



Warrumbungle Shire Council

Council meeting

Thursday, 15 November 2007

to be held at the Council Chambers, Coolah

commencing at 9.00 am

MAYOR

Councillor Peter Shinton

DEPUTY MAYOR

Councillor Murray Coe

COUNCILLORS

Councillor Garry Connelly

Councillor Carol Dawson

Councillor Col Egan

Councillor Wendy Hill

Councillor Ray Lewis

Councillor Ron Sullivan

Councillor Denis Todd

MANAGEMENT TEAM

Robert Geraghty (General Manager)

Carolyn Upston (Director Corporate Services)

Kevin Tighe (Director Technical Services)

Ron VanKatwyk (Director Environmental Services)

Rebecca Ryan (Director Community Services)

ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 15 NOVEMBER 2007 COMMENCING AT 9.00AM

Date: 9 November 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 November 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 18 October 2007

ACCEPTANCE of the minutes of the Binnaway Town Committee meeting held on 8 October 2007

ACCEPTANCE of the minutes of the Baradine Town Committee meeting held on 8 October 2007

ACCEPTANCE of the minutes of the Mendooran/Merrygoen Town Committee meeting held on 9 October 2007

ACCEPTANCE of the minutes of the Dunedoo Town Committee meeting held on 9 October 2007

ACCEPTANCE of the minutes of the Coolah Town Committee meeting held on 9 October 2007

ADOPTION OF THE RECOMMENDATIONS of the Traffic Committee meeting held on 1 November 2007

ADOPTION OF THE RECOMMENDATIONS of the Warrumbungle Shire Council Occupational Health & Safety Committee meeting held on 11 October 2007

MINUTES of the Consultative Advisory Committee meeting held on 11 October 2007 **for notation**

ORDINARY MEETING OF THE WARRUMBUNGLA SHIRE COUNCIL TO BE HELD AT THE COUNCIL CHAMBERS, COOLAH ON THURSDAY, 15 NOVEMBER 2007 COMMENCING AT 9.00AM

GENERAL MANAGER'S REPORT	ANNEXURE 1
CORPORATE SERVICES	ANNEXURE 2
TECHNICAL SERVICES	ANNEXURE 3
ENVIRONMENTAL SERVICES	ANNEXURE 4
COMMUNITY SERVICES	ANNEXURE 5

Matter to be dealt with "in committee"

- Tenders

RECOMMENDED that the meeting be closed to the public pursuant to Section 10A (1) and Section 10A (2) (c) concerning information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

.....
R J GERAGHTY
GENERAL MANAGER

GENERAL MANAGER'S REPORT

ANNEXURE 1

1.1 AWARD INCREASE

Council at its August meeting received the following report in relation to negotiations between the Shires Association and the Union on an award increase. The meeting authorised the General Manager and Mayor to continue negotiations. This resulted in a decision from Council at the September 2007 meeting that a 3% increase be given from 1st October 2007.

The Report to Council in August stated:

WORK CHOICES

Local Government across Australia has been caught up in the issues arising from the Work Choices legislation. In very general terms if a Council is deemed to be a Constitutional Corporation then their industrial coverage arises from Federal Legislation rather than in the past from NSW industrial regulation.

The whole matter of Work Choices are in flux due in part to the different ideological views of the major Federal parties. The final nature of future industrial relations will depend on who is in government later this year. Therefore there is a reasonable reluctance to await that outcome but which ever way it goes there will be change from the past industrial environment.

Notwithstanding the above uncertainty the Work Choices legislation is in place and must be complied with. For Local Government this has meant an interim or transitional arrangement for its staff and the associated award. In March 2006 when the above legislation came into force the award for councils – the NSW Local Government State Award was in force. Most of the award was retained through documents called a NAPSA (Notional Agreement Preserving State Award.) The notable change related to grievance management – this aspect is being managed through a referral agreement.

The NAPSA is the applicable award at the moment but will lapse in March 2009.

In the meantime the previous conditions of the award and particularly award increases honoured the then existing agreements. The last of that agreement concluded in November 2006 with a 3.0% increase. As the NAPSA continues and there is no provision for further increases outside the Federal Fair Pay Commission awards all Councils in NSW are being approached by the Unions for an agreement to pay an increase on the annual anniversary of the 2006 increase (November 2007).

It should be noted that all awards are covered by the Australia Fair Pay Commission decisions and if a “local award” is less than the Commission decision, that decision needs to be met.

The issues that arise are:

1. *Is Council a Constitutional Corporation – all advice and guidelines undoubtedly make Warrumbungle Shire Council a Constitutional Corporation and thus subject to Work Choices.*
2. *Does Council believe that it should agree to an award increase outside the Fair Pay Commission decisions?*
3. *What level of increase should Council determine if it wishes.*

From discussions with General Managers in the region most seem to be considering some level of increase by agreement. The Union has offered the outcome of two Councils that are agreeing to a 4% increase – other Council's are suggesting they are considering between 3 to 4% increase to cover the cost of inflation.

It might be appropriate for the Mayor and General Manager to continue negotiations and have delegation to agree to an increase in line with other regional Councils.

Before the Council decision could be implemented Council received a request from the Shires Association to await negotiations they were undertaking. The outcome of that negotiation is that a 3.2% increase be given from the first full pay period after 1st November 2007 for one year. Although the negotiations covered a three year span it is appropriate that Council sign as a Constitutional Corporation and incorporate the one year.

The issues through an email have been distributed to Council previously and general agreement obtained. The agreement between Council and the Unions has been signed.

RECOMMENDATION

That Council endorse the General Manager's actions in signing a Work Place Agreement providing a 3.2% increase for staff commencing the first full pay period after 1st November 2007.

1.2 BINNAWAY CARAVAN PARK

At the October 2007 meeting Council dealt with the provision of \$50,000 to be placed in Restricted Assets for provision of an amenities block at the Binnaway Primitive Camping Ground project.

Discussions were held at the Binnaway Town Committee meeting on 8 October 2007 concerning the amount of \$14,000 (provided in the 2002/2003 budget of the former Coonabarabran Shire Council) currently held in restricted asset as a grant to the Binnaway Progress Association to assist their Rural Solutions Application. The funds were only to be drawn upon if the grant was successful. At the Town Committee meeting Council was requested to also make available those funds for the project, even though at this stage no grant application has been successful.

RECOMMENDATION

That the restriction placed on the release of the \$14,000 currently held in restricted asset for use in connection with the development of the caravan park at Binnaway be removed

to allow those funds to be utilised for the construction of an amenities block at the Binnaway Primitive Camping Ground.

1.3 C DIVISION CONFERENCE

The "C" Division Conference of the Shires Association is due to be held in early February 2008. No advice has yet been received as to location or specific date. A business paper is to be prepared and distributed in early January 2008.

Council needs to now determine what items it wishes to be submitted for consideration at the divisional Conference and forwarding to the State Conference to be held in June 2008. Motions should be submitted to the Secretary of "C" Division prior to Christmas.

The number of Councillors attending the divisional conference will also need to be determined to assist in the organisation of catering.

RECOMMENDATION

That Council determine any motions for the "C" Division Conference and that Council also determine the number of representatives it will have attending the Conference.

1.4 CHRISTMAS BREAK-UP FUNCTIONS

In the past Warrumbungle Shire Council has provided a donation towards a staff Christmas Break up function with Council resolving as follows last year:

CHRISTMAS BREAK-UP FUNCTIONS

153 RESOLVED that Council hold one joint function with staff to finish work early to enable travel by bus to Dunedoo on Friday, 22nd December 2006 for a function commencing at 1.00pm. **FURTHER** that Council contribute \$3,000.00 (this amount to cover bus/food/drink).

Egan/Hill

Following the success of the joint break up function in bringing staff together, the Combined Break-up Committee is once again organising a joint function to be held at the Binnaway Golf Club. The Committee is seeking a contribution of \$3,500 towards the function to assist with the costs of transport, food and drink.

The Committee further request the following:

"In addition to the monies for the break-up, we request that you grant those staff that attend the function a paid half day off.

Council staff will fully appreciate the granting of the paid half day off to attend the function as they are aware that it has extra budgeting implications, but we believe that it would encourage more staff to attend and create a more cohesive workforce and improve the morale of all staff."

GM'S Note:

In previous years Council has provided a contribution and required that staff make up time to take off to attend the function. Should council wish to accede to the request to provide a half day's leave it will need to determine where the funds will be provided from.

RECOMMENDATION

That Council determine if it wishes to make a donation towards a staff Christmas break up function, if so what amount that contribution will be and on what basis it will be made.

1.5 DOCTOR'S SURGERY - COOLAH

Council at its ordinary meeting in September 2007 considered a request from Cr Connelly that the local doctor at Coolah was interested in acquiring the surgery premises. The resolution was 93 and states:

***RESOLVED** that Council obtain a valuation of the Medical Centre Coolah and the Mayor, General Manager and Cr Connelly investigate all issues relating to the possible sale of the property including the status of the land as either community or operational land. **FURTHER** that Council rectify the various problems at the premises including air conditioning and sewer problems.*

Since then Cr Connelly and the General Manager have met with Dr Tilak and have established that he is genuinely interested in proceeding with the purchase.

However, as Council is a community organisation a very clear and transparent process needs to be in place and will need to be established by the following steps:

- i) Public tenders for the purchase of the building must be called. The tenders must be advertised at least across the shire but it must be demonstrated that Council has made every effort to gather bids from all who are interested – reasonably.
- ii) Council must determine if it wishes to sell the premises or if the sale is conditional. The conditions must not degrade the responses to the tender or the tendered price. From this decision Council would be committed to selling to the highest bidder. In arriving at this decision Councillors should have regard to sections 435 to 437.
- iii) Council should obtain an independent valuation that demonstrates the true market cost of purchasing the building. To ensure that this is at arm's length the valuation should be provided in confidence to the General Manager.

A search of Council records shows that the following properties are classified as operational land at Coolah:

- i) Doctor's Surgery
- ii) 137 Martin Street
- iii) 84 Martin Street and
- iv) 17 Cole Street

All other Council houses were not designated as operational and thus default to community land.

As the Doctor's Surgery, through its original status as a baby health centre, has an operational land status it can be sold.

In discussions with Dr Tilak he has confirmed that he would rather undertake any maintenance unless urgent after acquisition.

RECOMMENDATION

That council determine in light of the above that:

- i) It wishes to sell the land
- ii) That an independent valuation is obtained and
- iii) That public tenders of the sale of the building be called.

1.6 DIRECTOR OF CORPORATE SERVICES POSITION

Mrs Elizabeth White resigned as Director of Corporate Services in late June 2007. Council has undertaken an appointment process utilising Local Government Employment Solutions.

There were nine applications received with four applicants being interviewed. The interview panel consisted of the Mayor, Deputy Mayor, General Manager and Director of Technical Services. After the interviews were done referee and reference checks were done for two of the candidates.

At the conclusion the preferred candidate was Carolyn Upston by agreement of the panel.

An offer has been made to Ms Upston along with a contract of employment for 5 years.

RECOMMENDATION

That Council endorse the General Manager's actions in offering Carolyn Upston the position of Director of Corporate Services and authorise all steps to be taken to conclude the matter.

1.7 BUDGET REVIEW – 2006/2007 and first quarter 2007/2008

Due to the resignation of the Director of Corporate Services, I am submitting the final review of the budget for the year 2006/2007 and the first quarter 2007/2008. In future the Director of Corporate Services will submit this report.

Each Director will talk in detail to their part of the budget at the Council meeting.

Further it is proposed that the finance committee will undertake a review of the figures presented at the end of the ordinary meeting.

A copy of the review document has been emailed or faxed to each Councillor.

RECOMMENDATION

For Council's consideration.

.....
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 31 October 2007

GENERAL FUND	BANK	RESTRICTED	BALANCE
General Fund Bank Balance	\$ 11,316,235.32	\$ 1,408,000.00	\$ 5,448,235.32
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	
TOTALS	\$ 11,316,235.32	\$ 5,868,000.00	\$ 5,448,235.32

WATER FUNDS	BANK	RESTRICTED	BALANCE
Baradine Water Bank	\$ 52,500.88		\$ 52,500.88
Binnaway Water Bank	\$ 575,151.00	\$ -	\$ 575,151.00
Coonabarabran Water Bank	\$ 1,510,920.66	\$ 179,230.45	\$ 1,331,690.21
Coolah Water	\$ 813,743.35	\$ 836,697.00	-\$ 22,953.65
TOTALS	\$ 2,952,315.89	\$ 1,015,927.45	\$ 1,936,388.44

SEWERAGE FUNDS	BANK	RESTRICTED	BALANCE
Coonabarabran Sewerage	\$ 1,990,819.29	\$ 836,510.08	\$ 1,154,309.21
Baradine Sewerage	\$ 259,304.80	\$ -	\$ 259,304.80
Coolah Sewerage	\$ 1,093,773.55	\$ 563,170.00	\$ 530,603.55
TOTALS	\$ 3,343,897.64	\$ 1,399,680.08	\$ 1,944,217.56

SUMMARY	BANK	RESTRICTED	BALANCE
General Fund	\$ 11,316,235.32	\$ 5,868,000.00	\$ 5,448,235.32
Water Fund	\$ 2,952,315.89	\$ 1,015,927.45	\$ 1,936,388.44
Sewerage Fund	\$ 3,343,897.64	\$ 1,399,680.08	\$ 1,944,217.56
TOTALS	\$ 17,612,448.85	\$ 8,283,607.53	\$ 9,328,841.32

TERM DEPOSITS		Interest Rate
BOND 1 TRUST AAA FRN	\$ 2,000,000.00	BBSW+.80%
C B A CALLABLE RANGE	\$ 2,000,000.00	7.50%
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 ASPRIT 1	\$ 500,000.00	BBSW +1.75%
ANZ ASPRIT 11	\$ 800,000.00	BBSW +1.75%
ADELAIDE BANK-AT CALL	\$ 2,877,419.99	6.90%
BENDIGO BANK	\$ 500,000.00	BBSW+1.20%
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%
TOTAL	\$ 17,377,419.99	

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

RECOMMENDATION
For Council's information.

**2.2 STATEMENT OF INVESTMENTS AS AT 31 OCTOBER 2007
 INVESTMENT REGISTER**

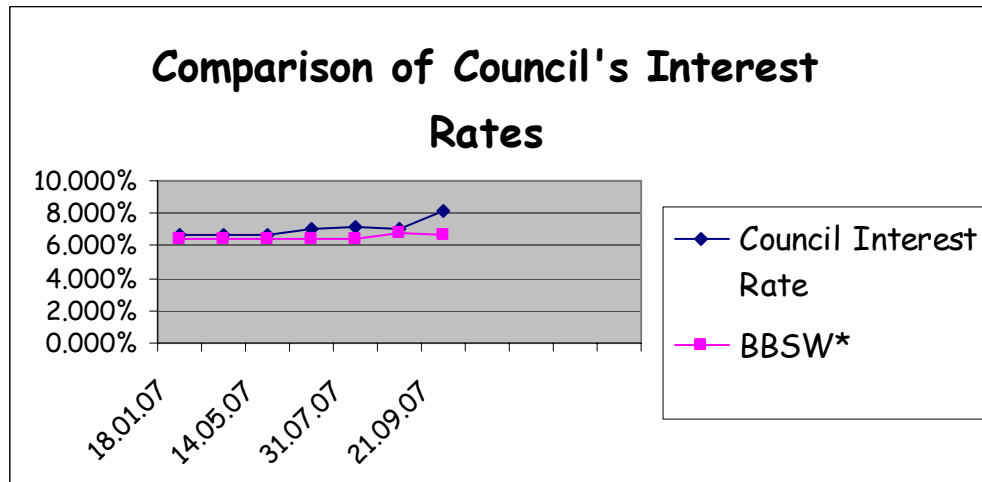
Days	Rate	Purchase Date	Maturing Date	Amount	Balance
ANZ 3 PILLARS					500,000.00
5years	BBSW+1.2%	24.03.05	06.04.10	500,000.00	
BOND ST CUSTODIAN-TITANIUM AAA					2,000,000.00
5.5years	7.2683	17.05.05	14.12.10	2,000,000.00	
OCTAGON PLC-DRESDNER BANK-EMU NOTE					1,500,000.00
10years	7.00	25.10.05	30.10.15	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 ASPIRT 1					500,000.00
6years		15-11-06	08-11-12	500,000.00	
PIMCO PRINCIPAL PROTECTED					500,000.00
4years		22-02-07	28-02-11	500,000.00	
ANZ ASPRIT 11					800,000.00
6 years		30-03-07	30-03.13	800,000.00	
TRIDENT-CREDIT SUISSE SYDNEY BRANCH					500,000.00
4 years		30.05.07	30.05.11	500,000.00	
SGE CREDIT UNION					500,000.00
91 Days	7.03%	14.08.07	12.11.07	500,000.00	
BENDIGO BANK					500,000.00
5 years	Bbswmid+120	21.09.07	21.09.12	500,000.00	
AT CALL					2,877,419.99
ADELAIDE MANAGED FUND					
	6.90%			2,877,419.99	
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	
				TOTAL	17,377,419.99

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.

RECOMMENDATION

For Council's information.

Comparison of Council's Interest Rates with Bank Bill Swap Rate



2.3 BANK RECONCILIATION- General Fund Bank Account

Date 31st October 2007

CASHBOOK

Balance as at 01.10.07	18,071,661.14
Income	
- Total Receipts	2,319,565.32
- Total Investments	
.	20,391,226.46
Expenditure	
- Total Cheques Drawn	2,778,777.61
Balance as at 31.07.07	17,612,448.85

BANK STATEMENT

Bank Statement as at 31.10.07	18,231,762.34
Amount Not Receipted This Month	
	18,231,762.34
Outstanding Deposits	20,626.76
	18,252,389.10
Total Investments	
Unpresented Cheques	639,940.25
	17,612,448.85

RECOMMENDATION

For Council's information.

2.4 RATES AND CHARGES COLLECTION – UP TO and INCLUDING OCTOBER 2007

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONE R WRITE OFF	ABANDONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDI NG 2007/2008	COLLECTION % 2007/2008	TOTAL OUTSTANDIN G 2006/2007	COLLECTION % 2006/2007
	CBN RES/RURAL RES	112,123	901,926	68,033	3,385	942,630	207,033	735,597	21.96%	731,290	23.94%
	BARADINE	33,655	120,312	17,276	5	136,686	39,040	97,646	28.56%	125,551	22.73%
	BINNAWAY	21,406	58,955	10,043	189	70,130	21,624	48,506	30.83%	71,032	21.82%
	VILLAGES	7,088	21,986	1,952	2	27,120	8,329	18,791	30.71%	14,077	22.92%
	FARMLAND	217,512	3,704,363	19,521	18,935	3,883,419	1,196,936	2,686,483	30.82%	2,547,345	29.83%
	COOLAH	18,024	176,230	14,408	0	179,846	66,263	113,583	36.84%	107,918	35.63%
	DUNEDOO	12,341	192,865	16,369	0	188,837	65,765	123,072	34.83%	112,242	35.21%
	MENDOORAN	10,786	60,320	6,129	3	64,975	23,460	41,514	36.11%	43,198	27.90%
	LEADVILLE	2,733	9,127	1,353	0	10,506	3,093	7,413	29.44%	7,408	21.18%
	MERRYGOEN	357	3,696	586	0	3,466	1,239	2,228	35.73%	2,114	28.44%
	NEILREX	337	2,218	226	0	2,329	1,227	1,102	52.67%	1,035	39.68%
	UARBRY	0	3,277	73	0	3,203	1,643	1,560	51.30%	1,118	57.84%
	COOLABAH ESTATE	2,367	14,142	1,562	1	14,946	4,343	10,603	29.06%	0.00	0.00%
	RUR/RES COBBORA	1,081	3,272	289	0	4,064	1,331	2,733	32.75%	0.00	0.00%
	GENERAL RESD/BUS-CLH	9,326	127,287	8,441	3	128,169	57,719	70,449	45.03%	222,749	28.14%
	BUSINESS- CBN-RURAL	41,756	351,530	250	2	393,035	285,002	108,033	72.51%	253,656	30.85%

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONE R WRITE OFF	ABANDONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDI NG 2007/2008	COLLECTION % 2007/2008	TOTAL OUTSTANDIN G 2006/2007	COLLECTION % 2006/2007
WATER						0		0			
	COONABARAB RAN	37,058	285,503	26,226	4,267	292,067	103,070	188,997	35.29%	217,093	27.63%
	BARADINE	35,938	77,813	10,322	5	103,425	26,754	76,671	25.87%	78,087	20.88%
	BINNAWAY	41,798	61,991	8,874	256	94,657	29,005	65,652	30.64%	78,250	18.72%
	VILLAGES	15,459	10,248	788	0	24,919	3,249	21,670	13.04%	12,918	11.97%
	FARMLAND - NTH & STH	0.00	693.75	0.00	0.00	694	174	520	25.04%	-	0.00%
	COOLAH	17,052	132,041	9,861	0	139,232	44,415	94,818	31.90%	94,612	31.63%
	DUNEDOO	8,659	113,636	9,363	0	112,932	38,441	74,491	34.04%	71,458	32.71%
	MENDOORAN	10,777	51,750	4,107	3	58,417	20,038	38,379	34.30%	37,925	27.40%
	MERRYGOEN	2,017	10,248	725	0	11,540	2,481	9,059	21.50%	9,390	25.51%
SEWERAGE						0		0			
	COONABARAB RAN	51,150	609,605	26,102	1,198	633,455	227,482	405,973	35.91%	395,643	31.64%
	BARADINE	53,540	138,169	8,703	10	182,996	53,953	129,043	29.48%	156,514	26.62%
	COOLAH	17,636	146,127	8,811	0	154,953	57,659	97,294	37.21%	89,443	35.25%
	DUNEDOO	9,260	136,335	9,013	0	136,582	48,197	88,385	35.29%	81,795	34.16%
		791,236	7,525,665	289,406	28,264	7,999,231	2,638,967	5,360,264	32.99%	5,563,861	28.80%
GARBAGE- North		70,810	576,309	50,100	341	596,678	230,195	366,483	38.58%	430,192	31.23%
GARBAGE - South		35,416	346,299	33,772	13	347,930	127,976	219,953	36.78%	227,001	32.39%
FARMLAND - NTH - STH		822	20,549	329	3	21,039	0	21,039	0.00%		
LEGAL FEES		65,785	11,609	0	0	77,394	9,376	68,019	12.11%	32,483	4.86%
								0			

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABANDONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTANDING 2007/2008	COLLECTION % 2007/2008	TOTAL OUTSTANDING 2006/2007	COLLECTION % 2006/2007
INTEREST		152,724	0	0	0	152,724	27,094	125,630	17.74%	149,878	5.27%
	TOTALS	1,116,793	8,480,430	373,607	28,621	9,194,997	3,033,608	6,161,389	32.99%	6,403,415	28.16%
Rates & Annual Charges Outstanding Percentage											
	COONABARAB RAN	200,330	1,797,034	120,361	8,850	1,868,152	537,585	1,330,567	28.78%	1,344,026	16.48%
	BARADINE	123,133	336,294	36,300	19	423,107	119,747	303,360	28.30%	360,152	17.17%
	BINNAWAY	63,204	120,945	18,917	445	164,787	50,629	114,159	30.72%	149,282	13.83%
	COOLAH	52,713	454,399	33,081	0	474,031	168,337	305,694	35.51%	291,973	19.62%
	DUNEDOO	30,260	442,835	34,744	0	438,351	152,403	285,947	34.77%	265,495	18.58%
	MENDOORAN	21,564	112,070	10,236	6	123,391	43,498	79,893	35.25%	81,123	2.89%
	VILLAGES	31,439	78,214	7,554	4	102,094	26,936	75,159	26.38%	48,060	12.95%
	FARMLAND	217,512	3,705,057	19,521	18,935	3,884,113	1,197,110	2,687,003	30.82%	2,547,345	18.28%
	RURAL	51,082	478,817	8,691	5	521,204	342,722	178,482	65.76%	476,405	8.02%
	Overall	791,236	7,525,665	289,406	28,264	7,999,231	2,638,967	5,360,264	32.99%	5,563,861	28.80%

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

RECOMMENDATION
For Council's information.

2.5 FINANCIAL STATEMENTS 2006/2007

The Local Government Code of Accounting Practice and Financial Reporting requires a Council resolution to submit its General Purpose Reports and Special Purpose Reports to our Auditors for audit and the Statement by Councillors and management signed.

Whilst the Finance Team has not quite completed resolving the issues raised by the auditors to complete the statements, a resolution is needed from this meeting so that as soon as the annual statements are completed we can lodge them with the Department of Local Government to meet the extended deadline of 30 November 2007. Councillors will be provided with a copy of the audited statements as soon as they are available.

RECOMMENDATION

That a statement be provided to Council's auditors confirming that the Financial Reports for Warrumbungle Shire Council presented for audit are a true and fair view of Council's state of affairs and in accordance with the Act, Regulations and relevant Codes and Standards.

2.6 WRITE OFF REQUEST OVAL HIRE 2005 -2006

Currently there are accounts outstanding for the following amounts:

Royals	\$ 1,603.50
Knights	\$ 1,179.50
<u>Binnaway</u>	<u>\$ 188.00</u>
TOTAL	\$ 2,971.00

These accounts are for fees incurred for Oval Hire for No 1, 2 and 3 Coonabarabran Ovals during the 2005-2006 Senior Cricket playing season

There is some question as to whether games were actually played due to clubs folding mid season or weather. Both the Royals and Knights Senior Cricket Clubs ceased playing mid season. In addition the sponsor of both of these teams, the Coonabarabran Hotel, has changed ownership a couple of times in the last 2 years.

The 2007-2008 Management Plan has seen the following policy been implemented. *All weekly training session or local competition will attract NIL fees. Bookings are still required. Fees only are applicable for carnivals or where gate entry or canteen income is generated.* The introduction of this fees policy brought the southern and northern ovals hiring charges more in line with each other.

Whilst Council could proceed with debt collection procedures, given the above circumstances it is unlikely that the process would produce results.

RECOMMENDATION

That Council approves the write off of the total amount of \$ 2,971 being for Oval Hire fees outstanding for Coonabarabran Oval No's 1, 2 and 3 in the 2005-2006 Senior Cricket season and charge this expense against the corresponding Oval budgets.

2.7 FINANCIAL STATEMENTS 2005/2006

In January of this year, Council passed a resolution to present 2005/2006 Financial Reports to the Auditors. The Principal of Spencer Steer (Council's Auditors), has requested another resolution because of the time that has passed since January.

A copy of the 2005/2006 Statements are available for perusal. The statements along with the Auditor's report will be presented to the December meeting of Council.

RECOMMENDATION

That a statement be provided to Council's auditors confirming that the Financial Reports for Warrumbungle Shire Council presented for audit are a true and fair view of Council's state of affairs and in accordance with the Act, Regulations and relevant Codes and Standards.

.....
**CAROLYN UPSTON
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 PROPOSAL TO EXTEND WATER MAIN IN BARKER STREET COONABARABRAN

Background

The water main in Barker Street Coonabarabran and the proximity of fire hydrants to a new house was raised as an issue at the Council meeting on the 18 October 2007.

Issues

The new house is located in lot 4141 Barker Street and is marked on a plan forwarded to Councillors under separate cover. The location of the nearest water main is also shown on the plan. The water main in Barker Street ends approximately 126 metres east of lot 4141 before it changes direction across the road. There is a water main to the north of Barker Street it runs diagonally through the crown land area generally known as Convent Hill.

It is possible to provide a water service to lot 4141 from either of these mains, the shortest distance is 86 metres to the diagonal main on Convent Hill. However, a water service is not a water main and generally it is not possible to install a fire hydrant on a water service.

The spacing of fire hydrants depends on the density of housing and in an urban area with 20 metre lot frontages the spacing is around 54 metres. While the frontage distances in Barker Street vary considerably and the frontage of lot 4141 is 74 metres, hydrant spacings greater than 70 metres should be avoided. The nearest hydrant to lot 4141 is 126 metres and this is not desirable.

Council frequently receives requests for extension of water main in urban areas mostly from properties on the edge of the urban area. Council's determination has generally been based on cost of extending the main and in some cases on a contribution from affected property owners. Another consideration is the catchment area eligible for collection of water charges. Under the Local Government Act, Council may levy a water charge on any property that is within 225 metres of a water main. Council has also extended water mains in an urban area to promote residential development.

Extension of water main based on spacing of hydrants, is not good policy given that there are many properties in each of the urban areas without access to town water. Further, there

is not a register of hydrant distance to building for those properties connected to town water.

Extension of the water main that ends without connection back into the reticulation system, that is, a dead end, should be avoided as it can lead to water quality problems. The length of water main required to service lot 4141 and connect back into the reticulation system is 360 metres.

Options

Lot 4141 is within the urban area and properties either side are connected to town water. Council has the option of extending the water main west along Barker Street to enable a service connection to lot 4141. Alternatively, Council can advise the property owner that service connection is possible, and must be done at the owners expense.

Financial Considerations

The estimated cost of extending the water along Barker Street to service lot 4141 is \$43,000. There is no budget allocation for such works, however, there is a budget allocation for removal of dead end mains in Timor Lane and Charles Street of \$25,000 each project. Council may also determine to make a supplementary vote to fund the works.

RECOMMENDATION

That Council include the project to extend the water main in Barker Street a distance of 360 metres for a cost of \$43, 000 in budget considerations for 2008/2009.

3.2 SEWER LINE RECTIFICATION WORKS – CLAIM FOR REIMBURSEMENT

Background

Council will recall that the developer of the Woolworths Supermarket site has made a claim against Council for works on a sewer trench surrounding the building. The background and issues surrounding the claim were reported to Council on the 14 August 2007. At that meeting, Council resolved to negotiate further with the developer regarding the claim.

Issues

The negotiations with the developer have occurred and they centred around equipment and materials used to rectify the failed trench. A copy of the original claim with amendments as negotiated has been forwarded to Councillors under separate cover.

The developer was advised that acceptance of any part of the claim was conditional upon a condition assessment of the sewer pipeline. That is, Council will investigate the sewer with CCTV equipment to check for any damage. At the time of preparing this report, the investigation has not been undertaken and it is expected the results will be presented to Council at the meeting.

Options

Council does have some responsibility for the rectification works as it was work undertaken by Council in January/February 2006 that failed.

Financial Considerations

The original claim by Bartlett Constructions against the Developer is \$60,853.90(incl GST). The revised claim is now \$43,012.30 (incl GST).

There is no budget allocation either in the 2006/2007 budget or 2007/2008 budget that will cover the claim either in full or in part. Council may wish to make a supplementary vote or modify funding for a current sewerage project in Coonabarabran.

RECOMMENDATION

That Council accepts a claim by the developer of \$39,102.09 (excl GST) for sewer rectification works at the Woolworths Supermarket site, subject to the following:

1. Visual inspection of the sewer with CCTV finds no damage,
2. The developer provides Council with a three year warranty on the work undertaken on the sewer line.

And further, a supplementary vote of \$39,102.09(excl GST) from the Coonabarabran sewer fund be made to fund the claim.

.....
KEVIN TIGHE
DIRECTOR TECHNICAL 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 ENVIRONMENTAL SERVICES ANNEXURE 4

4.1 DEVELOPMENT APPLICATION FOR DETERMINATION

Introduction

The following application has been processed and is submitted for determination.

Applicant	Mr R Chapman
Owner	Warrumbungle Shire Council
Location	Lot 28, DP 758281, Essex Street, Coonabarabran
Zoning	Urban 2(v) - Coonabarabran LEP 1990
Approved Landuse	Vacant Industrial Buildings
Proposal	Conversion of existing 'old shire depot' to factory premises for the purpose of assembling portable fire extinguishers.

DESCRIPTION OF PROPOSED DEVELOPMENT

Australian Aerosols Pty Ltd assembles components to produce 500 gram dry powder fire extinguishers.

The following components are used:

- (a) Aerosol cans*
- (b) Mono Ammonium Phosphate dry powder (fire extinguisher powder)*
- (c) Valves – steel*
- (d) Plastic trigger assemblies*
- (e) Plastic overcaps and tamper proof seals*
- (f) Plastic bracket*
- (g) Blister pack including inserts*
- (h) Warranty and pressure test instruction leaflets*
- (i) Cartons*

PROCEDURE

DRY POWDER

- *The fire extinguishing powder is delivered in 1 tonne bulk bags*
- *Using a fork lift we drop the powder into a hopper*

-
- *The hopper is lifter onto our electronic semi automatic filling station*
 - *The powder is Mono Ammonium Phosphate. It is not rated as hazardous*
 - *In fact, it makes a good fertilizer but is too expensive for this purpose*
 - *When the powder is dropped in the hopper, any dust is captured by a dust extractor and filtered out, preventing it escaping into the atmosphere*

FILLING CANS WITH POWDER

- *The filling station fills each can with 500 grams of powder*
- *The filler uses an electronic vacuum system which fills each can with the required mass of dry powder (normally 500 grams)*
- *The machine operator places a can into the machine and presses a button. The filler does the rest. The operator then takes the can from the filler, places another into the machine and presses the button and the process is repeated.*
- *The powder is taken from the 1 tonne bulk bags into the extinguishers without being handled by staff*

FIXING THE VALVE INTO THE EXTINGUISHER

INJECTING THE PROPELLANT GAS (NITROGEN) INTO THE CAN

- *A valve is placed into the can and our semi automatic crimper/gasser, crimps and then injects the propellant gas, nitrogen into the can through the valve at a regulated and specified pressure. Nitrogen gas is not lost during this procedure*

NITROGEN GAS – THE PROPELLANT GAS

- *Nitrogen gas is used as the propellant. The gas is decanted from a normal G size bottle*
- *Nitrogen is rated ‘non-flammable, non-toxic gas 2’*
- *Many aerosol products use butane gas as the propellant gas*
- *Butane is highly flammable and is not suitable as a fire extinguisher propellant*
- *Nitrogen is a very suitable propellant as it makes up 78% of the air we breathe. Nitrogen does not have the large heat related expansion rate that CO₂ or Butane*
- *Nitrogen is lighter than air and can be used in most confined spaces*
- *During the gassing procedure each can is individually monitored to ensure the injected gas pressure is as specified*

HEAT TESTING EACH EXTINGUISHER

- *After crimping and gassing, the cans are then placed into a hot water bath in a temperature range of 57-60 degrees Celsius. They remaining the bath for a period of approximately 1 hour.*
- *This procedure ensures there is no unseen weakness in the cans so they can withstand high atmospheric temperatures in the field*

TRIGGER ASSEMBLYS

- *A plastic trigger assembly is pressed onto each can*

QUALITY CONTROL

- *Barcodes, unique to each can are applied*
- *Each can is entered into a computerised quality control system, which records the weight of each unit (accuracy 1/100th of a gram)*

- *Each unit is re-weighed a number of times to ensure no loss of gas pressure has occurred*

PACKAGING

- *When released from quality control a plastic overcap is attached*
- *A plastic sleeve (tamper proof seal) is attached by passing each unit through a rotating heat tunnel*
- *A plastic bracket is fitted to each unit*
- *The unit is then packed into a blister pack together with a blister pack insert and a warranty and pressure test instruction leaflet. The blister pack is then sealed to ensure it cannot be tampered with*
- *The units are then packed into cartons ready for despatch. The cartons hold 6 or 12 units*
- *The cartons are packed onto pallets, wrapped and shipped out using normal freight carriers*

BACKGROUND

The subject premises are currently vacant and previously used for light industrial purposes (ie. a Council Works Depot).

COMMENTARY

In considering this proposal Council is guided by Section 79C of the Environmental Planning and Assessment Act, 1979 as follows:

79C Evaluation

1) Matters for consideration – general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- a) the provisions of:
 - i) any environmental planning instrument, and*
 - ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*
 - iii) any development control plan, and*
 - iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,**
- b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c) the suitability of the site for the development,*

- d) *any submissions made in accordance with this Act or the regulations,*
 - e) *the public interest*
- a) **Compliance with Coonabarabran Local Environmental Plan 1990, DCP No. 4 (Coonabarabran, Baradine and Binnaway) and DCP No. 8 – (Car Parking Standards).**

The proposal complies with these instruments and is further clarified by the conditions of consent listed in Schedule 1 annexed to this report.

Compliance with State Environmental Planning Policies

All SEPPS have been reviewed - in particular numbers 11 (Traffic Generating Developments), 22 (Shops and Commercial Premises), 33 (Hazardous and Offensive Development), 55 (Remediation of Land) and 64 (Advertising and Signage), and no provisions were found that necessitated modification to this proposal.

- b) **The likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.**

The submitted statement provides the following information:

BUILDING AND DEMOLITION

- *There is no building or demolition work planned*

STAFF AMENITIES

- *Existing crib room and kitchen*

PARKING

- *Parking for 5 staff, including 2 casuals, plus a visitor will be provided*
- *The old blacksmith shop will provide 5 undercover parking spaces for staff*
- *A visitor parking space will be provided at the front of the concrete apron backing onto the main building a site parking plan is attached*

TOILETS

- *Existing unisex toilet*

NOISE

- *Some of the factory equipment is operated by compressed air, supplied by air compressor*
- *The compressor will be situated inside the largest building and accordingly the noise will be minimal. The closest residence is approximately 120 metres distance from the building*
- *All equipment, with the exception of the fork lift, is contained within the building. I feel there will be no detrimental effect on neighbouring businesses or residents.*
- *Operation of a fork lift truck usually does not cause stress to neighbours.*

HOURS OF OPERATION

- *The normal hours of factory operation are:*
 - Summer 7am to 3.30pm Monday to Friday*
 - Winter 9am to 5.30pm Monday to Friday*
 - Office Hours 8am to 5.30pm all year*

TRAFFIC

- *Staff vehicles*
- *Pick up and delivery of goods*
- *Vehicle size ranges from small delivery vans to normal sized trucks and semi trailers*
- *Truck and semi trailer movements are minimal and may amount to 2 or 3 per week*
- *Small delivery vans etc may also amount to 3 to 4 per week*
- *The large yard area will ensure there is no obstruction to the free movement of traffic*
- *Please refer to the attached traffic movement plan, which shows vehicles will access the site from Essex Street and exit by Castlereagh Street*

FUEL AND FLAMMABLES

- *No significant volume of fuel or flammables will be stored within the area*
- *The existing fuel pumps and tanks will not be used*

DUST HAZARD

- *All fire extinguisher components are stored within the building. The fire extinguisher dry powder is contained within a system which extracts any dust and filters it out ensuring it does not escape into the atmosphere*
- *The yard has a tar/blue metal cover, this will minimise dust from vehicle movement*

WASTE DISPOSAL

- *The major part of factory waste consists of cardboard which will be disposed through the normal recycling facilities. Other waste will be disposed through the existing bin service or taken to the Council tip*
- *There is no hazardous or liquid waste*

OUTSIDE LIGHTING

- *A small number of security lights will be installed. They will be covered to prevent the upward reflection of light*

i) Traffic Considerations

The application shows modest traffic generating potential as no direct sales to customers takes place from the premises. Truck movements are minimal and are able to enter and leave the premises in a forward direction.

ii) Site Drainage

The application shows minimal potential for contaminated runoff from the site. A draft condition covering this aspect has been placed in Schedule 1.

iii) Parking Requirements

In order to minimise adverse effects in the neighbourhood a draft condition has been placed in Schedule 1.

iv) Deliveries

In order to minimise adverse effects in the neighbourhood a draft condition has been placed in Schedule 1.

v) Erosion and Sedimentation Control

In order to minimise adverse effects in the neighbourhood a draft condition has been placed in Schedule 1.

vi) Heritage Consideration and Visual Impact

The application does not involve the use of the adjacent heritage listed former power station. The application proposes to restore the site to a safe operational facility which should improve its appearance.

vii) Waste Disposal

The business will generate a number of different types of waste material in small quantities and a draft condition has been included in Schedule 1.

viii) Building Adequacy

The existing buildings are suitable for the desired purpose.

ix) Fire Safety

Draft conditions of consent have been included in Schedule 1.

x) Lighting

A draft condition of consent has been included in Schedule 1.

xi) Noise

A draft condition of consent has been included in Schedule 1.

xii) Social and Economic Effects

Completion of the project as detailed in the application will bring positive community benefits with job opportunities and flow-on economic activity.

c) The suitability of the site for the development

The applicant has sought by way of this application to utilise the existing buildings on the land and at the same time improve vehicle access/egress arrangements and site drainage considerations. The site is large with space on all other sides to provide buffers between the business and neighbouring uses.

The land is not known to be flood liable.

The site is served by existing utility services such as water, sewer, power and telephone.

d) Any submissions made in accordance with the Act or Regulations

WorkCover NSW and EPA requirements are identified within the recommended conditions of consent.

e) The Public Interest

The application was publicly advertised and to-date no submissions have been received.

Note: In the event that submissions are received full copies will be distributed on meeting day.

Redevelopment of the site in the manner proposed will enhance the commercial nature of the area without detrimental effect on traffic flows, drainage considerations and fire safety.

RECOMMENDATION

Of the options available under Section 80 of the Environmental Planning and Assessment Act, 1979 and on the condition that no formal submission are received prior to 4.00pm on Thursday 15th November, 2007, it is recommended that Council's General Manager be authorised to approve the application under delegated authority subject to the conditions listed below in Schedule 1.

Note: All conditions have been drafted with the view of minimising any interference with any present or foreseeable neighbourhood uses and are provided with reasons.

SCHEDULE 1

- 1 The building complying with the requirements of the Local Government Act 1993, the Building Code of Australia (BCA) and all relevant Australian Standards.
(Reason: To ensure that the buildings, as improved, will be satisfactory for their intended purpose.)
- 2 Development taking place generally in accordance with the outlined proposal indicated in the development application, except as modified by these conditions, Council's Development Control Plans, Engineering and subdivision requirements and the requirements of the Environmental Planning and Assessment Act 1979.
(Reason: To ensure development complies with this approval and proposal which was considered.)
- 3 All site works involving site disturbance to strictly adhere to Council's Soil Erosion and Sedimentation Policy (attached).
(Reason: Compliance with Council's adopted standards.)
- 4 Site works creating noise likely to interfere with the neighbouring amenity, to be restricted to:

-
- Monday to Friday: 7.00 am to 6.00 pm
Saturday/Sunday: 8.00 am to 6.00 pm
(Reason: To ensure compliance with relevant legislation and that the public amenity of the area is not unduly affected by noise)
- 5 No materials are to be stored on the public road and/or footpath and all waste materials are to be stored on site in a secured enclosure capable of resisting wind-disturbance.
(Reason: To prevent airborne nuisance.)
- 6 A minimum of 24 hours notice must be given for the following inspection:
- Final at occupation stage – all aspects complete and premises ready for production.
- 7 Council's Department of Technical Services is to be fully advised of any works being carried out in relation to water/sewer mains connection/disconnection.
(Reason: To ensure adequate services)
- 8 All external lighting is to be of a fully shielded design and directed in a downward position.
(Reason: To minimise upward light spill and to comply with the requirements of the Orana Regional Environmental Plan.)
- 9 Any damage to road pavements or utility services during establishment phase shall be repaired at full cost to the applicant.
(Reason: To ensure the safety of the travelling public and to ensure the cost of repairs is borne by the applicant.)
- 10 All relevant requirements of statutory authorities such as Workcover, EPA, etc are to be complied with.
(Reason: To meet set standards for industrial uses.)
- 11 The requirements of Workcover Authority are to be met in relation to the provision of staff amenities. Documentary evidence (ie. a letter) showing compliance with these requirements is to be lodged with Council prior to commencement of any site works.
(Reason: To meet set staff facility standards for industrial uses.)
- 12 Advertising signs are to be confined to the property on which the development occurs and be limited to a maximum of two signs.
(Reason: To comply with the requirements of Council's local planning controls.)
- 13 Provision is to be made for the disposal of waste arising from the development, to the satisfaction of the Director Environmental Services.
(Reason: To ensure satisfactory waste disposal methods are employed.)

-
- 14 The premises shall not be used for the approved purpose until Council has issued either an Occupation or Interim Occupation Certificate.

(Reason: To ensure that the establishment work is completed in accordance with the approval, is in a safe and healthy condition for use by the occupants and does not present a risk to the neighbourhood.)

- 15 Hot water installations shall deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene (shower and hand basins) purposes at a temperature not exceeding 50°C.

Note: The installer should advise the owner/occupier in the event that regular testing and maintenance of such valves is required for satisfactory operation.

Where tempering valves are installed a sign is to be permanently fixed on the hot water heater, adjacent to the tempering valve (where clearly visible) indicating:
“A Tempering Valve has been installed to prevent scalding, this valve is to be renewed at intervals, as recommended by the valve manufacturer.”

- 16 Site barriers are to be erected and maintained in accordance with WorkCover Authority requirements as required and the applicant will be responsible for reinstatement of the adjacent roads and footpath in the event of damage.

(Reason: To ensure the safety of pedestrians, site workers and preservation of Council’s assets.)

- 17 All site disturbance is to be executed safely and in accordance with appropriate professional standards. Activities are to be properly guarded and protected to prevent them from being dangerous to property or life.

(Reason: To ensure the safety of workers on site and the public.)

- 18 All modification works are to be executed in a good and workmanlike manner and all materials are to be installed in accordance with the relevant manufacturer’s instructions.

(Reason: To ensure that the building enhancement work is completed in accordance with the approval and is in a safe and healthy condition for use by the occupants.)

- 19 Any glass installation shall comply with the requirements of AS 1288. The installer shall provide certification that the glazing complies with AS 1288 immediately following installation.

(Reason: To address Human Impact Safety Consideration requirements found in AS 1288)

- 20 The drainage service is to be provided with at least one overflow gully, the top level of which shall not be less than 150mm below the floor level of the building and not less than 75mm above the finished ground level.

(Reason: To enable sewerage surcharge outside the building in case of a blockage in the sewer main.)

-
- 21 Existing plumbing and drainage fixtures affected by the building work are to be modified or relocated in accordance with Council's requirements. This work can only be carried out by a suitably licensed tradesman.
(Reason: To provide access to and protection of existing plumbing and drainage fixtures.)
- 22 A non-testable backflow prevention device is to be installed at the water meter.
(Reason: To ensure the potential for backflow to Council's reticulated water system is prevented.)
- 23 Fire hose reels are to be installed not more than four (4) metres from a required exit and so that the nozzle end of a fully extended fire hose fitted to the reel and laid to avoid any partitions or other physical barriers will reach every part of the floor.
(Reason: To enable compliance with NSW Part E1.4 of the Building Code of Australia)
- 24 Illuminated Exit signage complying with Part E4.8 of the Building Code of Australia is to be installed on, above or adjacent to each door serving as, or forming part of a required exit.
(Reason: To enable compliance with Part E4.5 of the Building Code of Australia)
- 25 Emergency lighting complying with Part E4.4 of the Building Code of Australia is to be provided.
(Reason: To enable compliance with Part E4.2 of the Building Code of Australia)
- 26 Fire hydrants are to be provided in accordance with Part E1.3 (including the NSW variations) of the Building Code of Australia
(Reason: To provide an adequate supply of water within a reasonable distance for fire fighting personnel.)
- 27 Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected are to be installed in accordance with AS 2444.
(Reason: To enable compliance with Part E1.6 of the Building Code of Australia.)
- 28 All doors serving as required exits must open in the direction of egress and be readily operable without a key from the side that faces a person seeking egress, by a single hand downward action (or pushing action) on a single device which is located between 900mm and 1.2m from the floor.
(Reason: To allow effective and efficient egress from the building in case of fire or other emergency)

-
- 29 Disabled access and facilities are to be provided in accordance with the Building Code of Australia and AS 1428.1.
(Reason: To ensure the building design facilities suitable entry, movement and sanitary facilities for people with disabilities.
- 30 a) Prior to occupation, the applicant must cause the Council to be given a Fire Safety Certificate in relation to the following essential services required to be installed in the building:-
- a Emergency lighting
 - b Exit signs
 - c Fire hydrants
 - d Hose reels
 - e Portable fire extinguishers
- b) The applicant must then provide Council with an Annual Fire Safety Statement on the anniversary date of the Fire Safety Certificate.
(Reason: To comply with the relevant provisions under the Environmental Planning and Assessment Regulation 2000)
- 31 Six (6) marked on-site car park spaces are to be provided.
(Reason: Compliance with Coonabarabran Shire Development Control Plan No. 8)
- 32 Design and operation of the factory premises is to meet all current Environmental Protection Authority (EPA) guidelines.
(Reason: Compliance with applicable legislation.)
- 33 Roofwater drainage is to be piped to Essex Street where possible and all works must comply with Council's engineering standards for stormwater drainage.
(Reason: To ensure roof water is carried to the street drainage system without diversion to neighbouring property.)

4.2 Applications Received for the calendar month of October 2007

Complying Development / Development Application	Owner	Locality	Development Type	Status
CD 45/0708	Mr S Bennett	Wellington Street, Baradine	Additions to Dwelling	Pending
CD 46/0708	S and R Pearce	Charles Street, Coolah	Additions to Dwelling	Approved
CD 48/0708	Picton Bros (Wood)	Darling Street, Baradine	Screened Enclosure	Pending
CD 49/0708	Cavalier Homes (Jenkins)	King Street, Coonabarabran	New Dwelling	Pending
DA 50/0708	Warrumbungle Shire	Reservoir Street, Coonabarabran	Subdivision into 30 Lots	Pending
CD 51/0708	W S Bower	Knight Street, Coonabarabran	Patio Cover	Pending
DA 52/0708	Ms N Wood	Wellington Street, Baradine	Change of Use Coffee Shop	Pending
DA 53/0708	NSW Dept Commerce (NPWS)	Rawson Place, Sydney	NPWS Visitor Centre Baradine	Pending
DA 54/0708	Mr B Edwards	Timor Road, Coonabarabran	Subdivision into 2 Lots	Pending
DA 55/0708	Ms L O'Brien	Cypress Street, Binnaway	New Dwelling	Approved
DA 56/0708	Mr R Chapman	Essex Street, Coonabarabran	Fire Extinguisher Factory	Pending
CD 57/0708	Mr R McLeisch	Bullinda Street, Dunedoo	Awning and Shelter	Approved
DA 58/0708	Bath, Stewart (Howarth)	Mt Nombi Road, Mullaley	Boundary Adjustment	Pending
DA 59/0708	Warrumbungle Shire	John Street, Coonabarabran	Demolition Crane Building	Pending

Applications Pending as at the end of October 2007

Complying Development/ Development Application	Owner	Locality	Development Type
CD 18/0708	B. Milne	Adelyne Street, Dunedoo	Storage Shed
CD 24/0708	Lawrence & Wilson	Lachlan Street, Baradine	New Dwelling
DA 08/0708	Ms D Britton	Bingie Grumble Rd, Coonabarabran	Subdivision into 2 Lots
DA 31/0708	G and M Harris	Timor Road, Coonabarabran	Subdivision into 2 Lots
DA 33/0708	Ms P Love	Timor Road, Coonabarabran	Subdivision into 4 Lots
DA 35/0708	Mr P Jamieson	John Renshaw Parkway	Subdivision into 2 Lots
CD 38/0708	Mr J Dicks	Hagan Avenue, Coonabarabran	Extension to Dwelling
DA 44/0708	Mr M White	Boomley Road, Dunedoo	Subdivision
DA 172/0607	Ms A Manning	Bullinda Street, Dunedoo	Relocate Dwelling
DA 63/0607	Mr P Rzerminski	Major Mitchell Road, Coonabarabran	New Dwelling

CDC 65/0607	Mr Roberts	Timor Road, Coonabarabran	Relocate Dwelling
DA 113/2004	Warrumbungle Shire Council	Jackson Street, Coonabarabran	Subdivision into 24 Industrial Lots
DA 139/0506	P and D Redden	Merebene Street, Coonabarabran	Subdivision into 3 Lots
CDC 140/0506	F Border	"Ringwood", Coonabarabran	Additions to Dwelling
CDC 145/0607	Mr J Kubowicz	Whiteley Street, Dunedoo	Erect cover over Pool

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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 ROAD SAFETY OFFICER – MATERNITY LEAVE

Council resolved at the ordinary meeting of Council held on Thursday 13 April 2006 to enter into a funding agreement with the NSW Roads and Traffic Authority (RTA) Road Safety Officer (RSO) Program (Resolution No 379). This initial agreement concludes on 30 June 2010.

In July 2006 the Permanent Part Time (28 hours per week) Road Safety Officer was appointed on an initial 2 year contract basis.

The incumbent officer has applied for 12 months maternity leave from early February 2008. She has been in the role for a period of 16 months and therefore is eligible for Paid Maternity Leave entitlements under the terms and conditions under the Local Government (State) Award 2004. This award clause applies to all full time or part time female employees who have had 12 months continuous service with council. An employee shall be entitled to a total of 9 weeks paid maternity leave on full pay or 18 weeks half pay, or a combination of full and half pay providing the leave does not exceed the equivalent of 9 weeks on full pay. Annual leave, long service leave, unpaid maternity leave and any accumulated time in lieu may be taken in conjunction with the paid maternity leave, subject to Council approval, provided that the total period of leave does not exceed 52 weeks.

As an aside the appointed RSO was previously a full time employee of Warrumbungle Shire Council, and has been eligible for maternity leave since 1st December 2004.

Maternity Leave is an award condition of employment and a demonstrated positive step for the organisations strategy of retaining a skilled and diverse workforce. In the case of this externally funded position, Council may or may not replace the position for the duration of the period of extended leave.

However, section 5 of the RSO Funding Agreement with RTA states Council's responsibilities of the program which includes:

5.5 Vacancies During Leave

Make every effort to ensure that the RSO position is filled at all times during this agreement, including when the RSO takes extended leave of maternity/paternity leave.

The program arrangements, section 4.1.2, itemises RTA funding for:

4.1 Arrangements

Subsequent years: In the second and all subsequent years during the Term after Council has employed its first RSO, the RTA will provide 50% of the Costs of Employment of the RSO and 100% Ancillary Costs.

Provision for leave is deemed an oncost of which 50% is funded throughout the program according to the program funding agreement and above arrangements clause. Therefore the RTA does not expect to share the expense of the paid maternity leave.

The additional cost to the 2007/2008 budget includes advertising for the maternity relief position and 9 weeks full pay is estimated to be \$ 9,204.

The program for 2008 includes implementation of the Road Safety Strategic Plan which is due to be completed in December 2007 and continuation of current ongoing campaigns and projects; Slow Down on the Newell, Heavy Vehicle education, Learner Driver Parent Workshops, Community Awareness - Seniors Week/Youth Week activities and Urban Speed Limit 50km/h promotions.

RECOMMENDATION

That Council approves the filling of the Road Safety Officer position during the term of the incumbent Road Safety Officer's maternity leave and that a supplementary vote of \$9,204 be made to the operational budget.

5.2 COONABARABRAN EARLY LEARNING CENTRE

Council received advice that the Coonabarabran Early Learning Centre will be closing on Friday 23 November 2007. Director of Community Services has been engaged in discussions with stakeholders and government agencies and facilitated a meeting with the Mayor on Tuesday 6 November at the Preschool.

The objective of the community meeting was for the community to discuss some positive short term solutions and develop an action plan to work towards any long term proposals.

The operator of the Early Learning Centre is Child Care Providers Pty Ltd who advised that last years loss was in excess of \$200,000 and this cannot be sustained, they claim they did not receive the community support required to maintain the service and despite regretting this decision due to 'inflexible regulations' and 'rising costs' cannot continue to operate. Their decision is not negotiable. Other regional long day centre's closing on the same day includes Wee Waa, Coolamon and Harden/Murrumburrah.

Short Term Solutions

Preschool

Coonabarabran Preschool is working towards opening the currently spare room available and operating an extended hours centre to cater for the Preschool aged children. Since Preschool cannot meet all requirements of DoCS regulations for babies and toddlers, Preschool is working through the licensing requirements and budget implications of operating a long day care service for the Preschool aged children, on an initial short term 3 month period. FaCSIA have advised that the service will be eligible for parents to claim CCB and DoCS are assisting them with the licensing process. Support is being provided to Preschool by Director Community Services.

Family Day Care

Depending on number of Carers and availability the needs for care may be provided either by Carers in own homes or in home care. To date one new carer has registered and is being processed through licensing requirements. She will be available to start by Monday 19 November.

Connect 5

Council has located a suitable venue to operate a Connect 5 mobile non mainstream 'in venue' Children's Service to cater for the long daycare requirements for the babies and toddlers and are now seeking owners approval to provide this service from this venue for an initial temporary 3 month period. DoCS have approved this venue and FaCSIA have advised that the service will be eligible for parents to claim Child Care Benefit (CCB).

Since this will be undertaken on a cost recovery basis and is an additional service to what Connect 5 already provides, it is proposed to employ staff from the Early Learning Centre on a casual basis for this short term period.

Summary

These short term solutions will provide the community some breathing space to sort through the issues of the Early Learning Centre building ownership and the feasibility of more long term options.

Children's Services Central, a support network organisation funded by FaCSIA is investigating possible funding for professional assistance to be provided to the Preschool during this change process and move towards providing an extended hours service; plus funding for a Feasibility Study for the long term solution of a combined Long Day Care/Preschool Centre. The Feasibility Study is an essential requirement for any proposal to either the Preschool, Council or any other organisation that could operate a viable and sustainable child care service in the future long term.

RECOMMENDATION

That Council endorsed the actions of the General Manager in approving the extension of Connect 5 license and involvement of this non mainstream long day care service in providing the short term needs for Coonabarabran, provided this is achieved on a full cost recovery basis.

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REBECCA RYAN
DIRECTOR COMMUNITY SERVICES