme** – that a supplementary vote of \$150 000 income be made to MR55 REPAIR Grant along with an additional expenditure of \$150 000 to MR55.

**Roads of Regional Significance** – that a supplementary vote of \$336 836 income along with an expenditure vote of \$336 836.

**Coonabarabran CBD Restricted Asset** – that a supplementary vote of \$10 000 be made to reduce the rates amount to restricted assets.

**Library Operations** – that a supplementary vote of expenditure of \$58 133 be made to the library operations.

#### **1.5 BARADINE AGED CARE ASSOCIATION**

The above Association has written seeking a donation equal to the rates on the Baradine Medical Centre. They state:

*“We, the Baradine Aged Care Association, are requesting that you, the Warrumbungle Shire Council, waive the rates for a period of three months on the Baradine Medical Centre. As you are aware our resident GP has left, and we are now reliant on locum GP’s supplied to us by Ochre Health for the next three months. As part of the agreement with Ochre Health, the Medical Centre has been supplied rent free for this period.*

*As part of your on-going commitment to us in helping to find a permanent doctor, we would appreciate your help in this regard.*

**RECOMMENDATION**

For Council's determination and if agreed to where the funds will be provided from.

.....  
**R J GERAGHTY**  
**GENERAL MANAGER**

Mr R J Geraghty  
 General Manager  
 Warrumbungle Shire Council  
 John Street  
 COONABARABRAN 2357

Dear Sir

**DIRECTOR OF CORPORATE SERVICES**

**ANNEXURE 2**

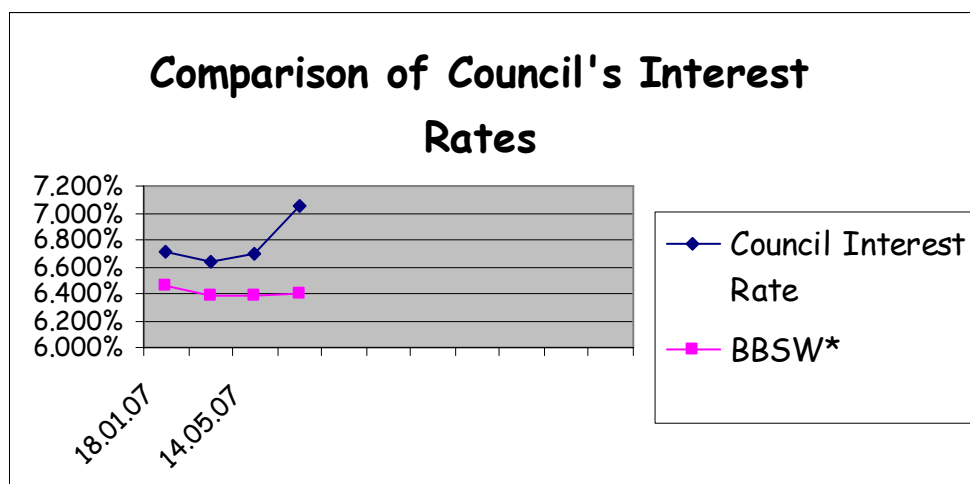
**2.1 DUE BY THE BANK TO THE FOLLOWING FUNDS AS AT 30 JUNE 2007**

<b>GENERAL FUND</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
	\$		
General Fund Bank Balance	10,641,156.86	\$ 1,408,000.00	\$ 4,773,156.86
Future Capital Upgrading		\$ 2,520,000.00	
Employees Leave Liability		\$ 770,000.00	
External Grants for Specific Projects		\$ 980,000.00	
Development Sec 94 & 64 Contb'ns		\$ 190,000.00	
<b>TOTALS</b>	<b>\$ 10,641,156.86</b>	<b>\$ 5,868,000.00</b>	<b>\$ 4,773,156.86</b>
<b>WATER FUNDS</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
Baradine Water Bank	\$ 194,794.03	\$ 89,000.00	\$ 105,794.03
Binnaway Water Bank	\$ 534,245.78	\$ -	\$ 534,245.78
Coonabarabran Water Bank	\$ 1,468,732.66	\$ 179,230.45	\$ 1,289,502.21
Coolah Water	\$ 937,461.96	\$ 831,700.00	\$ 105,761.96
<b>TOTALS</b>	<b>\$ 3,135,234.43</b>	<b>\$ 1,099,930.45</b>	<b>\$ 2,035,303.98</b>
<b>SEWERAGE FUNDS</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
Coonabarabran Sewerage	\$ 2,085,976.21	\$ 836,510.08	\$ 1,249,466.13
Baradine Sewerage	\$ 246,040.94	\$ -	\$ 246,040.94
Coolah Sewerage	\$ 1,031,795.98	\$ 563,170.00	\$ 468,625.98
<b>TOTALS</b>	<b>\$ 3,363,813.13</b>	<b>\$ 1,399,680.08</b>	<b>\$ 1,964,133.05</b>
<b>SUMMARY</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
	\$		
General Fund	10,641,156.86	\$ 5,868,000.00	\$ 4,773,156.86
Water Fund	\$ 3,135,234.43	\$ 1,099,930.45	\$ 2,035,303.98
Sewerage Fund	\$ 3,363,813.13	\$ 1,399,680.08	\$ 1,964,133.05
<b>TOTALS</b>	<b>\$ 17,140,204.42</b>	<b>\$ 8,367,610.53</b>	<b>\$ 8,772,593.89</b>

<b>TERM DEPOSITS</b>		<b>Interest Rate</b>
BOND 1 TRUST AAA FRN	\$ 2,000,000.00	BBSW+.80%
C B A CALLABLE RANGE	\$ 2,000,000.00	7.50%
ELDERS RURAL BANK	\$ 500,000.00	7.3283% ave
SGE-CREDIT UNION	\$ 500,000.00	6.70%
DRESDNER BANK OCTAGON	\$ 1,500,000.00	7.00%
ANZ 3 PILLARS	\$ 500,000.00	BBSW +1.2%
ANZ SAIL	\$ 500,000.00	BBSW +1.5%
ANZ ASPRINT	\$ 500,000.00	BBSW +1.75%
ANZ ASPRINT 2	\$ 800,000.00	BBSW +1.75%
ADELAIDE MANAGED FUNDS	\$ 2,640,204.42	6.40%
TRIDENT	\$ 500,000.00	BBSW +.65%
AVERON BOND-SEALINK	\$ 700,000.00	BBSW +1.5%
DEUTSCHE BANK - DAISY	\$ 1,500,000.00	6.8043%
PIMCO PRINCIPAL PROTECTED	\$ 500,000.00	BBSW +.81%
ROYAL BANK OF CANADA	\$ 1,000,000.00	7.70%
ALL SEASONS-KEOLIS AAA	\$ 1,500,000.00	8.00%
	<b>\$</b>	
<b>TOTAL</b>	<b>17,140,204.42</b>	

I certify that the above investments have been invested in accordance with Council's policy and in accordance with the Local Government Act 1993 and Regulations.

**ELIZABETH WHITE**  
**DIRECTOR CORPORATE SERVICE**



**2.2 STATEMENT OF INVESTMENTS AS AT 30 JUNE 2007**  
**INVESTMENT REGISTER**

Days	Rate	Purchase Date	Maturing Date	Amount	Balance
ELDERS RURAL BANK					500,000.00
4years	7.3283Av	29.08.03	28.06.07	500,000.00	
ANZ 3 PILLARS					500,000.00
5years	BBSW+1.2%	24.03.05	06.04.10	500,000.00	
BOND ST CUSTODIAN-TITANIUM AAA					2,000,000.00
5.5years	7.2683	17.05.05	14.12.10	2,000,000.00	
OCTAGON PLC-DRESDNER BANK-EMU NOTE					1,500,000.00
10years	7.00	25.10.05	30.10.15	1,500,000.00	
CREDIT SAIL-ANZ INVESTMENT BANK					500,000.00
6years	Bbsw+1.5	14-11-05	30-12-11	500,000.00	
CBA CALLABLE RANGE					1,000,000.00
5years	7.5	14-12-05	14-12-10	1,000,000.00	
AVERON BOND-SEALINK P/L					700,000.00
7years	Bbsw+1.5	25.10.05	30.10.15	700,000.00	
DEUTSCHE BANK AG LONDON BRANCH-DAISY					1,500,000.00
5years	5-6%+cg	21-03-06	20-03-13	1,500,000.00	
ALL SEASONS-KEOLIS AAA					1,500,000.00
7years	8.00	16-06-06	16-06-13	1,500,000.00	
ANZ ASPIRIT 1					500,000.00
6years		15-11-06	08-11-12	500,000.00	
PIMCO PRINCIPAL PROTECTED					500,000.00
4years	50% of PP	22-02-07	28-02-11	500,000.00	
SGE CREDIT UNION					500,000.00
91 Days	6.7%	13-02-07	14-05-07	500,000.00	
ASPRIT NO 2					800,000.00
6 years		30-03-07	30-03.13	800,000.00	
TRIDENT-CREDIT SUISSE SYDNEY BRANCH					500,000.00
4 years	50% of PP	30.05.07	30.05.11	500,000.00	
AT CALL					2,640,204.42
ADELAIDE MANAGED FUND					
	6.45			2,640,204.42	
ROYAL BANK CANADA					1,000,000.00
1year	7.7	16.03.06	16.03.11	1,000,000.00	
CBA CALLABLE RANGE					1,000,000.00
5years	7.5	16-12-05	16-12-10	1,000,000.00	
				<b>TOTAL</b>	<b>17,140,204.42</b>

I certify that the above investments have been invested in accordance with Council's policy and in accordance with the Local Government Act 1993 and Regulations

**ELIZABETH WHITE**  
**DIRECTOR CORPORATE SERVICE**

**2.3 RATES AND CHARGES COLLECTION – UP TO and INCLUDING END JUNE 2007**

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABANDON ED	RATE ARREARS AND NET LEVY	TOTAL PAYMENT S TO DATE	TOTAL OUTSTANDI NG 2006/2007	COLLECTIO N % 2006/2007	TOTAL OUTSTANDI NG 2005/2006	COLLECTI ON % 2005/2006
	CBN RES/RURAL RES	50,759	973,745	61,770	2,221	960,513	648,260	312,253	64.10%	129,153	85.91%
	BARADINE	28,901	120,568	17,487	13	131,969	97,000	34,969	60.30%	71,762	85.91%
	BINNAWAY	19,416	63,773	9,519	1,486	72,183	46,286	25,897	50.53%	42,981	52.14%
	VILLAGES	4,466	11,950	794	2	15,621	8,729	6,892	43.46%	23,589	45.85%
	FARMLAND	132,731	3,941,382	25,457	33,682	4,014,973	3,626,165	388,808	87.43%	178,817	94.69%
	COOLAH	17,433	169,582	15,064	0	171,951	158,195	13,757	83.53%	18,786	88.30%
	DUNEDOO	8,812	186,472	17,195	0	178,090	169,882	8,208	90.89%	11,005	93.47%
	MENDOORAN	8,128	58,588	6,312	19	60,385	51,605	8,780	75.32%	9,527	83.42%
	LEADVILLE	3,306	8,171	1,190	0	10,287	8,158	2,129	60.02%	3,264	65.62%
	MERRYGOEN	139	3,576	706	0	3,009	2,766	242	87.90%	138	96.10%
	NEILREX	119	1,883	208	1	1,793	1,465	328	76.60%	119	93.94%
	UARBRY	135	2,764	62	0	2,837	2,857	-20	96.11%	135	94.93%



**ORDINARY MEETING OF THE WARRUMBUNGL SHIRE COUNCIL TO BE HELD AT GOOLHI ON THURSDAY, 19 JULY 2007  
COMMENCING AT 9.00AM**

	COOLABAH ESTATE	0	0	0	0	0	0	0	0.00%	1,457	87.97%
	RUR/RES COBBORA	0	0	0	0	0	0	0	0.00%	346	88.25%
	GENERAL RESD/BUS-CLH	34,318	131,089	9,099	17	156,291	108,485	47,806	56.91%	4,154	93.72%
	BUSINESS-CBN	22,540	353,552	196	1,714	374,182	308,589	65,593	77.78%	36,106	96.06%
<b>WATER</b>						0		0			
	COONABARA BRAN	39,688	297,357	26,863	3,222	306,960	268,598	38,362	77.48%	18,290	96.77%
	BARADINE	38,110	77,597	10,699	16	104,992	71,718	33,273	50.12%	39,531	79.91%
	BINNAWAY	46,056	62,424	8,490	1,472	98,518	53,936	44,582	37.31%	46,979	69.85%
	VILLAGES	12,843	10,813	788	4	22,864	6,960	15,904	19.49%	13,026	37.13%
	COOLAH	15,486	144,212	11,554	0	148,144	130,824	17,319	79.95%	13,693	88.23%
	DUNEDOO	5,436	113,369	9,939	0	108,866	100,927	7,939	88.30%	7,400	92.81%
	MENDOORAN	7,666	51,750	4,288	19	55,110	44,882	10,227	71.50%	11,162	83.74%
	MERRYGOEN	787	12,962	875	0	12,874	12,109	765	88.64%	1,080	94.09%

ORDINARY MEETING OF THE WARRUMBUNGLA SHIRE COUNCIL TO BE HELD AT GOOLHI ON THURSDAY, 19 JULY 2007  
 COMMENCING AT 9.00AM

<b>SEWERAGE</b>						0		0			
	COONABAR ABRAN	35,066	586,250	26,266	1,685	593,366	556,366	37,000	88.53%	41,257	93.03%
	BARADINE	52,427	188,814	9,080	37	232,124	182,164	49,960	64.02%	54,672	76.57%
	COOLAH	14,962	140,694	9,387	0	146,270	134,655	11,615	83.52%	16,384	87.73%
	DUNEDOO	6,197	130,959	9,589	0	127,566	119,840	7,726	89.59%	7,055	93.82%
		<b>605,928</b>	<b>7,844,295</b>	<b>292,875</b>	<b>45,610</b>	<b>8,111,737</b>	<b>6,921,422</b>	<b>1,190,316</b>	<b>79.40%</b>	<b>801,868</b>	
<b>GARBAGE- North</b>		59,719	641,746	51,721	1,306	648,438	528,120	120,318	74.58%	67,972	88.27%
<b>GARBAGE - South</b>		28,868	359,878	35,803	49	352,895	416,134	-63,239	109.00%	30,425	90.33%
<b>LEGAL FEES</b>		35,976	0	0	0	35,976	13,587	22,389	18.88%	37,180	43.08%
								0			
<b>INTEREST</b>		167,539	0	0	0	167,539	73,439	94,100	21.92%	134,438	31.84%
	<b>TOTALS</b>	<b>898,030</b>	<b>8,845,919</b>	<b>380,399</b>	<b>46,965</b>	<b>9,316,585</b>	<b>7,952,702</b>	<b>1,363,884</b>	<b>77.86%</b>	<b>1,071,883</b>	<b>88.16%</b>

Rates & Annual Charges Outstanding Percentage											
	<b>COONABAR ABRAN</b>	125,513	1,857,353	114,899	7,128	1,860,839	1,473,224	387,615	<b>74.17%</b>	188,700	<b>90.91%</b>
	<b>BARADINE</b>	119,437	386,979	37,266	66	469,085	350,882	118,203	<b>59.62%</b>	165,965	<b>72.67%</b>
	<b>BINNAWAY</b>	65,472	126,197	18,010	2,958	170,701	100,221	70,480	<b>42.44%</b>	89,960	<b>63.37%</b>
	<b>COOLAH</b>	47,882	454,488	36,005	0	466,365	423,674	42,691	<b>82.39%</b>	48,863	<b>88.09%</b>
	<b>DUNEDOO</b>	20,445	430,800	36,723	0	414,522	390,649	23,873	<b>89.81%</b>	25,460	<b>93.40%</b>
	<b>MENDOORA N</b>	15,794	110,337	10,599	37	115,495	96,488	19,007	<b>73.49%</b>	20,689	<b>83.60%</b>
	<b>VILLAGES</b>	21,796	52,119	4,622	7	69,285	43,045	26,240	<b>47.26%</b>	43,154	<b>62.57%</b>
	<b>FARMLAND</b>	132,731	3,941,382	25,457	33,682	4,014,973	3,626,165	388,808	<b>87.43%</b>	178,817	<b>92.63%</b>
	<b>RURAL</b>	56,858	484,640	9,295	1,731	530,472	417,073	113,399	<b>71.01%</b>	40,260	<b>86.13%</b>
	<b>Overall</b>	<b>605,928</b>	<b>7,844,295</b>	<b>292,875</b>	<b>45,610</b>	<b>8,111,737</b>	<b>6,921,422</b>	<b>1,190,316</b>	<b>79.40%</b>	<b>801,868</b>	<b>89.33%</b>

**Note:** These do not include Legal / Interest / Waste Outstanding Amounts as they are not broken up into these localities

**RECOMMENDATION**

For Council's information.

.....  
**ELIZABETH WHITE**  
**DIRECTOR OF CORPORATE SERVICES**

Mr R J Geraghty  
General Manager  
Warrumbungle Shire Council  
John Street  
COONABARABRAN 2357

Dear Sir

Attached is my report for consideration by Council

**DIRECTOR OF TECHNICAL SERVICES**

**ANNEXURE 3**

### **3.1 DEVELOPMENT OF BEST PRACTICE MANAGEMENT PLANS FOR WATER AND SEWERAGE SYSTEMS IN WARRUMBUNGLE SHIRE**

#### **Background**

Further to conditional approval for the Mendooran water treatment plant project, Council will be aware that the Minister for Water Utilities has prepared a document called 'Best Practice Management of Water Supply and Sewerage Guidelines'. These guidelines are in final draft form and are expected to be gazetted in accordance with section 409(6) of the Local Government Act 1993.

The guidelines identify 6 criteria for best practice management of water supply and sewerage. "Any local government LWU wishing to pay a dividend from the surplus of its water supply and sewerage businesses or seeking financial assistance under the Country Towns Water Supply and Sewerage (CTWS&S) program must demonstrate its achievement of these outcomes through substantial compliance with these guidelines for each of the 6 criteria." (Draft Guidelines document). The six (6) criteria are:

1. Strategic Business Planning
2. Pricing (including Developer Charges, Liquid Trade Waste Policy and Approvals).
3. Water Conservation
4. Drought Management
5. Performance Reporting
6. Integrated Water Cycle Management

The conditions relating to funding approval for the Mendooran water supply project are derivatives of some of these criteria. This report proposes a strategy for undertaking the requirements of those conditions.

#### **Issues**

It is proposed to group each of the 10 conditions associated with the Mendooran water supply project into 3 groups:

Group 1 – The following conditions are included: IWCM Plan, Strategic Business Plans and Financial Plans, Demand Management Plan and Drought Management Plan. There is advice from the Department of Water and Energy that preparation of the IWCM should occur first as this plan will establish context for the other three plans.

Group 2 – The following conditions are included: Trade waste policy, Issuing of approvals to existing trade waste dischargers and implementation of appropriate trade waste fees and charges.

Group 3 – The following conditions are included: Implementation of complying step pricing for water, introduction of uniform residential charge independent of land value for water and sewerage, introduce complying non residential pay for use sewerage pricing.

### **Options**

Council will appreciate that significant resources are required if the plans and approvals associated with these conditions are to be completed. There are not sufficient resources or expertise amongst Council staff to complete tasks. It is expected that consultants will be required to complete all tasks in group 1 and possibly group 2. It is expected that completion of tasks in group 3 will be done by staff.

### **Financial Considerations**

The estimated cost of engaging a consultant to complete the various water management plans in group 3 is \$120,000 based on the following breakdown:

- IWCM - \$60,000
- Demand Management Plan - \$5,000
- Drought Management Plan - \$5,000
- Strategic Business Plans- \$50,000.

A subsidy of up to 50 percent is available from DWE for completion of IWCM and \$5,000 may be available for completion of a drought management plan. There is no budget allocation in 2007/2008 for either expenditure or income associated with the water management plans. A supplementary vote will be required based on table 1 below:

Fund	Proposed distribution of costs and income (%) *	Proposed distribution of costs (\$)	Proposed distribution of subsidy income (\$)
Baradine water	7%	\$7,814	\$1,953
Binnaway water	3%	\$3,883	\$971
Coonabarabran water	20%	\$23,903	\$5,976
Coolah water	10%	\$12,560	\$3,140
Dunedoo water	10%	\$12,042	\$3,011
Mendooran water	5%	\$5,445	\$1,361
Baradine sewerage	8%	\$9,149	\$2,287
Coonabarabran sewerage	25%	\$30,510	\$7,628
Coolah sewerage	7%	\$8,088	\$2,022
Dundeoo sewerage	6%	\$6,605	\$1,651
<b>Total</b>	<b>100%</b>	<b>\$120,000</b>	<b>\$30,000</b>

\* distribution split up based on expected income in 2007/08

The cost of meeting conditions in group 2 is yet to be completed and hence will be the subject of a further report. However, it is expected that the task of identifying and registering all liquid trade waste dischargers will mean that additional staff resources will need to be engaged.

The cost of meeting conditions in group 3 is also yet to be determined, however, it is expected that existing staff resources will be sufficient.

### **RECOMMENDATION**

1. That Council engage a consultant or consultants, following a competitive quotation process, to complete each of the following plans: Integrated Water Cycle Management plan, Strategic business plans and financial plans for water and sewerage, drought management plan and demand management plan.
2. That supplementary budget income and expenditure allocations are made in accordance with the following table:

Fund	Supplementary Expenditure Allocation (\$)	Supplementary Income Allocation (\$)
Baradine water	\$7,814	\$1,953
Binnaway water	\$3,883	\$971
Coonabarabran water	\$23,903	\$5,976
Coolah water	\$12,560	\$3,140
Dunedoo water	\$12,042	\$3,011
Mendooran water	\$5,445	\$1,361
Baradine sewerage	\$9,149	\$2,287
Coonabarabran sewerage	\$30,510	\$7,628
Coolah sewerage	\$8,088	\$2,022
Dundee sewerage	\$6,605	\$1,651
Total	\$120,000	\$30,000

## **3.2 CIVIL ENGINEERING CADETSHIP PROPOSAL**

### **Background**

Council will be aware that there is a general skills shortage across a number of professional disciplines in local government and particularly in engineering. It is proposed to create the position of civil engineering cadet to assist with completion of works programs and develop in house expertise.

### **Issues**

Within office area of the Technical Services Division, the position of Design Manager has been vacant for two years and the position of Water and Sewerage Manager has been vacant for three years. Also, the position of Design Engineer has been vacant for various periods over the last three years. In addition, the position of Technical Assets Officer has not been filled. Council has been fortunate to have the services of a retired Shire Engineer working on a part time basis for three days each week. However, the ability of the Technical Services Division to complete works programs and fulfill the ever increasing requirements imposed by the State Government is hampered by the chronic shortage of skilled personnel.

There is a trend amongst local government and state government agencies to return to the concept of cadetships to increase the pool of technical expertise. A particular problem for Warrumbungle Shire Council is attracting suitably qualified people to live and work in

the area. A cadetship is seen as one way of encouraging local people, particularly recent students, to obtain a professional qualification and learn of the benefits of working in the local community.

### **Options**

The cadetship proposal creates a new position in the organization and should be recognized as such. However, the new position relates to the cadetship only and it is not proposed that Council make a commitment to employment once the associated tertiary qualification is obtained.

There are various models that can be used for the cadetship scheme. Dubbo City Council, for example, has appointed a recent school leaver as cadet civil engineer who is undertaking full time study at Newcastle University. In return for payment of University fees, the cadet is required to work for 10 weeks at the Council for each year of the University course. Council funds the University course fees and expenses up to a maximum of \$10,000 per year.

### **Financial Considerations**

There is no allocation in the 2007/2008 budget for employment of a cadet civil engineer. There is expected to be under expenditure in the management areas of Design and Water and Sewer, however, consideration of these funds cannot be made until a complete financial review of 2006/2007 is made. The annual cost of employing a cadet engineer is expected to be \$10,000 per year. A full time degree in Civil Engineering generally takes 5 years to complete.

### **RECOMMENDATION**

1. Create the position of cadet civil engineer on the basis of payment of University fees and expenses up to a maximum amount of \$10,000 per calendar year and that the student be required to work for Council at no cost for a minimum period of 10 weeks in a calendar year.
2. That a supplementary vote of \$2,000 in General Fund and \$3,000 across the various water and sewer funds be made to the 2007/2008 budget for engagement of a Cadet Civil Engineer.
3. That once the complete financial outcome for 2006/2007 is known that consideration be made to transferring \$50,000 to a restricted asset account to fund a Civil Engineering Cadetship over a five year period.

### **3.3 PROPOSED DEED OF AGREEMENT BETWEEN COUNCIL AND WELLINGTON SHIRE COUNCIL FOR FUNDING OF WORKS ON MR55(BLACK STUMP WAY)**

#### **Background**

Council will be aware that an application for funding under the Auslink Strategic Regional Programme, by Wellington, Warrumbungle and Gunnedah Councils, for the project 'Completing the sealing and upgrading of the Wellington Narrabri Regional Road', was successful. The application was made on Council's behalf by Wellington Shire Council and they have already received the funds from the Federal Government.

Wellington Shire Council is proposing a formal agreement with both Warrumbungle Shire and Gunnedah Shire relating to the distribution of the Auslink funds. Delegated authority is sought from Council to enter into the agreement.

**Issues**

The project involves the upgrading of the Wellington to Narrabri road and involves:  
 (a) completion of the sealing of 17km of the worst sections of the 26km of unsealed MR353 between the Mitchell Highway north of Wellington and the Golden Highway west of Dunedoo;  
 (b) rehabilitation of 6km of MR55 north and south of Coolah; and  
 (c) sealing of 17km of the 33.6km of unsealed Grain Valley Road between Mullaley and Boggabri (RR7709). The whole project must be completed prior to 30 June 2010.

**Options**

Council still has discretion in relation to acceptance or otherwise of the funding offer.

**Financial Considerations**

The estimated cost of the project is \$9,377,000. The Australian Government contribution is capped at \$6,562,000. That is, the three Councils must fund the difference which is \$2,815,000. Wellington Council is proposing a split up of the funding and the required Council contribution as follows:

<b>Council</b>	<b>Proportional Amount</b>	<b>Funding Amount from Australian Government</b>	<b>Funding Amount from Council</b>
Wellington	50.80 %	\$3,333,496.00	\$1,430,020.00
Warrumbungle	10.124 %	\$664,336.88	\$284,990.60
Gunnedah	39.076 %	\$2,564,167.12	\$1,099,989.40
	100 %	\$6,562,000.00	\$2,815,000.00

Council has traditionally expended \$300,000 per year on upgrade works on MR55. The funding is sourced from the State Governments REPAIR programme, the Federal Governments Roads to Recovery Program and the 3x4 funding programme. Hence, Council is expected to be able fund its share of the project, that is, \$284,990.60 from these sources.

**RECOMMENDATION**

That Council authorize the General Manager and Mayor to execute the agreement with Wellington Shire Council for distribution of Commonwealth of Australia Funding for the project ‘Completing the sealing and upgrading of the Wellington Narrabri Regional Road’.

**3.4 PUBLIC ROAD ACCESS – TOORAWANDI ROAD**

**Background**

Council has received a request to provide all weather access, free from obstructions to the property “Bentwood” at the end of Toorawandi Road. The request has been made by an



individual who currently leases the property. The property in question has no residence upon it and is accessed by the lessee via a public road between Portions 60 and 76 in the Parish of Toorawandi. This public road runs from the end of Toorawandi Road to the northern boundary of the "Bentwood" property. This public road is approximately 1.3km long and is an unformed track with no drainage and steep longitudinal grades. The lessee was also concerned that one of the adjoining owners was restricting access via his road by ploughing of the roadway, placing of barriers and a dam overflow that runs across the roadway. The lessee has also indicated he would like gates removed from the road to provide him with uninterrupted access.

### **Issues**

Council has confirmed the status of this road as a public road, and as such it may maintain/improve it if it so chooses. There are many public roads within the shire that serve as accesses that are not maintained by the Council. Council in fact maintains very few if any public roads that don't provide access to a residence.

For Council to effectively maintain this section of road it would first need to form and gravel the entire length, and provide drainage in at least three locations. Conservative estimates would value this work at around \$40,000 if subgrade soils remained consistent for the full length.

Council's Manager of Road Works has met with the two adjoining land owners on site, with the adjoining landowners agreeing to work with the lessee to remove any 'impediments' and offering to help resolve drainage issues with banks where required. The adjoining land owner also offered to install a boundary gate 20 metres south of the existing access which would mean only one gate between the end of Toorawandi Road and "Bentwood" northern boundary.

The following actions, either on their own or in combination, are available to Council:

1. Form and gravel road for 1.3km, install drainage and add to maintenance program as an extension to Toorawandi Road.
2. Advise the lessee that Council would be prepared to add this section of road to its maintenance program if it is constructed by Council to Council standard at full cost to the lessee or the property owner.
3. Advise the lessee that he could apply for a lease from Council over this section of road, so that he can carry out road maintenance as required at his cost.
4. Take no action as road is not currently maintained by Council.

### **RECOMMENDATION**

That the following actions be taken in relation to the proposed extension of Toorawandi Road:

1. Take no action as road is not currently maintained by Council.  
and furthermore
2. Advise the lessee that Council would be prepared to add this section of road to its maintenance program if it is constructed by Council to Council standard at full cost to the lessee or the property owner.

### **3.5 PROPOSED CLOSURE OF CROWN PUBLIC ROADS IN VARIOUS LOCATIONS THROUGHOUT THE SHIRE**

#### **Background**

A notice has been received from the Department of Lands advising of several applications to close crown roads. A copy of each map showing location of the road sections is included at the end of this report.

Council has previously objected to proposed closure of crown roads.

#### **Issues**

The State Government is encouraging land owners with enclosure permits over crown road to purchase the land where alternate access is available.

Council should consider each application to determine if any interest in developing the road is foreseeable.

#### **Options**

Council may object to the proposed closure but should detail reasons for doing so.

Council considered a road closure application off Boomley Road in April 2007 and introduced a number conditions. Council may wish to use these same conditions in relation to any of the applications received from the Department of Lands.

1. There is no current or foreseeable use for the road section either by Council or adjoining property owners
2. Where the terrain makes it impractical to construct a road there is an agreement in place to create a right of way for practical access to adjoining properties.
3. There is evidence that all adjoining property owners have been consulted and there are no objections to the proposed road closure.
4. That closure of the road does not prevent legal and practical access to adjoining properties.

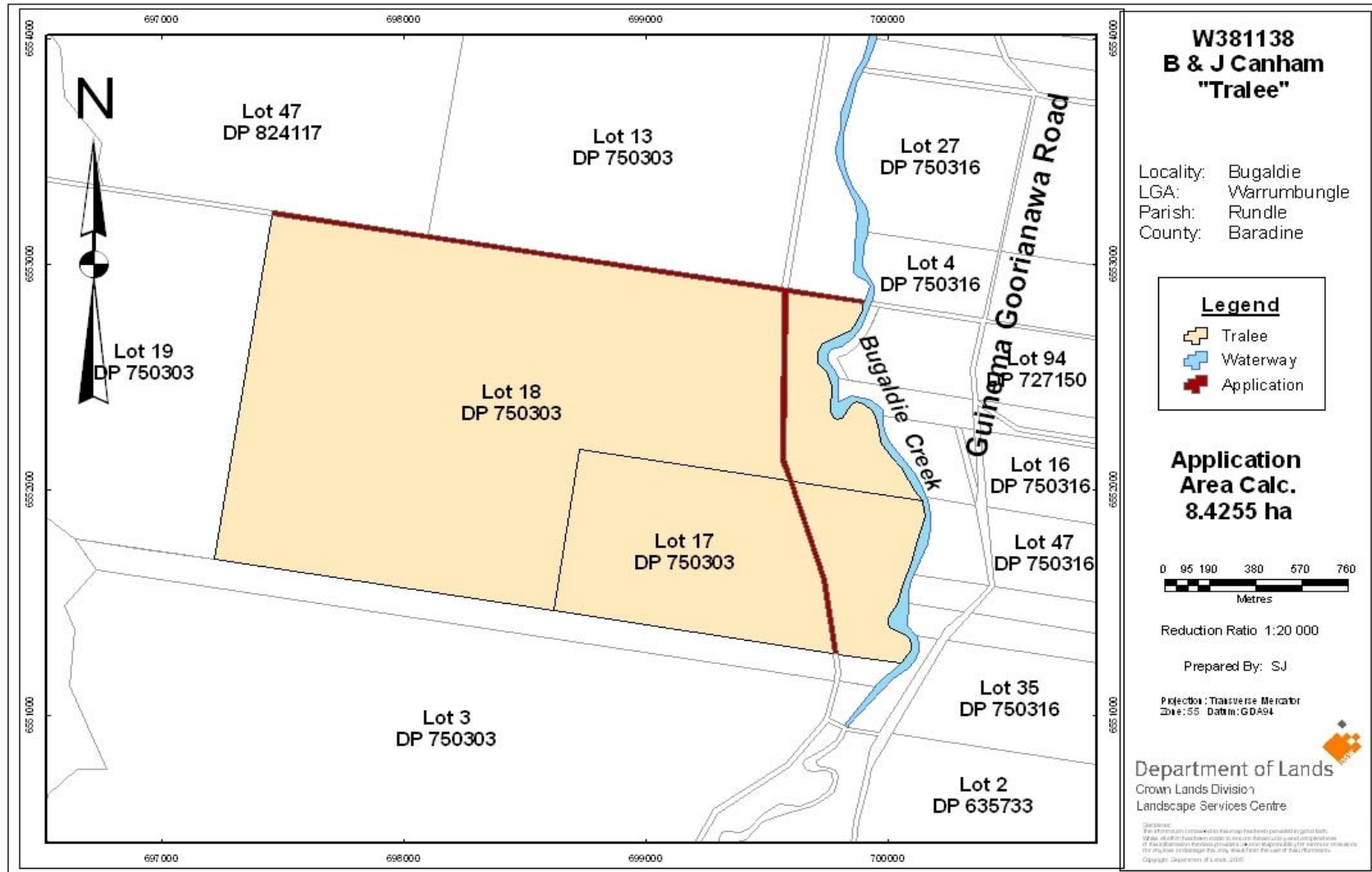
#### **Financial Considerations**

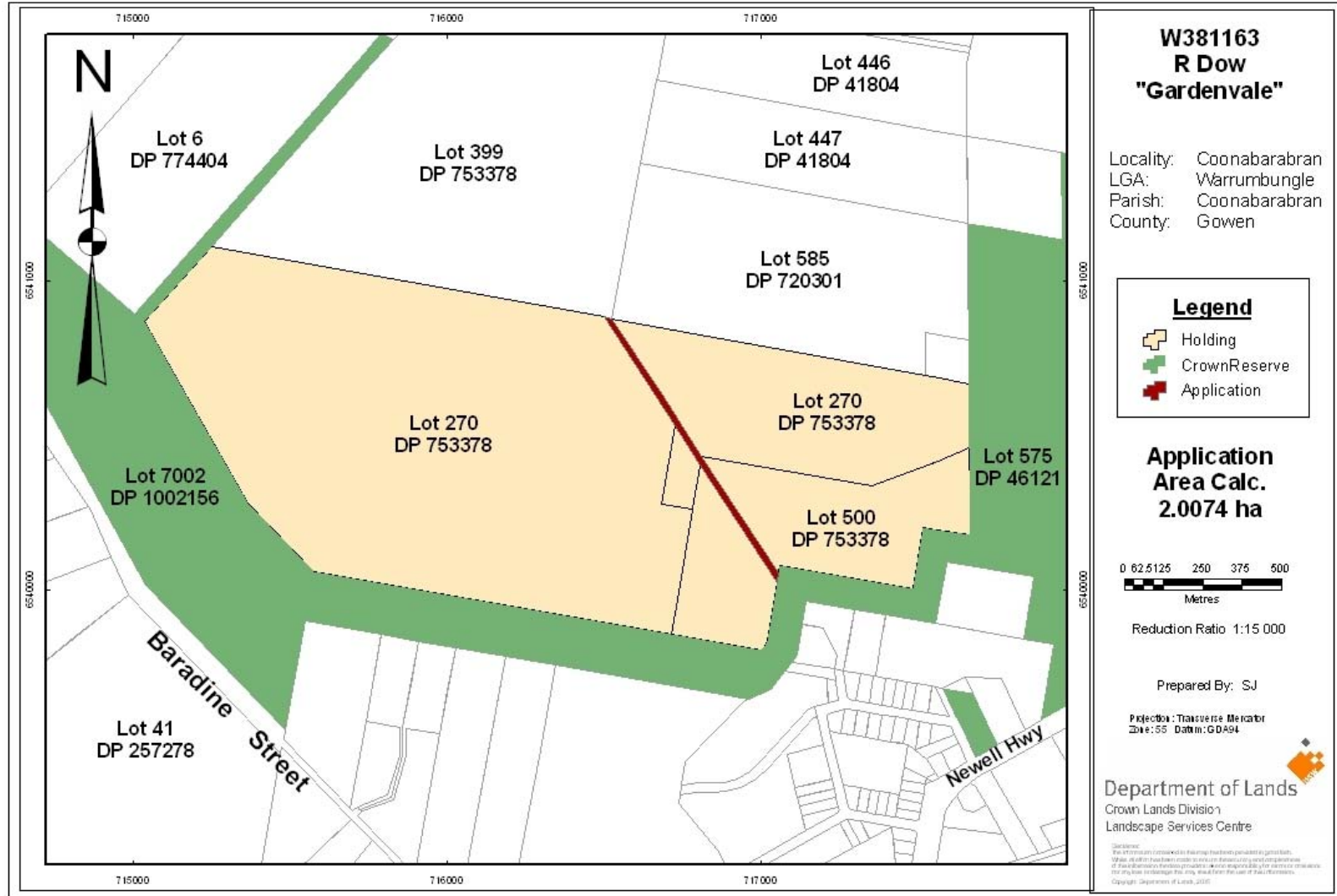
There is not expected to be any impact on the budget as a result of the success or otherwise of the crown road closure application.

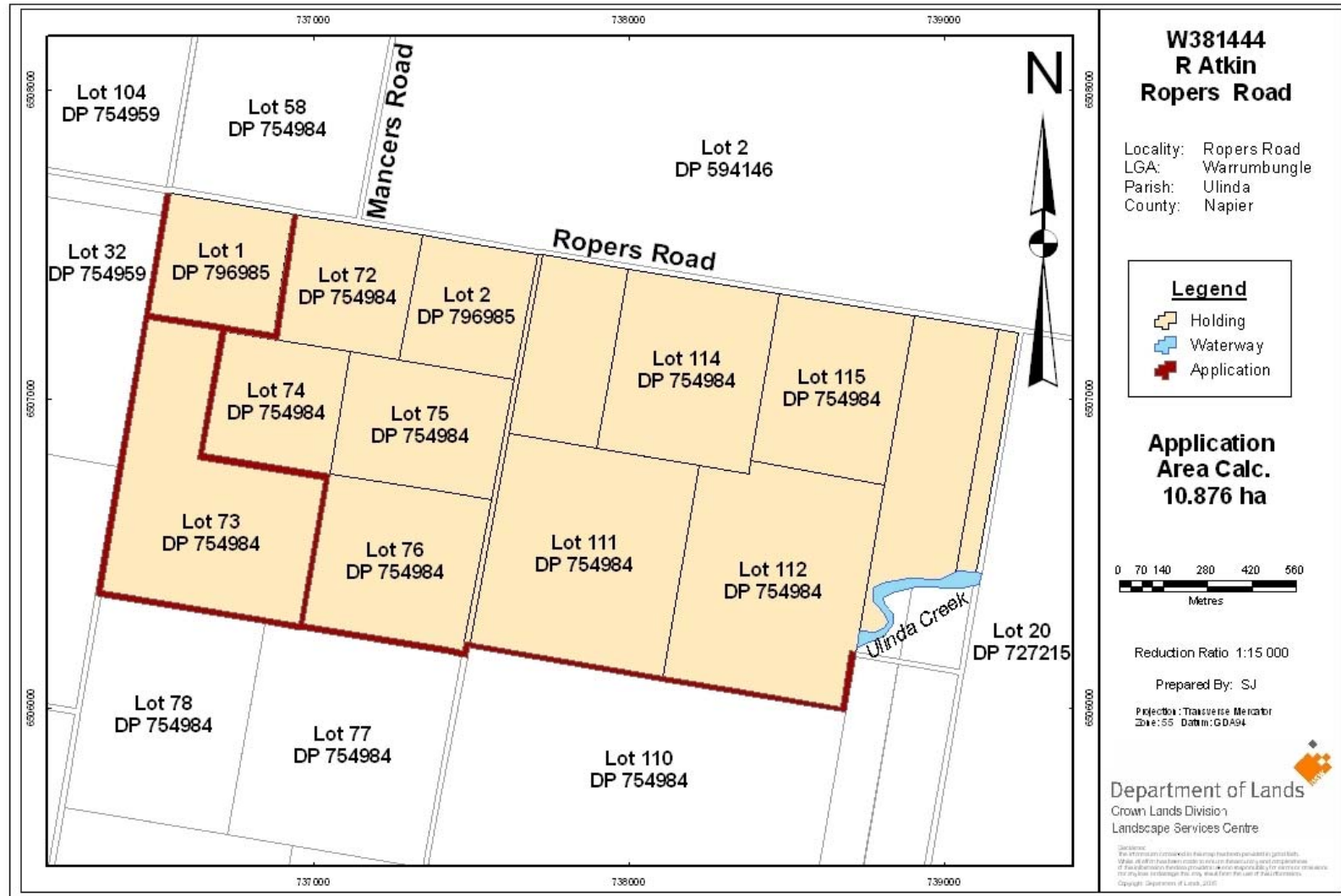
#### **RECOMMENDATION**

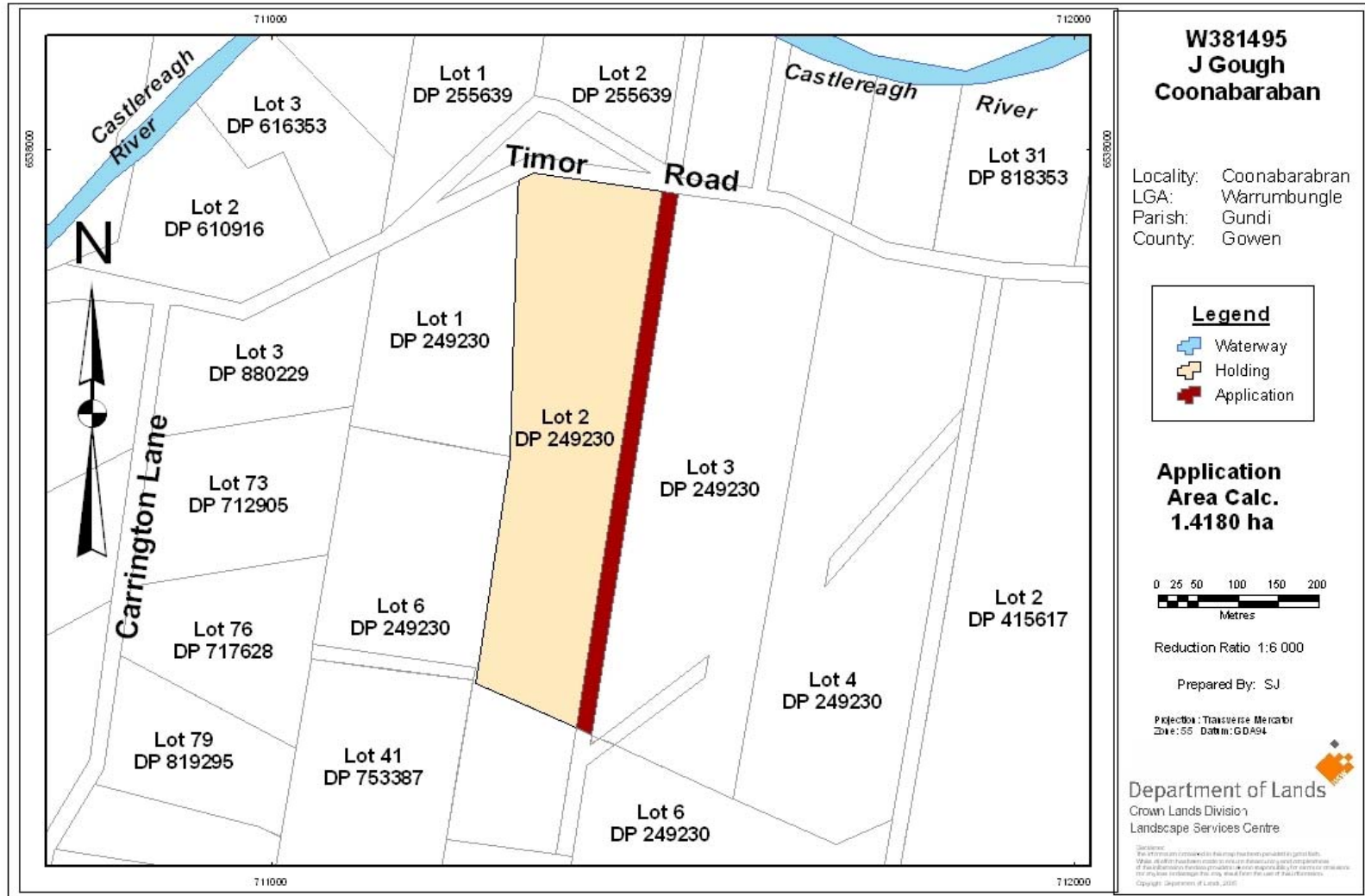
For Council consideration.

.....  
KEVIN TIGHE  
DIRECTOR TECHNICAL SERVICES









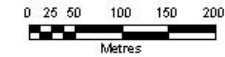
**W381495  
 J Gough  
 Coonabarabran**

Locality: Coonabarabran  
 LGA: Warrumbungle  
 Parish: Gundi  
 County: Gowen

**Legend**

-  Waterway
-  Holding
-  Application

**Application  
 Area Calc.  
 1.4180 ha**



Reduction Ratio 1:6 000

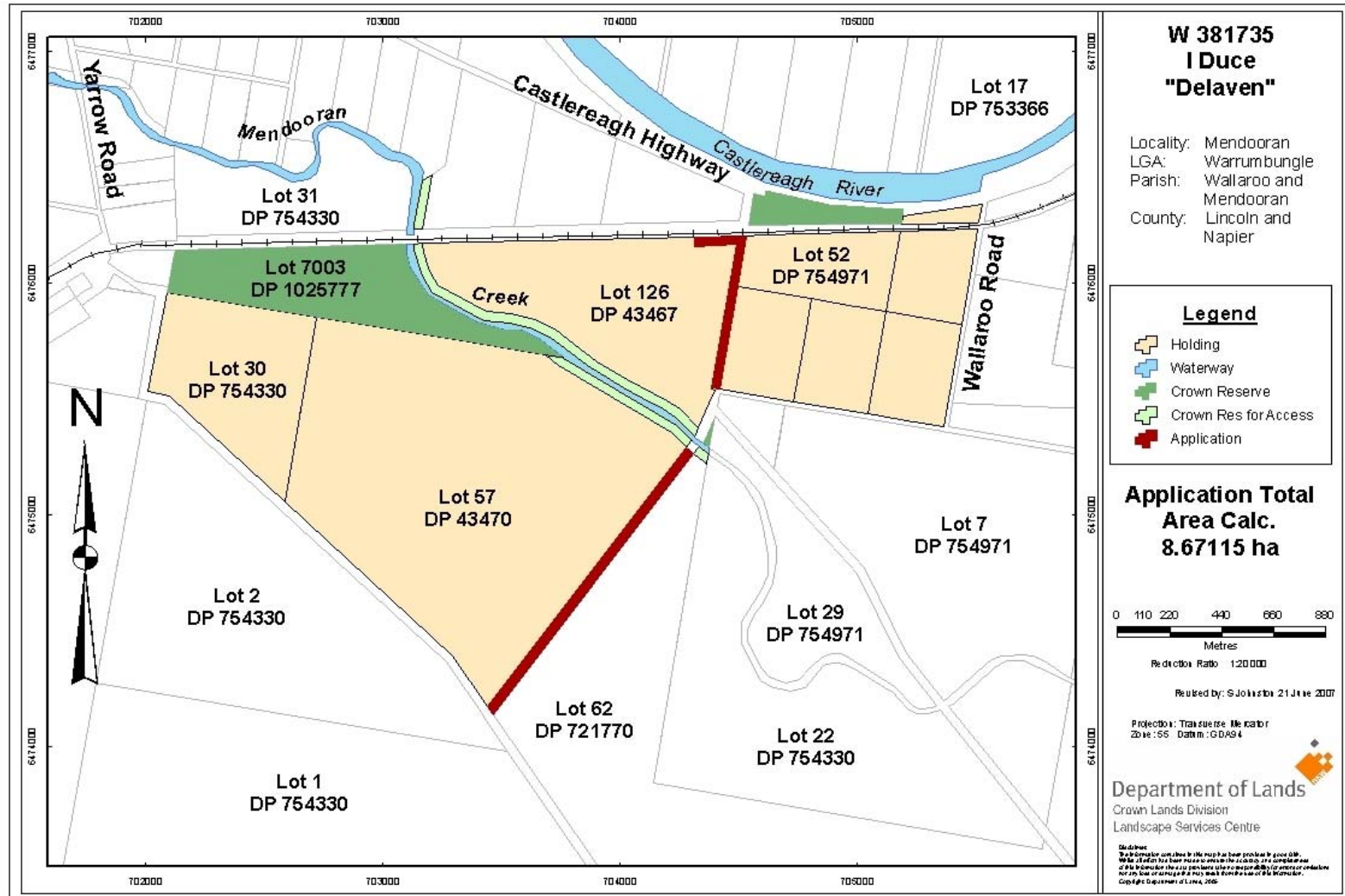
Prepared By: SJ

Projection: Transverse Mercator  
 Zone: 55 Datum: GDA94

Department of Lands  
 Crown Lands Division  
 Landscape Services Centre

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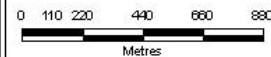
**W 381735  
 I Duce  
 "Delaven"**

Locality: Mendooran  
 LGA: Warrumbungle  
 Parish: Wallaroo and Mendooran  
 County: Lincoln and Napier

**Legend**

- Holding
- Waterway
- Crown Reserve
- Crown Res for Access
- Application

**Application Total  
 Area Calc.  
 8.67115 ha**



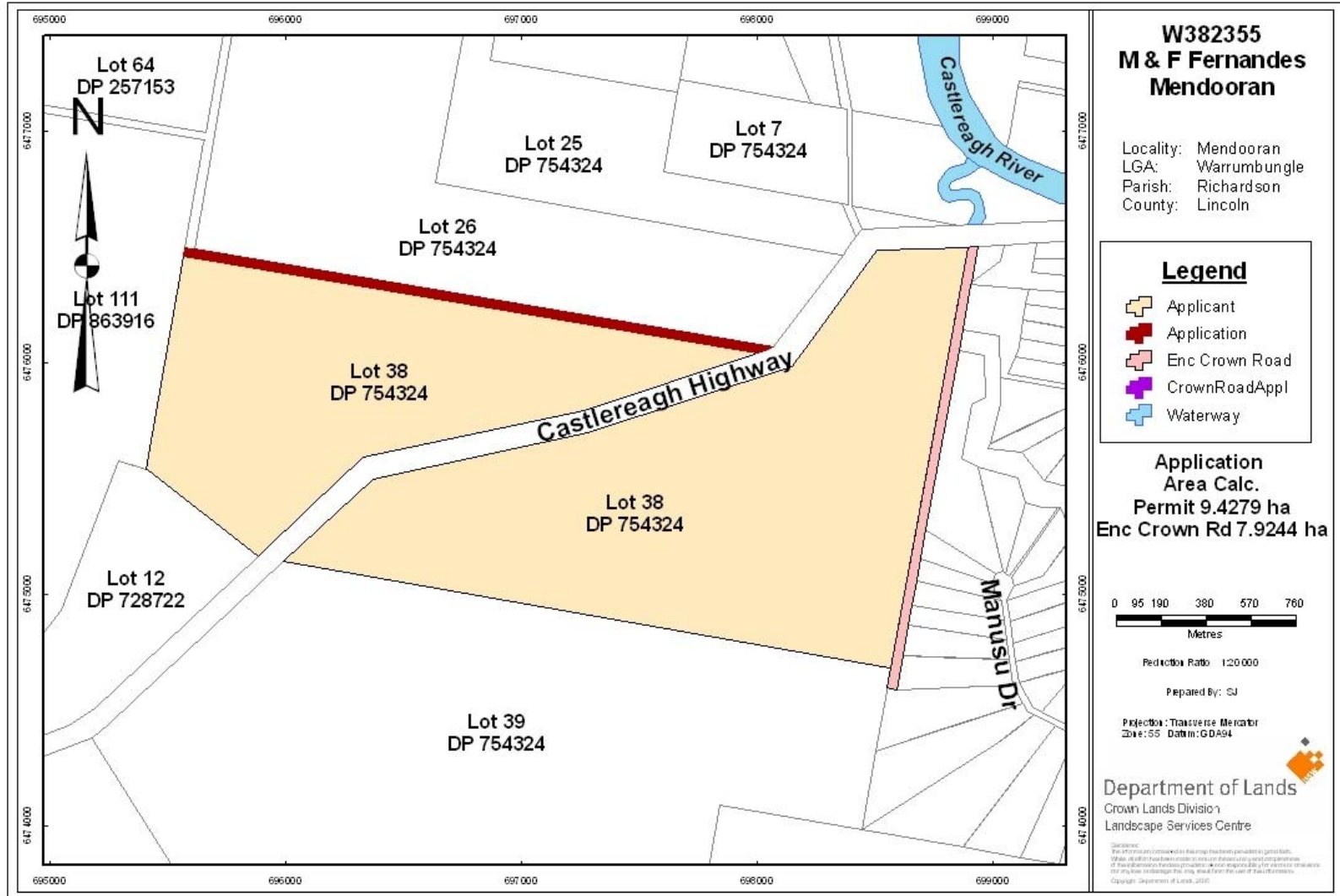
Reduction Ratio 1:20 000

Revised by: S Johnston 21 June 2007

Projection: Transverse Mercator  
 Zone: 55 Datum: GDA84

**Department of Lands**  
 Crown Lands Division  
 Landscape Services Centre

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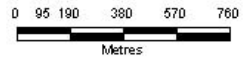
**W382355**  
**M & F Fernandes**  
**Mendooran**

Locality: Mendooran  
 LGA: Warrumbungle  
 Parish: Richardson  
 County: Lincoln

**Legend**

- Applicant
- Application
- Enc Crown Road
- CrownRoadAppl
- Waterway

**Application**  
**Area Calc.**  
 Permit 9.4279 ha  
 Enc Crown Rd 7.9244 ha



Reduction Ratio: 1:20 000

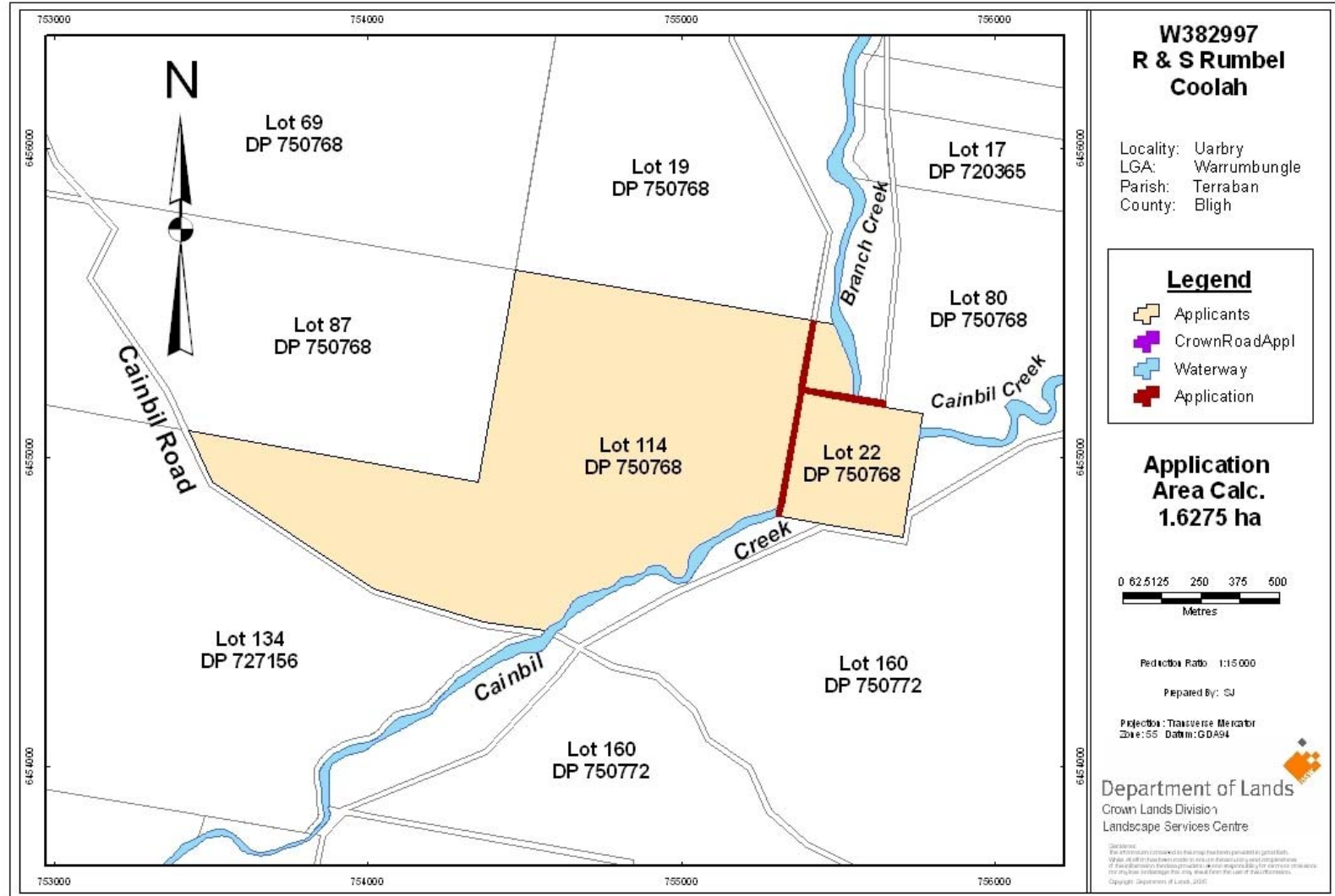
Prepared By: SJ

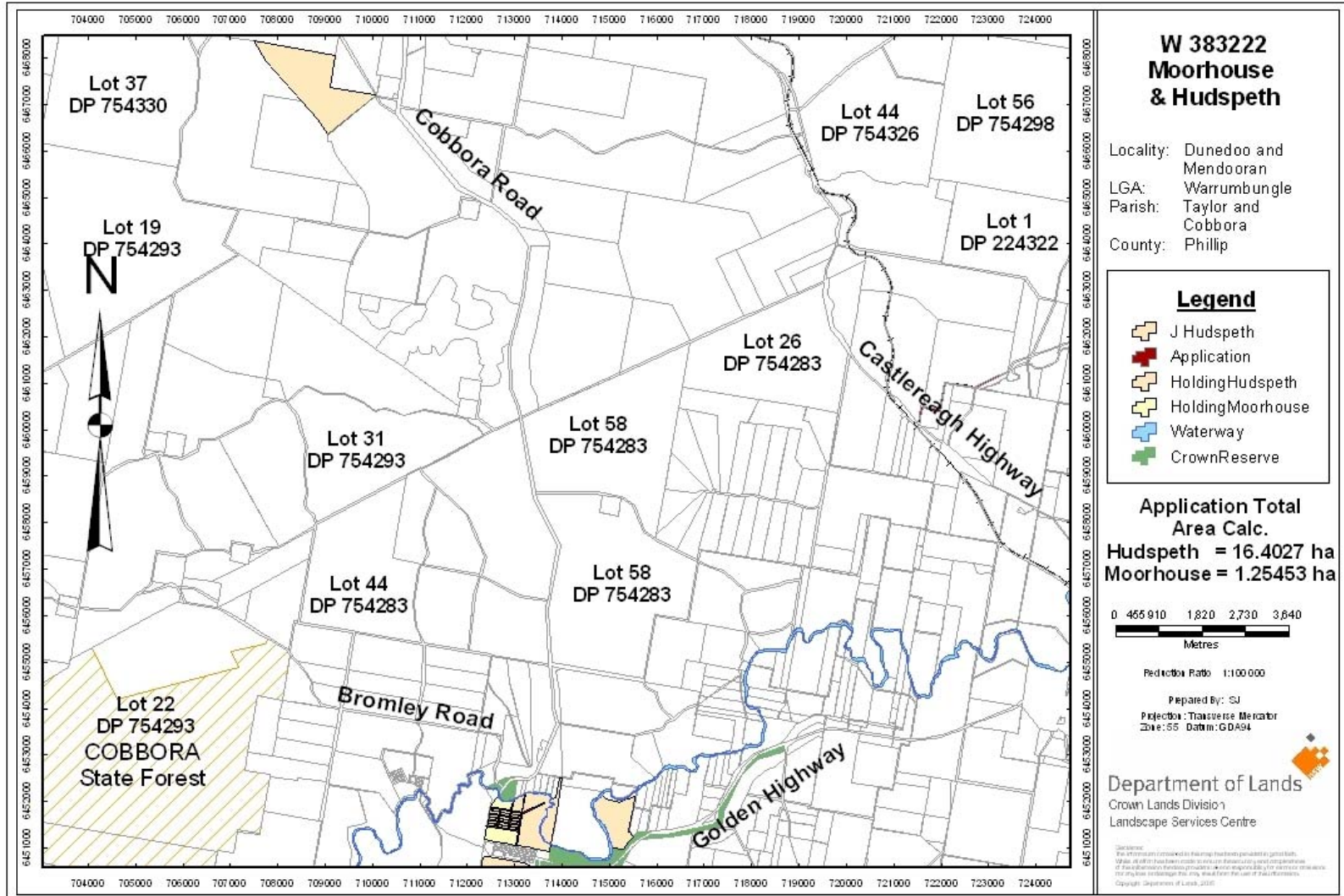
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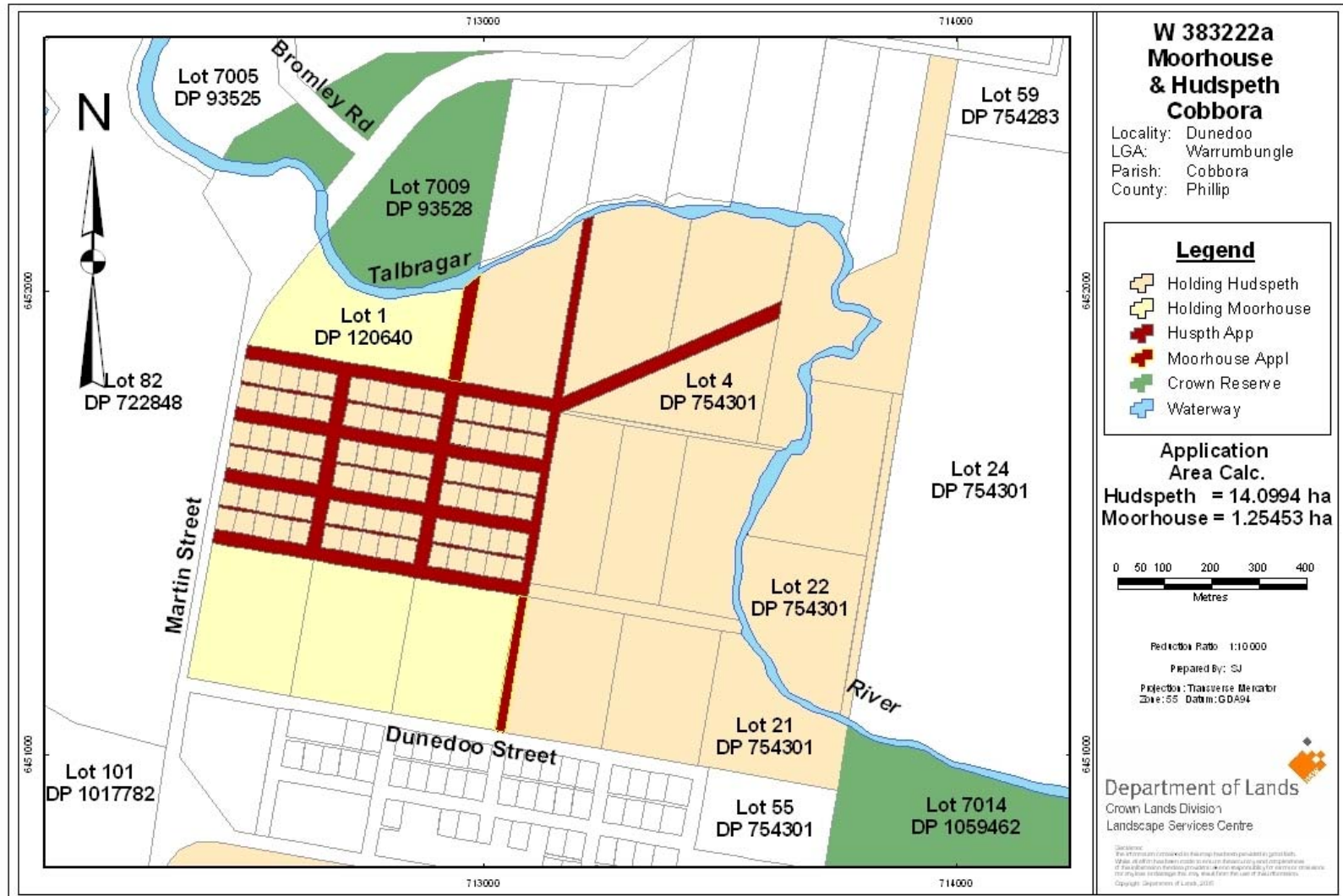
Department of Lands  
 Crown Lands Division  
 Landscape Services Centre

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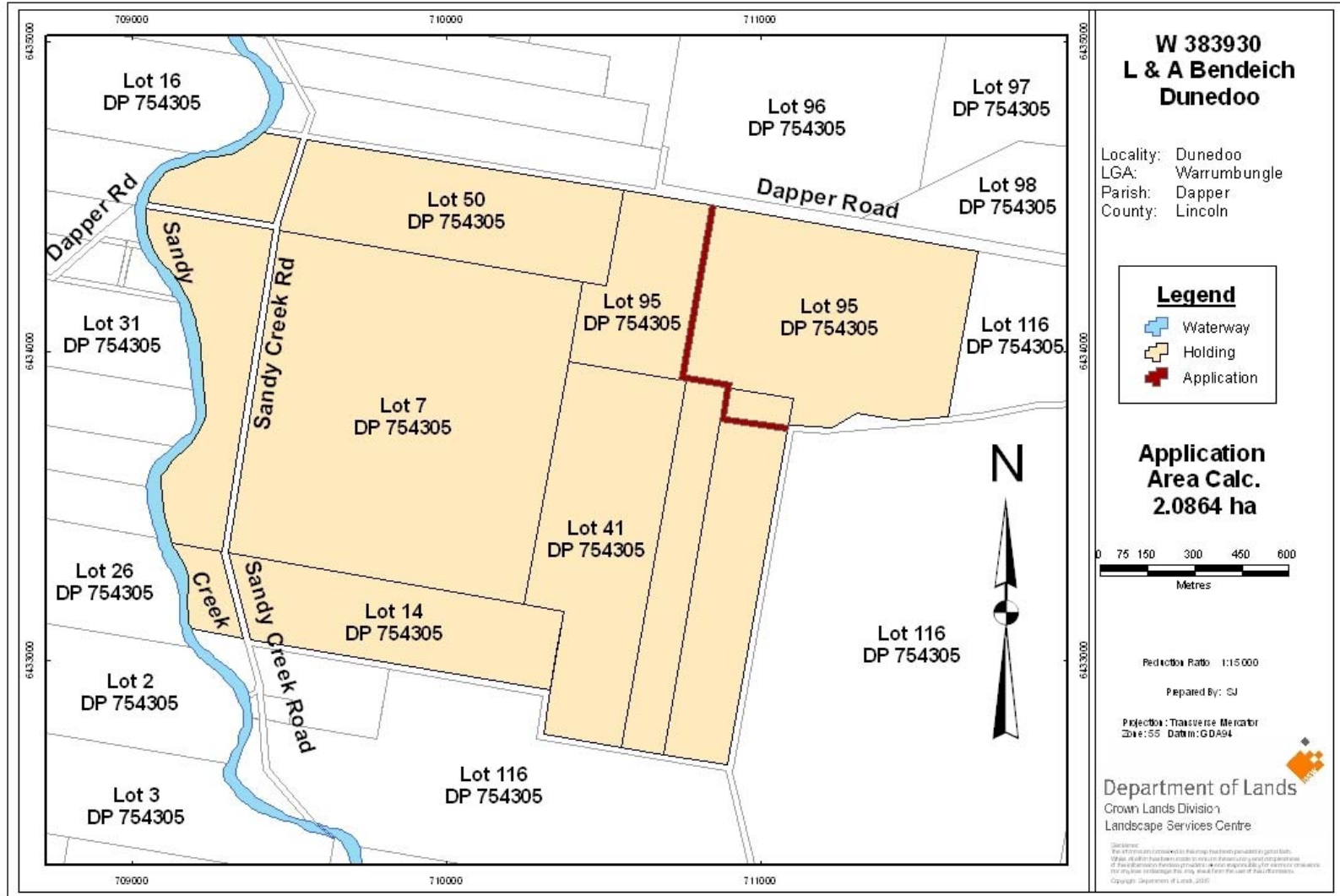


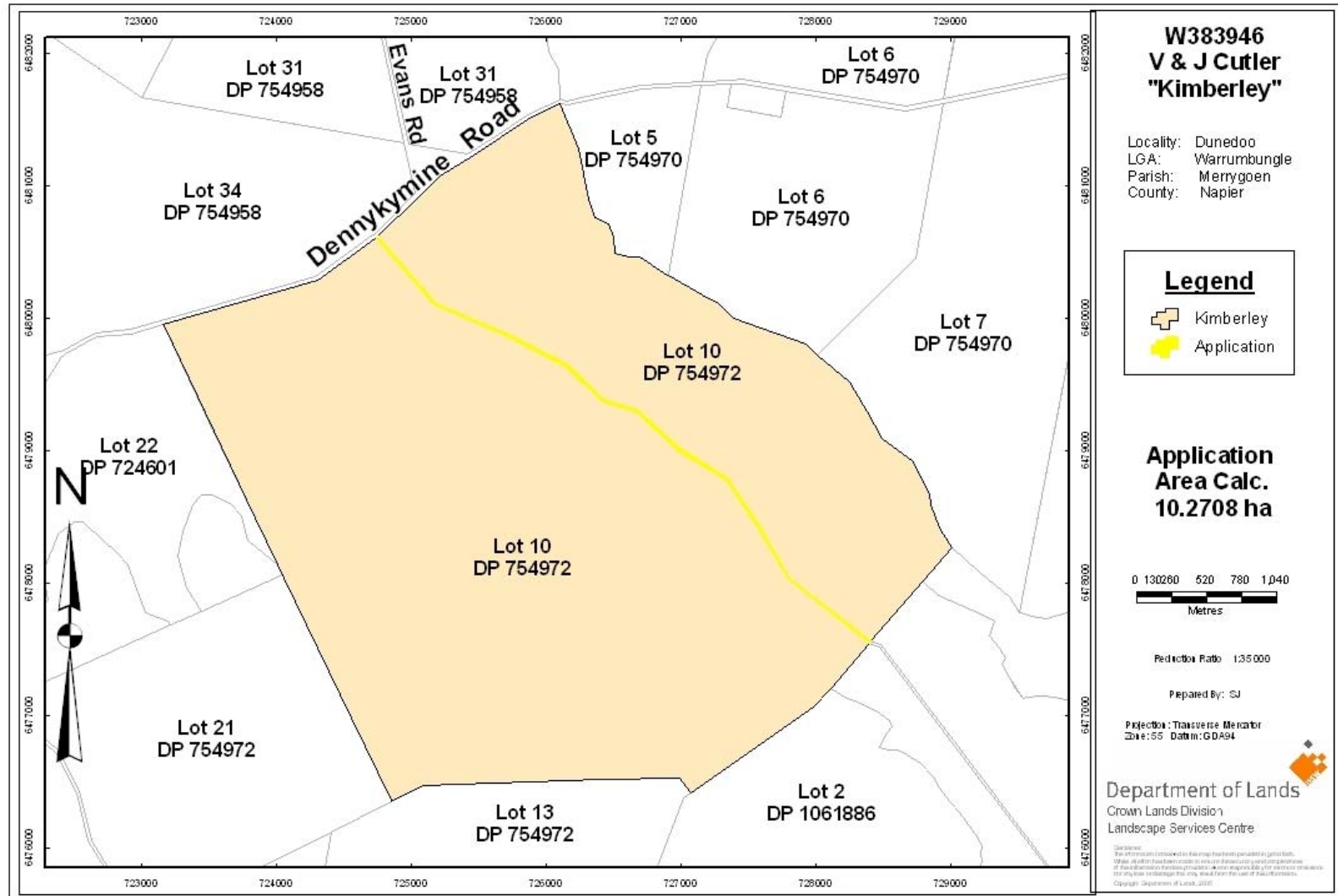


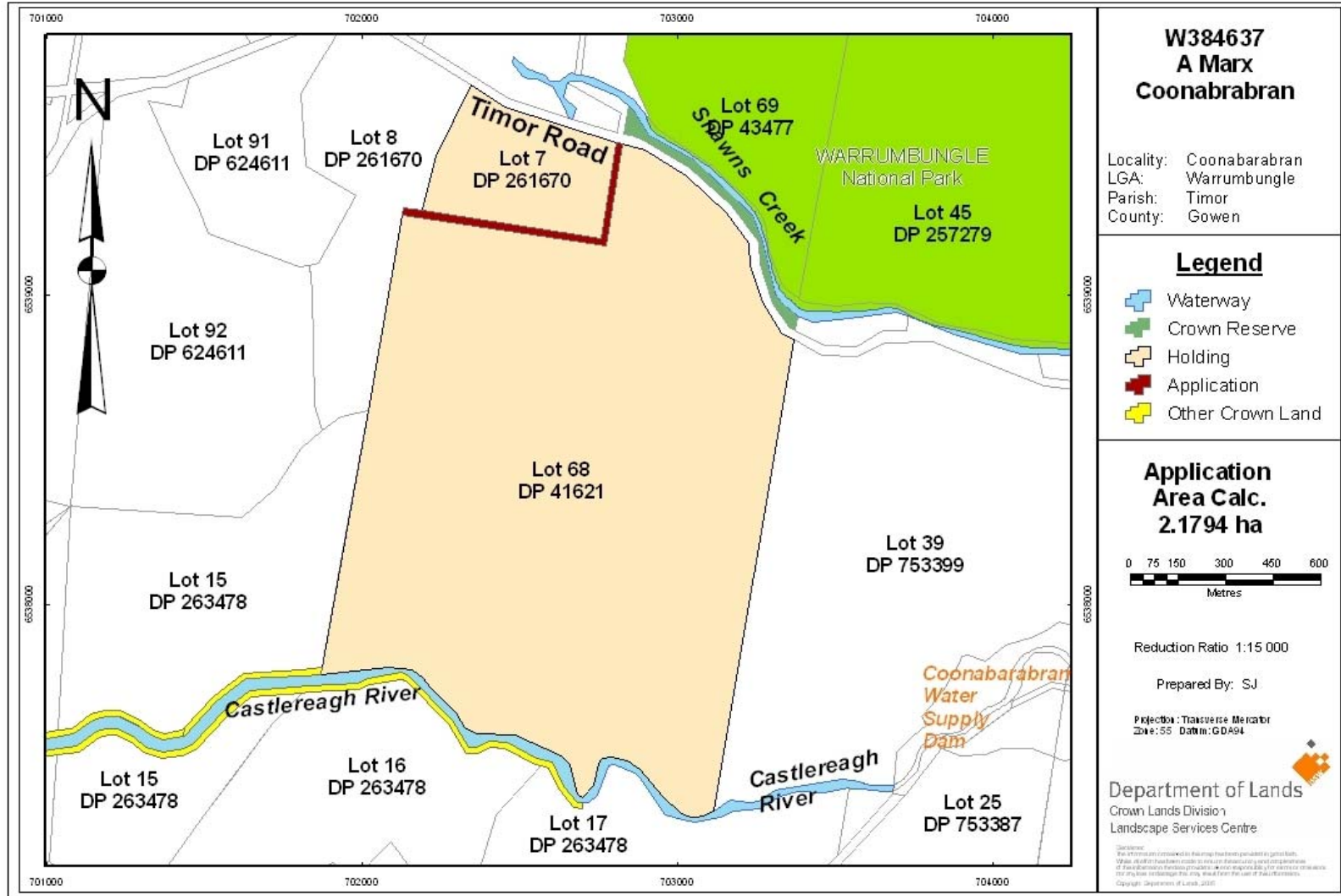












**W384637  
 A Marx  
 Coonabarabran**

Locality: Coonabarabran  
 LGA: Warrumbungle  
 Parish: Timor  
 County: Gowen

**Legend**

-  Waterway
-  Crown Reserve
-  Holding
-  Application
-  Other Crown Land

**Application  
 Area Calc.  
 2.1794 ha**



Reduction Ratio 1:15 000

Prepared By: SJ

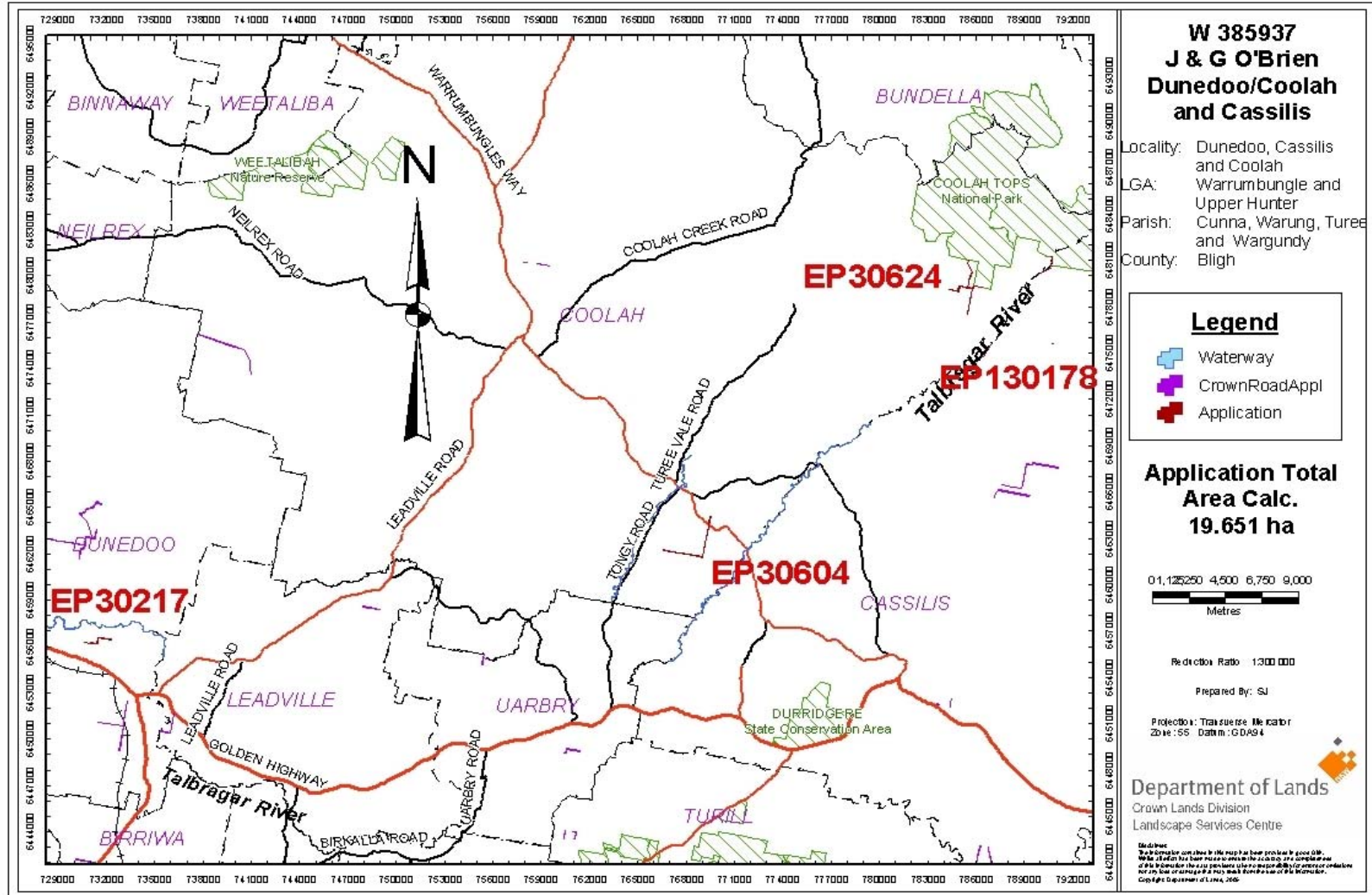
Projection: Transverse Mercator  
 Zone: 55 Datum: GDA94

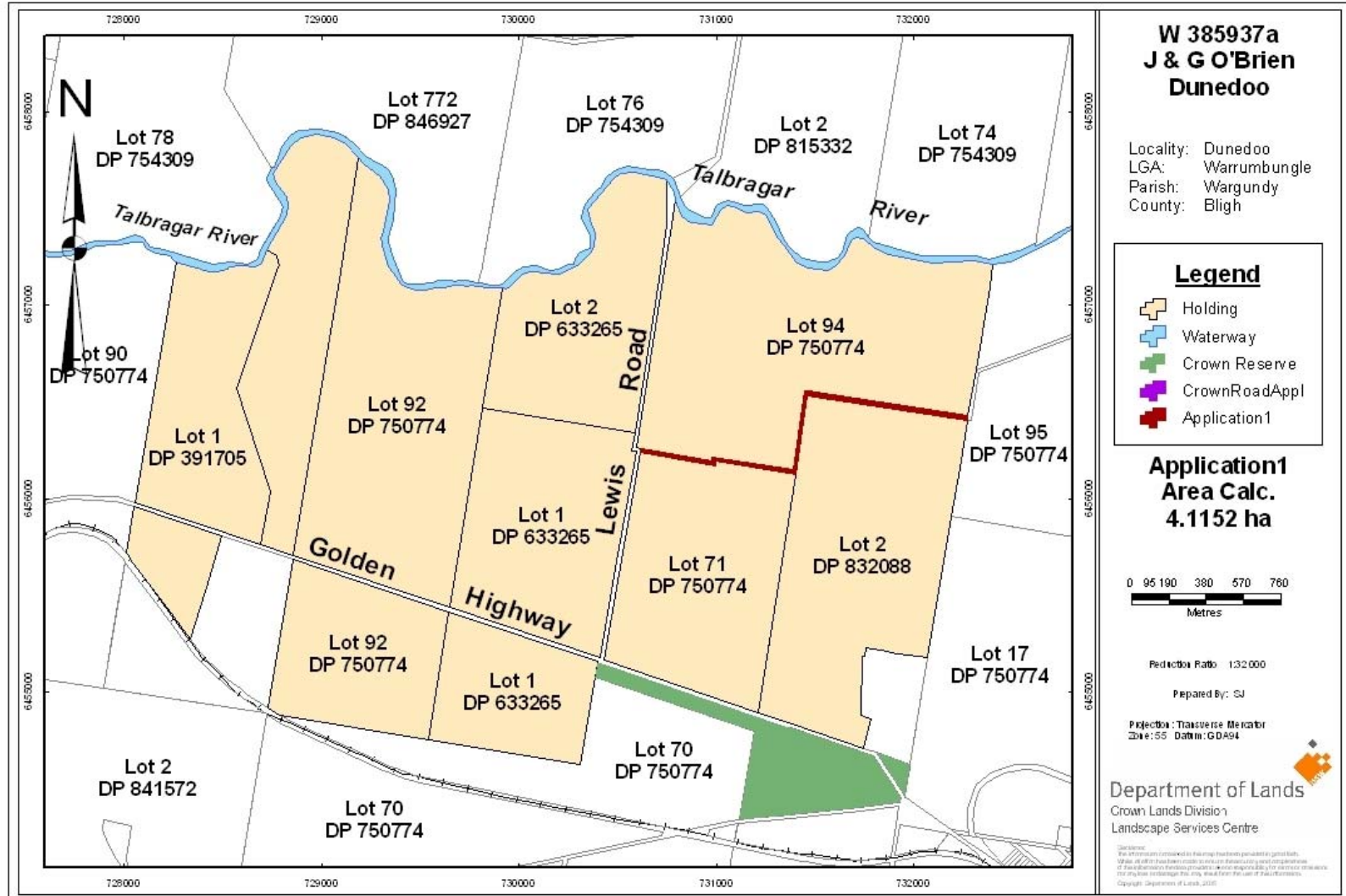
Department of Lands  
 Crown Lands Division  
 Landscape Services Centre

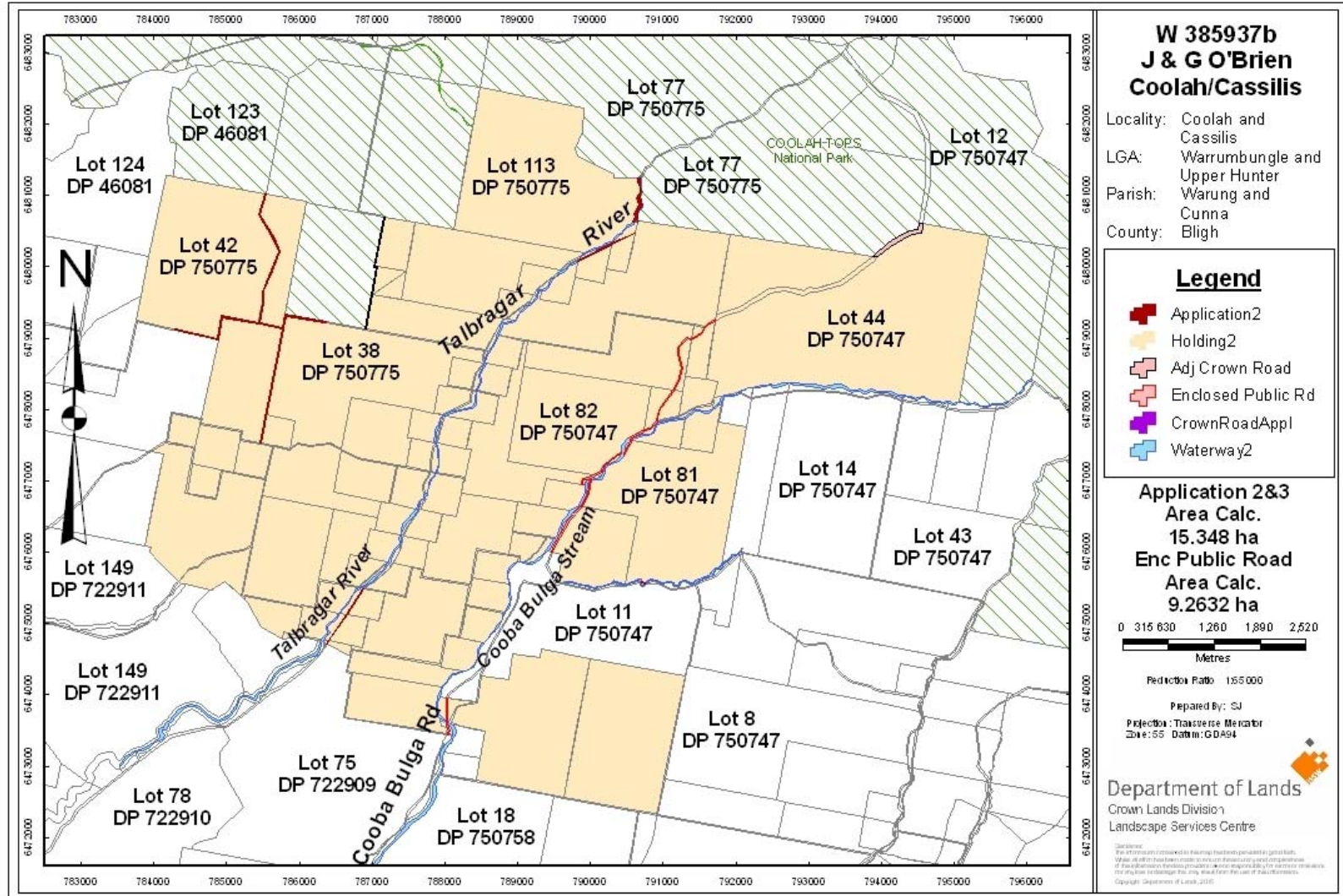
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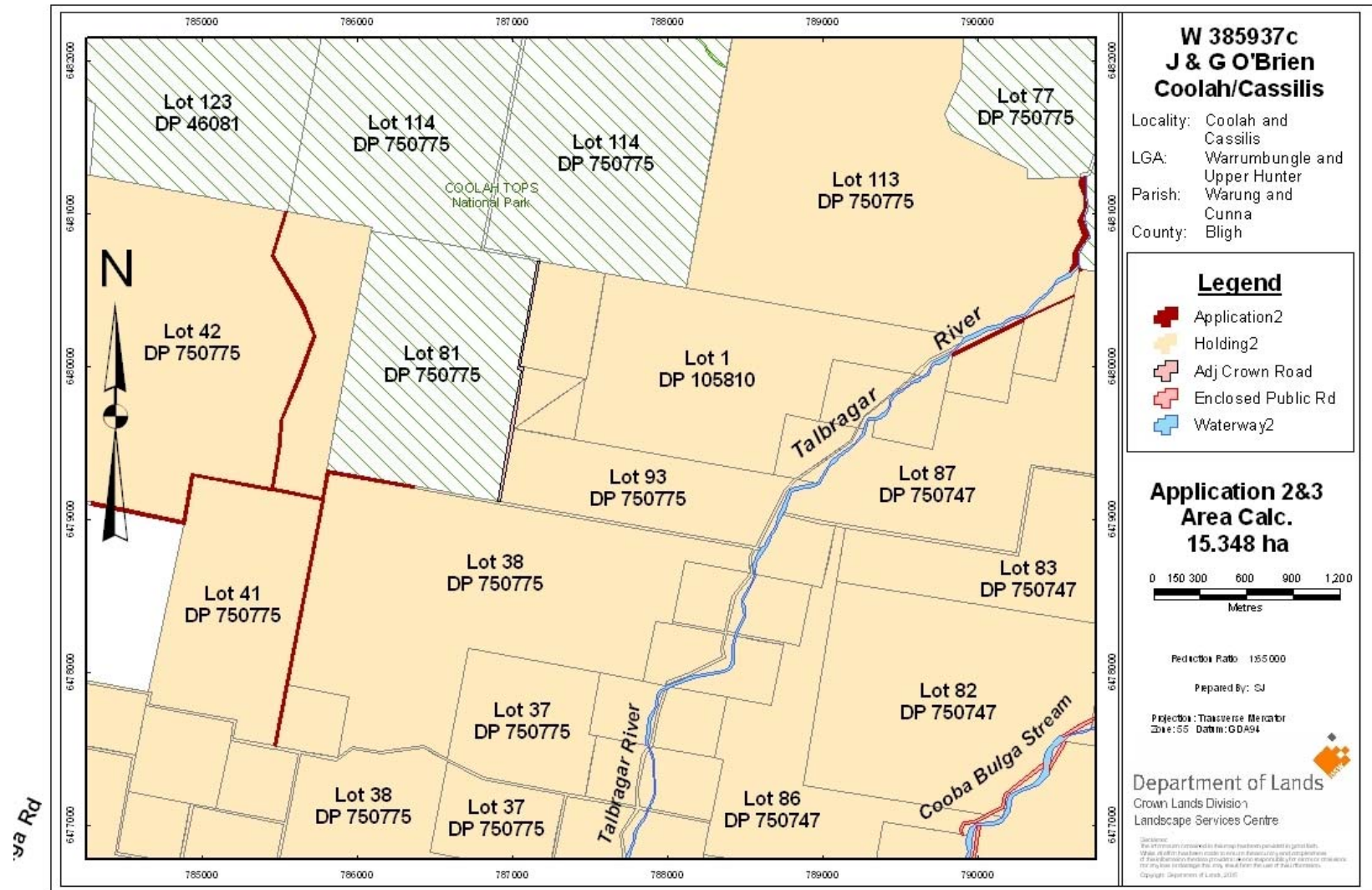


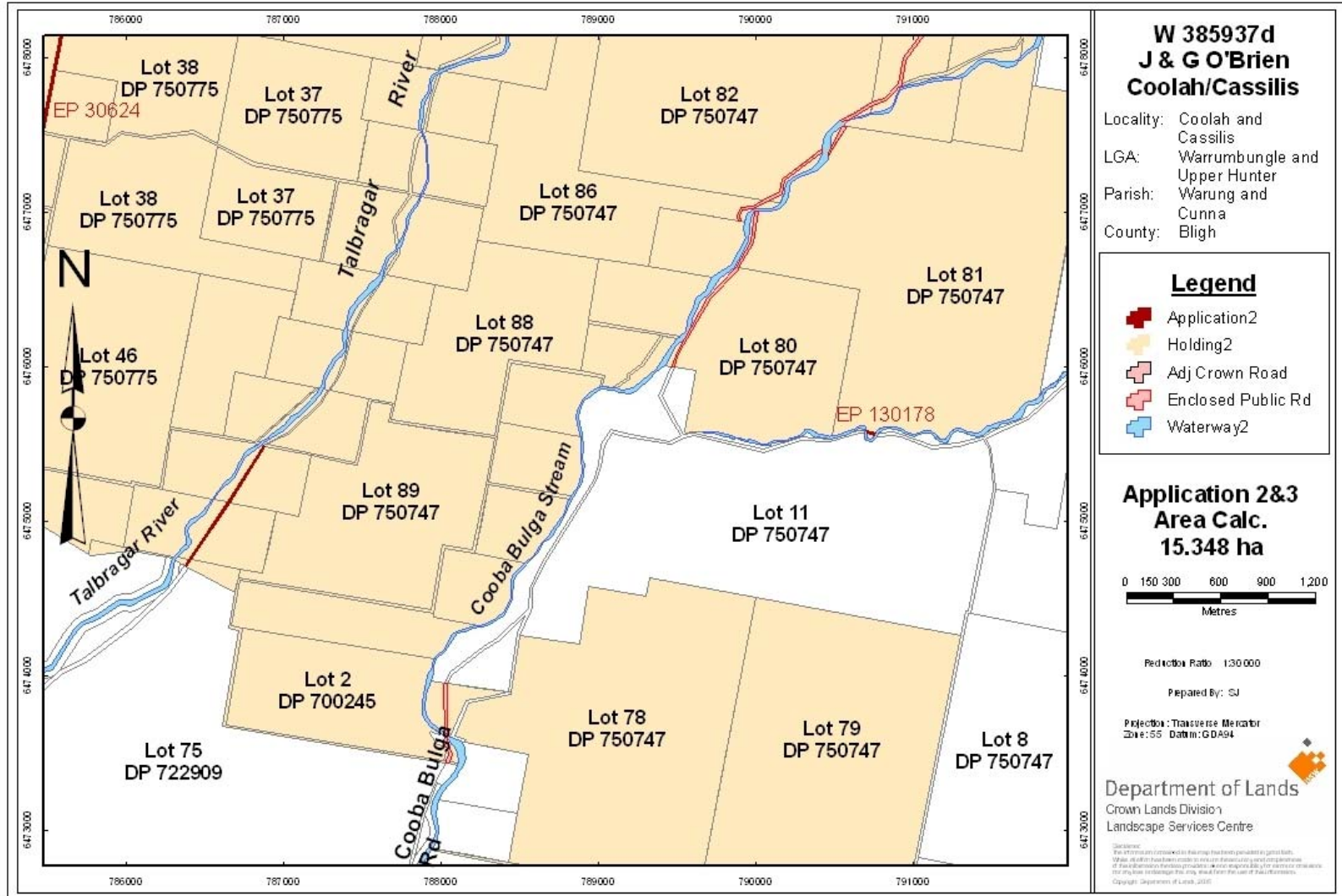


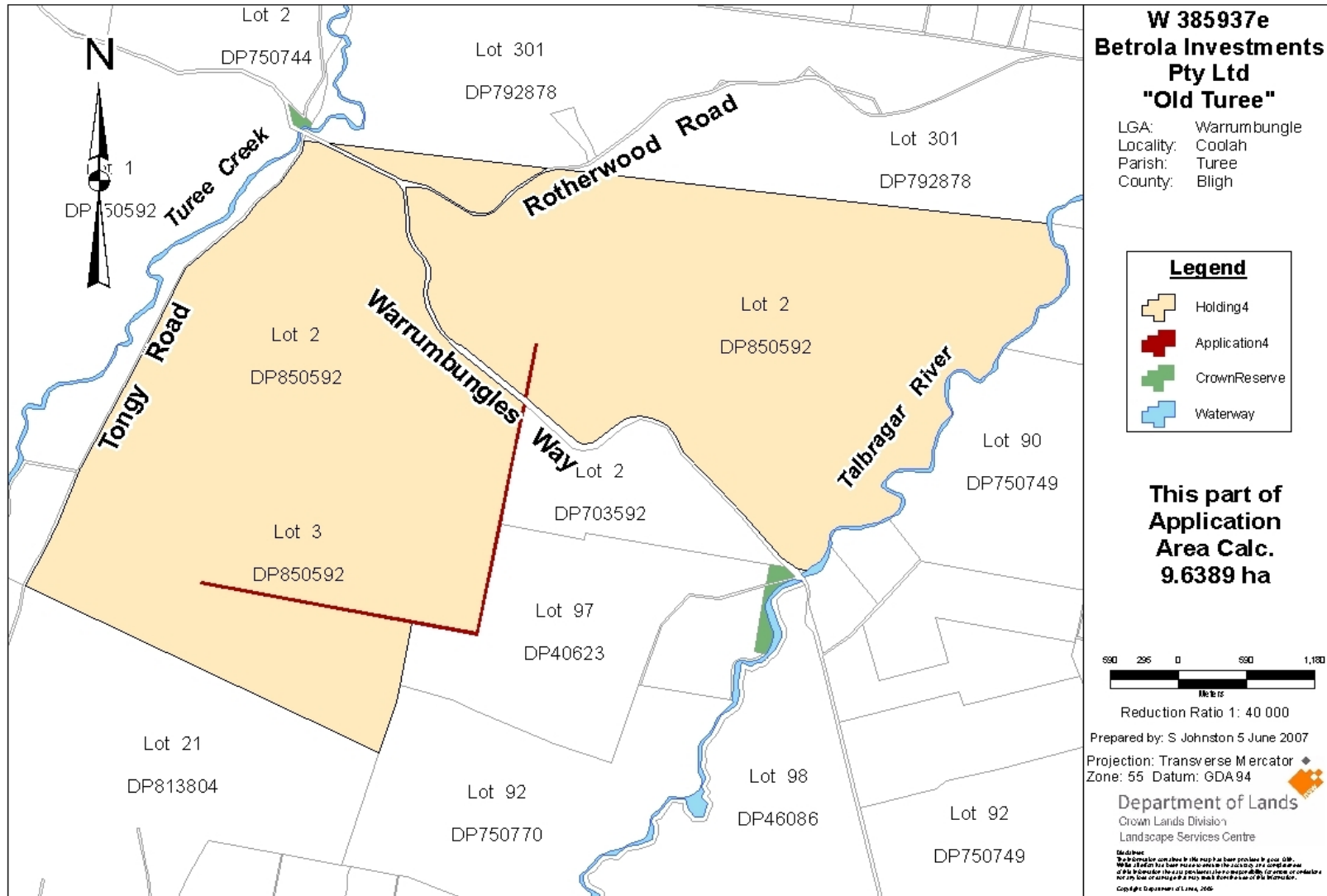




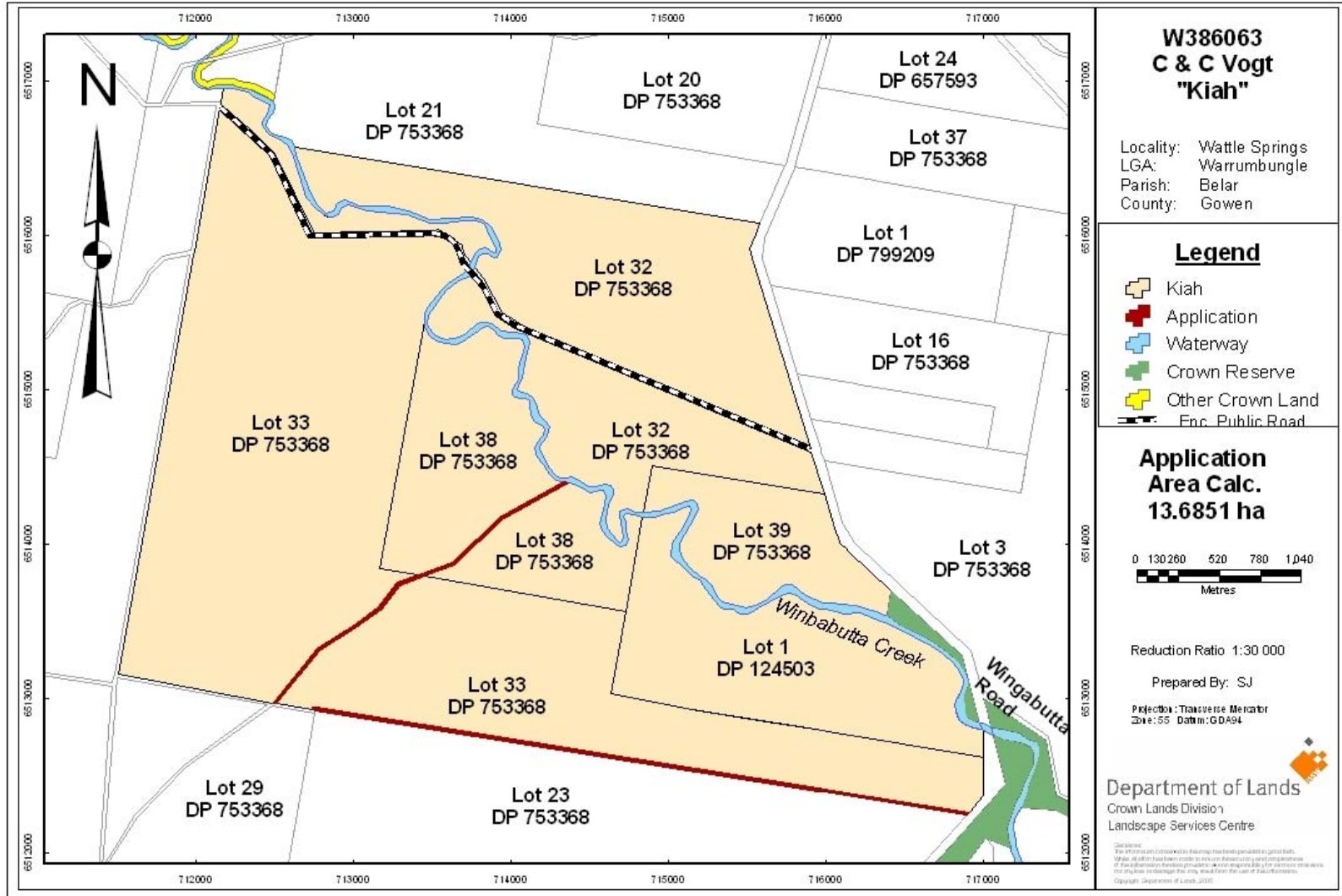


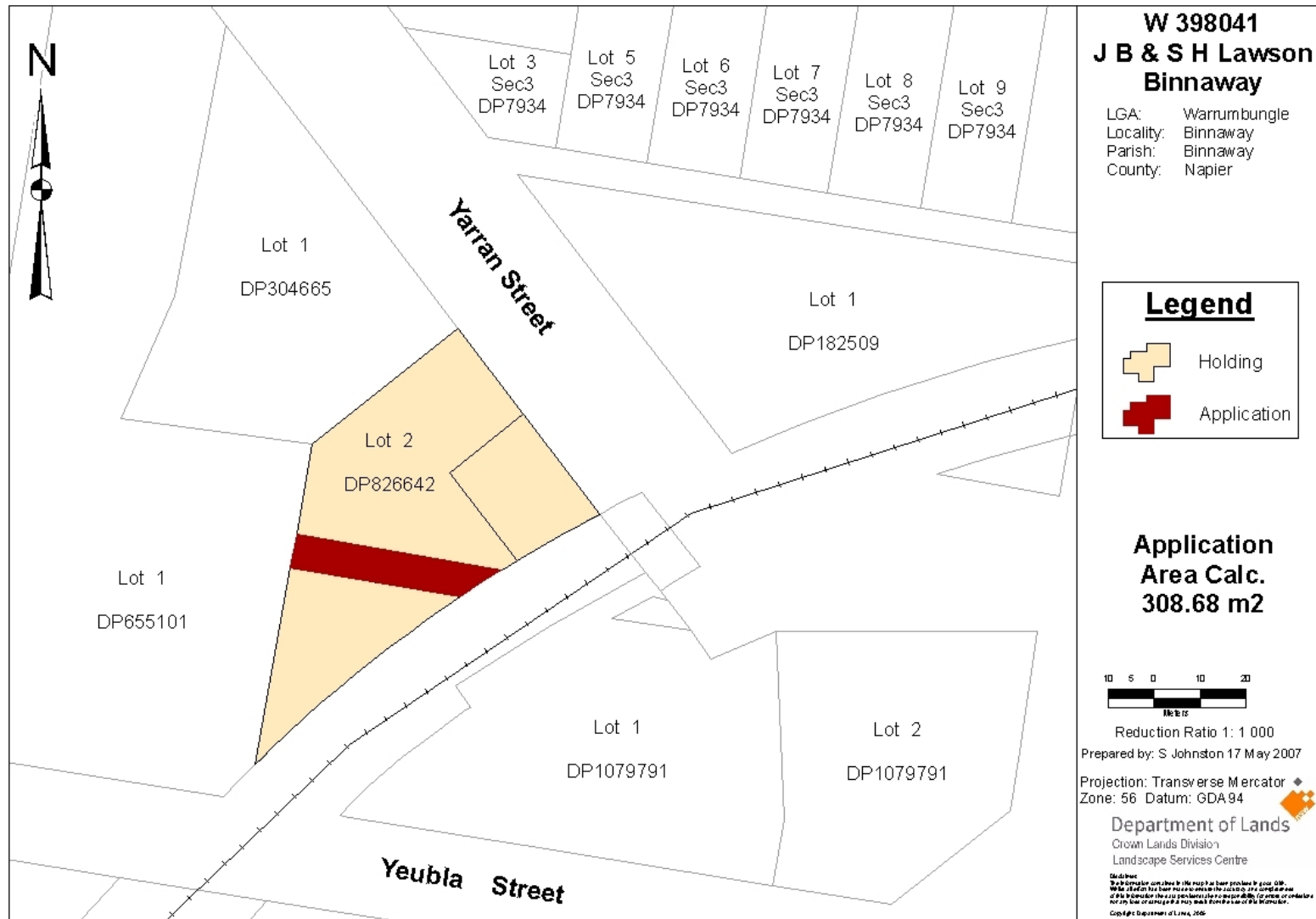




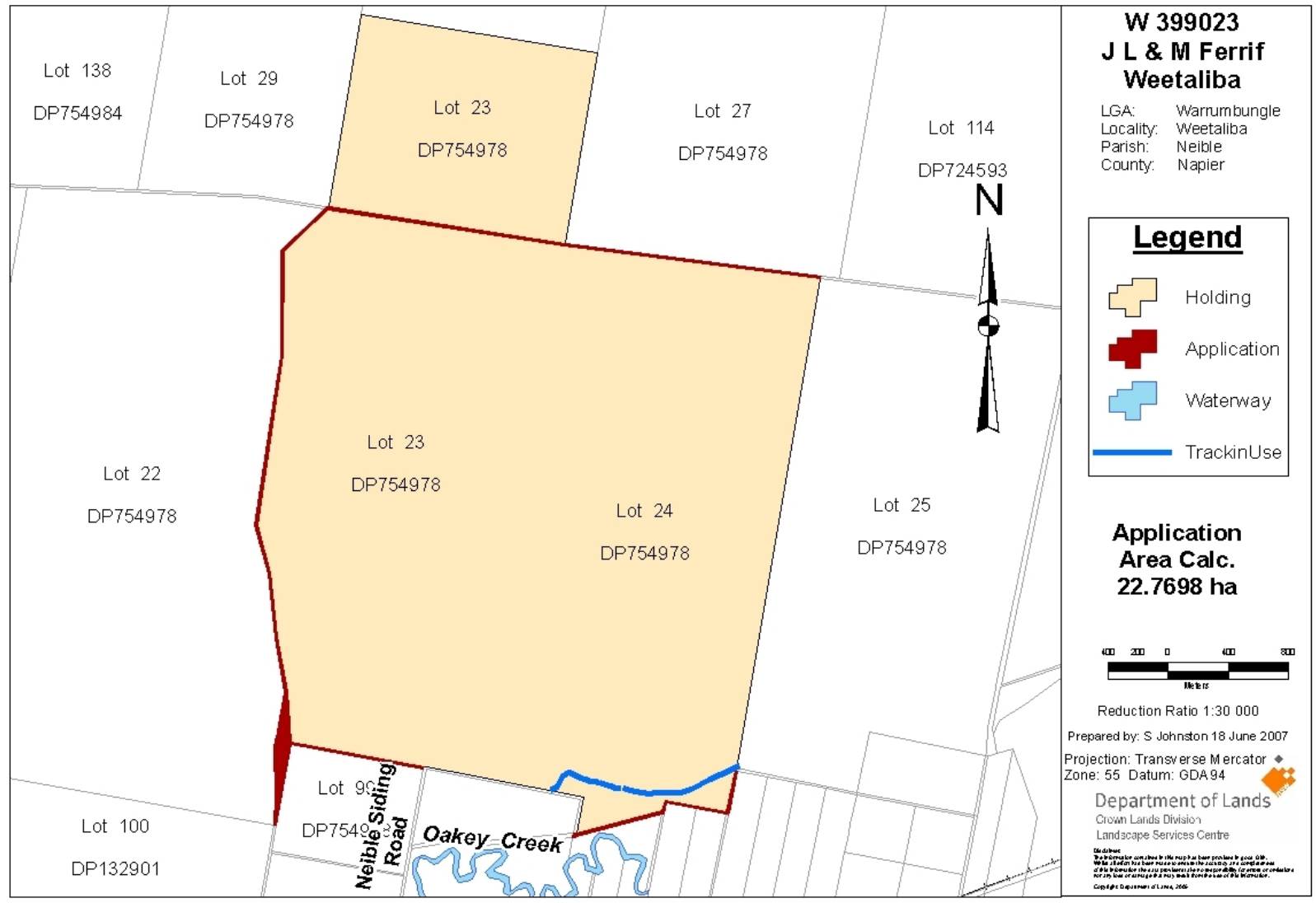












Mr R J Geraghty  
General Manager  
Warrumbungle Shire Council  
John Street  
COONABARABRAN 2357

Dear Sir

Attached is my report for consideration by Council

**DIRECTOR OF ENVIRONMENTAL SERVICES      ANNEXURE 4**

**4.1      WARRUMBUNGLA SHIRE COUNCIL APPLICATIONS RECEIVED FOR THE  
MONTH OF JUNE 2007**

See attached pages.

Complying Development (set criteria) Development Application (Specialised Conditions)	Owners Name	Location (Street)	Location (Town)	Development Type	Status (Approved or Pending)
CDC 163/0607	Margaret Cook	Timor Road	Coonabarabran	New Timber Weatherboard Dwelling	Pending
CDC 164/0607	Clive Meers	Gordon Street	Coonabarabran	Additions to existing Dwelling	Approved
CDC 165/0607	David Sturtridge	"Riverglen"	Coonabarabran	Additions to existing Dwelling	Approved
DA 166/0607	Rawson Homes / Longdon	Carrington Lane	Coonabarabran	New Brick Veneer Dwelling	Pending
DA 167/0607	Warrumbungle Publications	Dalgarno Street	Coonabarabran	Alterations to Building Façade	Approved
CDC 168/0607	Stephen Taylor	Mount Hope Road	Coolah	Extensions to Existing Dwelling	Pending
DA 169/0607	Norma Roberts	Timor Road	Coonabarabran	Create 2 Lot Subdivision	Pending External Referral
DA 170/0607	Caltex Aust Petroleum Pty Ltd	John Street	Coonabarabran	Rebranding	Pending
DA 171/0607	Kerryn Wark	Namoi Street	Coonabarabran	Establish Hairdressers	Pending
DA 172/0607	Alison Manning	Bullinda Street	Dunedoo	Relocate Dwelling	Pending

WARRUMBUNGL SHIRE COUNCIL APPLICATIONS HELD PENDING AS AT THE MONTH OF JUNE 2007

Complying Development (set criteria) Development Application (Specialised Conditions)	Owners Name	Location (Street)	Location (Town)	Development Type	Status (Approved or Pending)
DA 63/0607	Paul Rzerminski	Major Mitchell Road	Coonabarabran	Erection of New Dwelling	Waiting for further Applicant Information
CDC 65/0607	Roberts	Timor Road	Coonabarabran	Erection of Re Locatable Dwelling	Waiting for DCP Applicant information
DA 113/2004	Geolyse (WSC)	Jackson Street	Coonabarabran	Proposed 45 Lot Subdivision From 1 lot	Waiting for DCP Applicant information
DA 139/0506	P & D Redden	Merebene Street	Coonabarabran	Three Lot Subdivision	Waiting for RFS Response
CDC 140/0506	F. Border	Ringwood	Coonabarabran	Additions to dwelling	Waiting for further Applicant Information
DA 137/0607	Peter Richmond/Spackman	Timor Road	Coonabarabran	Consolidate/Subdivision	Waiting for further Applicant Information
CDC 145/0607	John Kubowicz	Whitely Street	Dunedoo	Erect Cover over Swimming Pool	Applicant to Provide Engineer's Detail
DA 148/0607	Timor Waters Estate c/ Geolyse	Timor Road	Coonabarabran	4 lot Subdivision	Waiting for further Applicant Information
CDC 154/0607	Norman Baker	Bandulla Street	Coonabarabran	Erect New Storage Shed	Waiting for further Applicant Information

Complying Development (set criteria) Development Application (Specialised Conditions)	Owners Name	Location (Street)	Location (Town)	Development Type	Status (Approved or Pending)
DA 157/0607	Paul Flint	Martin Street	Coolah	Establish Metal Recycling & Welding Shop	Advertising
DA 161/0607	M.F Welsh & CO / Geolyse Pty Ltd	Mount Hope Road	Coolah	Establish 1,000 Head Cattle Feed Lot	Advertising
DA 162/0607	Julie Drew	Dalgarno Street	Coonabarabran	2 Lot Subdivision	Internal Referral

.....  
 RON VAN KATWYK  
 DIRECTOR ENVIRONMENTAL SERVICES

Mr R J Geraghty  
General Manager  
Warrumbungle Shire Council  
John Street  
COONABARABRAN 2357

Dear Sir

Attached is my report for consideration by Council

## **DIRECTOR OF COMMUNITY SERVICES ANNEXURE 5**

### **5.1 MACQUARIE REGIONAL LIBRARY AGREEMENT**

At its meeting held on Tuesday 1 May 2007, the Macquarie Regional Library (MRL) Committee considered and adopted the recommendations contained in a report that related to amendments to the MRL Agreement to remove all references to delegations of powers under the MRL Agreement to the General Manager Dubbo City Council. A copy of this report and current MRL Agreement is attached under separate cover for Councillor information.

*As stated in this report, the Library Act 1939 only refers to a local authority managing a library service on behalf of other local authorities and to the delegation of powers to a library committee constituted by the local authority. In the case of the MRL Agreement, certain powers are delegated to the General Manager, Dubbo City Council, in recognition that the General Manager, under the Local Government Act, is responsible for the day to day management of a Councils' operations.*

*In accordance with Clause 15 of the MRL Agreement, the MRL Agreement can only be amended by a resolution of the Committee which is endorsed by a resolution of each of the Executive and Constituent Councils.*

### **RECOMMENDATION**

That Warrumbungle Shire Council agrees to the proposed amendments to the Macquarie Regional Library Agreement that removes all delegations of power to the General Manager of Dubbo City Council and for these powers to be retained by Dubbo City Council.

### **5.2 PESTICIDE USE NOTIFICATION PLAN**

In compliance with changes to the NSW Pesticides Regulation (1995) that took effect from 1 February 2007, Council resolved at the April 2007 ordinary meeting (Resolution No 318) 'that the draft Warrumbungle Shire Council pesticide use notification plan be advertised and placed on public exhibition seeking public consultation according to the NSW Pesticides Regulation (1995)'.

Attached under separate cover is the Warrumbungle Shire Council Draft pesticide notification plan, prepared in accordance to the NSW Pesticides Regulation (1995) by Councils Workplace Safety Officer. This draft document was advertised in the

Coonabarabran Times, Coolah Diary, Dunedoo Diary and Mendooran Lions Pride and placed on public exhibition for 4 weeks beginning 1 June 2007 at either; Library branches, Council offices or RTC office in each community and public comment sought. No public comments have been received.

To finalise, Council is required to formally adopt the draft Pesticide Notification Plan and announce where it will operate and where the plan can be viewed by publishing the announcement in the NSW Government Gazette. This same announcement must also be advertised in the same newspapers, as listed above, used to publish the draft notification plan.

Council needs to write to the Department of Environment and Conservation stating that plan has been prepared in accordance with the Pesticides Regulation. The plan must be made available to the public for inspection free of charge at the main office/s and placed on the council website.

### **RECOMMENDATION**

That the draft Warrumbungle Shire Council Pesticide Notification Plan be adopted and published announcement be made in regards to operation and public viewing according to NSW Pesticides Regulation (1995) guidelines.

### **5.3 LEASE AGREEMENT COOLAH HALL – COOLAH DEVELOPMENT GROUP**

The Coolah Hive committee, comprising of members of the Coolah and District Development Group Hall subcommittee and Macquarie Regional Library, supervised by Council's Director of Community Services, are nearing the end of their function as Project Management Working Group. The building and refurbishment works are now completed with the library fitout currently in progress.

One of the final tasks of the working group was to develop a terms of reference for Council consideration for a memorandum of understanding of the users of the hall both user specific and shared spaces. This is necessary to ensure all users agree and have an understanding in future years as to the responsibilities of each group, the intent of the use of shared space, responsibility for issuing of keys and which organisation bears the cost of such items as rates and cleaning. Similar to the standard Lease Agreements that already exist for community and sporting groups within the shire, it is recognised that a contribution for some of the costs associated with the provision of a facility should be shared by the people who access that facility.

Currently the users of the Hall are Council; provider of public amenities, public hall/gallery/VIC space and Coolah Library operations and the Coolah and District Development Group (CDDG) and their associated sub committees. It has been proposed by Council's legal officer, that a simple commercial lease with appropriate attachments that state specific procedural rules is the most straightforward and simplest form of agreement that will ensure transparency and accountability for both Council and the Development Group.

The basic principles from which the Lease Agreement will be developed include:

- Access

The sub-committee of the CDDG known as the 'Hive Live' shall have unlimited access to and responsibility for activities conducted by them including public admission, keys, and duty of care of the gym, showers and kitchen areas.

The CDDG shall have unlimited access to and responsibility for activities conducted by them including public admission, keys, and duty of care in the following shared spaces - IT/meeting room, kitchen, kitchenette, Gallery and Foyer areas and the following user specific space - CDDG Office. Library operations will be required to be considered for IT/meeting room use during library hours.

- Rent

The 'Hive Live' shall pay to Council \$300.00 per annum, in recognition of the costs involved including (but not limited to) rates, water, electricity and garbage.

The CDDG shall pay to Council \$200.00 per annum, in recognition of the costs involved including (but not limited to) rates, water, electricity and garbage.

The Rent as shown shall be reviewed annually, and may be adjusted by agreement between the Lessor and Lessee.

- Telephone and similar charges

The CDDG and/or sub-committees agree to pay all telephone (including maintenance of telephone equipment to tenant's requirements), internet and similar charges.

- Cleaning

The 'Hive Live' and CDDG will be responsible for cleaning the following areas of the premises:

- i Gym area
- ii Showers
- iii Kitchen.
- iv CDDG Office

Council will be responsible for cleaning the following areas of the premises:

- i Library
- ii IT/meeting room area
- iii Foyer/Gallery and front toilets
- iv Exterior

Additional cleaning required as a result of a function or non Council activity will be the responsibility of that particular user of the facility.

## **RECOMMENDATION**



That Council endorse the above conditions in principle as established and authorise the General Manager to sign and execute the Commercial Lease Agreement with the Coolah and District Development Group (CDDG).

**5.4 AMALGAMATION OF PREMISES WARRUMBUNGLA COMMUNITY CARE - COONABARABRAN MEALS ON WHEELS/NEIGHBOUR AID AND COONABARABRAN COMMUNITY TRANSPORT**

Council resolved at the meeting 15 June 2006 (Resolution No 443) to *'support in principle the amalgamation of the Coonabarabran Meals on Wheels/Neighbour Aid (MOW/NA) and Coonabarabran Community Transport (HACC) services into one multi service outlet and relocation to a more suitable office premises in Coonabarabran'*. A suitable office space at 56A Cassilis Street, has become available and Council approval is sought to execute the Lease Agreement.

Whilst there is still some speciality of jobs, by having the Social Service Coordinators multi-skilled the main advantage of co-locating these services is that Coonabarabran Community Transport will become a 5 day per week service. The Medical Centre MOW/NA office is too small for new freezers which are required for the current frozen food service we are providing. Also there is no room for any expansion of home assistance services which may be implemented. Council has been allocated Respite for Carer Program funding in 0708 which will provide for respite care workers, rent and office costs and additional coordination hours. Furthermore there could be an opportunity to expand the Community Transport services to Baradine and Binnaway, and a frozen meals service to Baradine to complement the existing MOW service.

The premises in Cassilis Street, has good parking at the back for the MOW/NA and HACC vehicles, and the office is easy to get to for clients. The room makes it possible to have advisory meetings and training days for staff and volunteers.

For the option of a 2 year lease, the owners agreed to fund some minor alteration works which overcomes the working condition issues that was realized when this same space was Councils' temporary main office.

Whilst another building was also available from July 2007 for a similar rental, a 3 year lease minimum was required, and Council may choose to have the option of MOW/NA/HACC being a tenant in the new Crane Building next to the Library.

**RECOMMENDATION**

That Council authorise the Mayor and General Manager to attach Council's seal and execute the Lease Agreement for 56A Cassilis Street for office premises for Warrumbungle Community Care.

.....  
REBECCA RYAN  
DIRECTOR COMMUNITY SERVICES