



# **Warrumbungle Shire Council**

**Council meeting**

**Thursday, 18 October 2007**

**to be held at the Dramatic Society Hall,  
Coonabarabran**

**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)

Vacant (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  
DRAMATIC SOCIETY HALL, COONABARABRAN ON THURSDAY, 18 OCTOBER 2007  
COMMENCING AT 9.00AM**

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Date: 15 October 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 October 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 20 September 2007

**ADOPTION OF THE RECOMMENDATIONS** of the Traffic Advisory Committee meeting held on 27 September 2007

<b>GENERAL MANAGER'S REPORT</b>	<b>ANNEXURE 1</b>
<b>CORPORATE SERVICES</b>	<b>ANNEXURE 2</b>
<b>TECHNICAL SERVICES</b>	<b>ANNEXURE 3</b>
<b>ENVIRONMENTAL SERVICES</b>	<b>ANNEXURE 4</b>

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**

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## GENERAL MANAGER'S REPORT

## ANNEXURE 1

### 1.1 PECUNIARY INTEREST RETURNS

In accordance with the requirements of Section 450A of the Local Government Act 1993, the register of Disclosures by Councillors and Designated Persons Returns is now tabled. Returns are to be prepared and signed by 30<sup>th</sup> September and the Register tabled at the first council meeting after that date each year.

### RECOMMENDATION

For Council's consideration.

### 1.2 RECRUITMENT AND SELECTION POLICY AND PROCEDURE

The Recruitment and Selection Policy and Procedure was endorsed by the Consultative Committee at its meeting held on 15 August 2007 and is now enclosed for Councillors' consideration.

### RECOMMENDATION

For Council's consideration and endorsement of the Recruitment and Selection Policy and Procedure.

### 1.3 NOTICE OF MOTION

Attached is the following notice of motion submitted by Councillor Egan:

*Advice of funding for replacement of Ulindah Bridge on MR 396 was made and known through the local Coonabarabran Times newspaper a couple of weeks prior to the September Council Meeting. Despite this, nothing was even mentioned at the meeting. The fact of the matter is that we are approaching an election and this funding could easily be withdrawn or not continued into future years and as a result I submit the following motion:*

*"That Warrumbungle Shire Council immediately accept the Federal Government offer of funding for replacement of Ulindah Bridge".*

### *Note from General Manager*

Council received advice on 24<sup>th</sup> August 2007 that its application to the NSW RTA had been successful in gaining funding towards the construction of a new bridge on the Ulindah Creek. The offer is for an estimate of \$363,000.00 in the 2008/09 financial year. The acceptance is in response to an application by the Director of Technical Services for a total project of \$726,000.00. Council will have to match the funding in next years management plan.

### RECOMMENDATION

For Council's consideration.

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#### 1.4 NOTICE OF MOTION

Attached is the following notice of motion submitted by Councillor Egan:

*Meetings held at Binnaway recently have seen incorrect information fed to various groups and organisations that the one-off \$50,000 is available for spending throughout their various areas. Most of these organisations were seeking some form of funds for upgrades of Council owned facilities etc, and there is absolutely no commitment for the money to be spent in this manner. No questions or suggestions have been necessary from Council in the spending of all other towns' funding and Binnaway should be no exception.*

*Upon receiving the one-off town money, I approached the Binnaway Progress Association, a fully trusted and ethical body used on numerous occasions by Council for distribution of many and varying Binnaway projects. Their selection of a town project was to use the funding to attract a grant for the town Caravan Park facility they desperately seek and in the event of grant failure, still place those funds towards that project.*

*In the light of the past confidence shown by Council in the Binnaway Progress Association and the high regard I hold them in personally to spend the money responsibly, I propose the following motion:.*

*“That the \$50,000 one-off town money be made available to the Binnaway Progress Association for use in the establishment of a Caravan Park for Binnaway”.*

#### **Note from General Manager**

Since the Town Committee meeting held in Binnaway of 8<sup>th</sup> October 2007 we have received representations from the Binnaway Preschool seeking access to part or all of the funds to assist in the construction of a new toilet block at the rear of the Binnaway Hall. An extract of that letter is included below with the full letter sent under separate cover.

*“The Binnaway Preschool Inc. has been operating for 23 years and presently operates Tuesday and Wednesday, with two full sessions available. We have a maximum license for 19 children with 15 enrolments at present between the ages of 2 years and 9 months, and up to school age.*

*“..... The 2007 Management Committee, parents and staff of the Binnaway Preschool require funds to build a new toilet block for the children, staff and adults attending the centre at the Memorial Hall, Bullinda Street, Binnaway (three photo's of the present toilet block are enclosed).*

*The Department of Community Services (DOCS) granted the Preschool \$30,000.00 in mid 2006 for the proposed new toilet block. DOCS*

*requires that the committee employ's the services of an architect to draw up plans to their specifications and regulations. These monies are presently invested in a Commonwealth Bank of Australia interest bearing deposit account*

*"..... After meeting in late August with appropriate tradespeople, council representatives, Director and Committee members, it was discussed that the toilet block could cost between \$70,000.00 and \$85,000.00.*

*Our fundraising for 2007 has raised over \$9,000.00 – an excellent effort from fourteen families. The committee has again contacted DOCS for additional funding with no success. We will be writing to the Federal Member for Gwydir, researching appropriate grants and it has been suggested that we contact a Life Style television programme to assist with our much needed toilet project.*

*We believe the toilet block at present has major health and safety issues and the commencement and completion is a matter of urgency. The Preschool provides an essential service to town and rural community and also builds relationship and awareness, that in return support a community with loyal voluntary work ethics."*

## **RECOMMENDATION**

For Council's consideration.

### **1.5 REGIONAL ROADS BLOCK GRANT**

The Regional Road Block Grant is an amount of money provided to Council by the RTA annually to maintain the Regional Roads network across the Shire. When preparing the budget each year Council has estimated the amount that it expects to receive.

Advice of the 2007/2008 year's allocation has now been received and an adjustment to the annual budget should be made. The amounts to be received in the 2007/2008 year are set out below:

Roads Component	1,886,000
Traffic Facilities	94,000
3 x 4 Component	169,000
	<b><u>2,149,000</u></b>

The amounts provided in the budget were:

Roads Component	1,806,541
Traffic Facilities	89,000
3 x 4 Component	169,000
	<b><u>2,058,541</u></b>

An adjustment needs to be made as follows through a supplementary vote:

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MR 396	85,459
Traffic Facilities	5,000
	<b><u>90,459</u></b>

These figures are both income and expenditure and have no bottom line effect.

### **RECOMMENDATION**

That a supplementary vote for both income and expenditure be made to reflect the advised RTA Block Grant amount for 2007/2008 in the following incomes: MR396 \$85,459 and Traffic Facilities \$5,000.

### **1.6 BOUNDARY ADJUSTMENT**

Mr C R Murdoch is the owner of a small parcel of land on the boundary of Warrumbungle Shire and Mid Western Regional Shire. The area of land within Warrumbungle Shire is 2.05 ha.

Mr Murdoch had previously approached the Coolah Shire Council for agreement to transfer this land to Mid Western Regional Council in June 2004. At that time Council received no objections to the minor boundary adjustment. However the process was not completed and with the amalgamation the Warrumbungle Shire must now formalise consent to the proposal.

Council now needs to consider the matter.

### **RECOMMENDATION**

For Council's consideration.

### **1.7 DUNEDOO KARATE CLUB**

The following request has been received for the above club for a donation towards their continued operation. Their request is as set out below:

*"I am writing to you with regards to a possible donation towards Dunedoo Karate Club's only fundraiser for the year, which will be a raffle. Dunedoo Karate Club has members from the age of six through to older adults. It gives the members an opportunity to improve on their self-confidence, self-esteem and concentration as well as learning self-defence, self-discipline, faithfulness and respect for others. Dunedoo Karate Club practices Traditional Shotokan Karate which concentrates mostly on stances and precision moves.*

*As you may have noticed earlier this month, the NSW Championships for Japan Karate Association of Australia (JKAA) was held in Coolah with a lot of visitors staying in the area and participating in the sport. It was great to see such a big turnout in our area. This championship was organised by our Sesei Mark Ellis who is 4<sup>th</sup> Dan Black Belt.*

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*With help from our local businesses donating to our club, we can continue to train our members and send them to the National Championships to be held in Melbourne early next year."*

### **RECOMMENDATION**

For Council's consideration and if agreed to a determination on where the funds are to be provided from will be necessary.

#### **1.8 BARADINE PARK**

At a special meeting with the local member, Mr Kevin Humphries, and the Baradine Progress Association a suggestion that the 'old Ampol Service Station' site was received. The Progress Association proposed that the site be acquired, developed by them as a park encompassing native plants and provided to Council was received.

Subsequent to that meeting a letter from the owner of the site has been received by council. In this is an offer to transfer the land to Council directly. An extract from the letter of offer appears below:

*"It gives me great pleasure to offer the disused service station property in Wellington Street, Baradine to the Warrumbungle Shire Council as a donation without any encumbrances. The only stipulation would be that Council dedicates the proposed park to the memory of my father, Jim Masman and erects a suitable plaque.*

*It would give me satisfaction to know that this property would be used for a worthwhile purpose by being developed into a landscaped park, which would not only link to the National Parks and Wildlife Service Visitors Centre development, but will enhance and beautify the town's main street.*

*I have lived for many years in Baradine and consider it important to give something back to the community from which I have benefited for so many years. I view this block of land as being of special interest and necessary to completing the aesthetic appearance and development of the NPWS Visitors Centre project."*

At the Town Committee meeting held at Baradine on 8<sup>th</sup> October 2007 this offer was explained as:

- i) The land offered was offered in full
- ii) That the park be named to recognise previous Councillor Jim Masman's memory and,
- iii) The land was not to be subdivided

In considering this offer Council needs to have regard for and determine:

- A) Does Council want an additional park at Baradine – the National Parks and Wildlife Service has advised they MAY consider maintaining the park area.



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In general terms a park area within a township costs approximately \$10,000 to \$15,000 per annum to maintain.

- B) Contaminated Land – The block of land was previously a service station and as such can be expected to have some level of contamination. In usual transactions of this nature the owner would be required to establish the level of contamination. However as this is a donation, Council may wish to approach this matter differently. An estimate of \$5000 has been suggested as being needed to engage consultants to undertake the assessment (SEE.).

Should the site be contaminated then it would be prudent for Council to determine whether it wishes to have any involvement in the land. Significant contamination could mean many thousands of dollars being allocated to remediation before the land could be used for public access.

### **RECOMMENDATION**

For Council's consideration and determination.

### **1.9 LEADVILLE FIRE STATION**

Council as part of its donations policy has provided funds for donating the cost of garbage services at the Leadville Hall back to the local community.

An additional request was received to provide a similar donation to the community owned fire shed. This Fire Shed houses a local funded fire tender and the equipment the community need to maintain their water supply.

The latter garbage service was not indicated on the donations that Council determined in the 2007/2008 budget.

### **RECOMMENDATION**

For Council's consideration.

### **1.10 MENDOORAN AND DISTRICT DEVELOPMENT GROUP**

Council has been advised that the Development Group would like to see the Telstra Payphone relocated to a different site. The group are seeking funds from Council to relocate the payphone and they advise:

*“For some time there have been complaints from residents about the antisocial behaviour occurring around the area of the existing payphone during the night but especially in the early hours of the morning.*

*Telstra have visited Mendooran and have found a better position for the payphone across from the Royal Hotel which would mean that it would be on the north south road and away from residences. Other criteria are met such as being under good lighting and close to a Telstra pit.*

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*The cost of removing the payphone to a different site is \$5000 and the Development Group is asking if Council would consider contributing towards this cost.”*

### **RECOMMENDATION**

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

#### **1.11 LOCAL GOVERNMENT ELECTION – 2008**

The four yearly Local Government Elections will be held on 27<sup>th</sup> September 2008. The NSW Electoral Commission has had representatives visit the Shire to explain the intended process. In running the election the NSW Electoral Commission has full control of the whole election and as it receives no assistance from the NSW State Government will be cost recovering the full costs to each Council.

In preliminary discussions they have indicated:

- The Returning Officer must be provided with office space separate from the Council office with an area of 200m<sup>2</sup> at least
- They will want the premises for a period of five months (June to November)
- NSW Electoral Commission election management fee will be \$195 per hour for staff members
- Council staff be charged at cost
- Stationery and printing costs to be charged at cost
- Legal costs will be at Crown Solicitor rates
- All staff will be appointed and paid for by NSW Electoral Commission
- Council staff will not be employed as polling place managers
- The Returning Officer will be employed full time from August to October.
- There are a series of requirements of the Returning Officer’s office space with the Council being required to supply all needs.

It would appear at this early stage that the election cost will escalate significantly on past years. The Electoral Office has undertaken to provide an estimate early in 2008.

Council has been asked to suggest a site for the Returning officer to rent. A list of requirements is forwarded to Councillors under separate cover.

### **RECOMMENDATION**

For Council’s consideration.

#### **1.12 ORGANISATION STRUCTURE**

At Council’s September 2007 meeting the Consultative Committee minutes for the meeting held on 15 August 2007 were endorsed. Within those minutes recommendation 4 resolved that the amended Organisation Structure be submitted to Council for endorsement. Essentially the amendment to the structure provides for an additional position (at Dunedoo) for an excavator operator – this will replace the previous position

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of Low Loader operator that was relocated to Coolah. Also the structure provides for the Signs Crew to be based at Dunedoo.

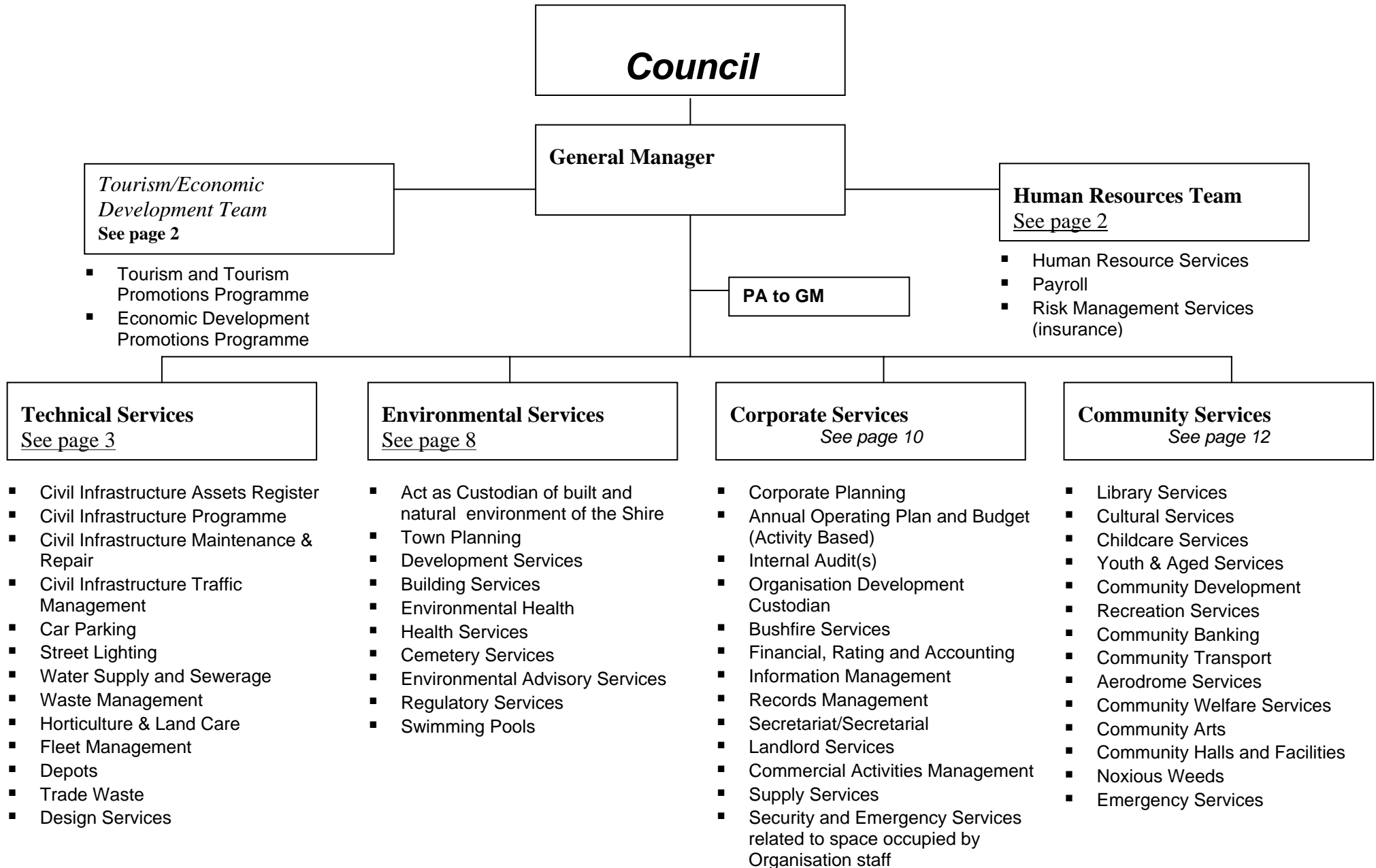
That structure is now submitted for council's endorsement.

**RECOMMENDATION**

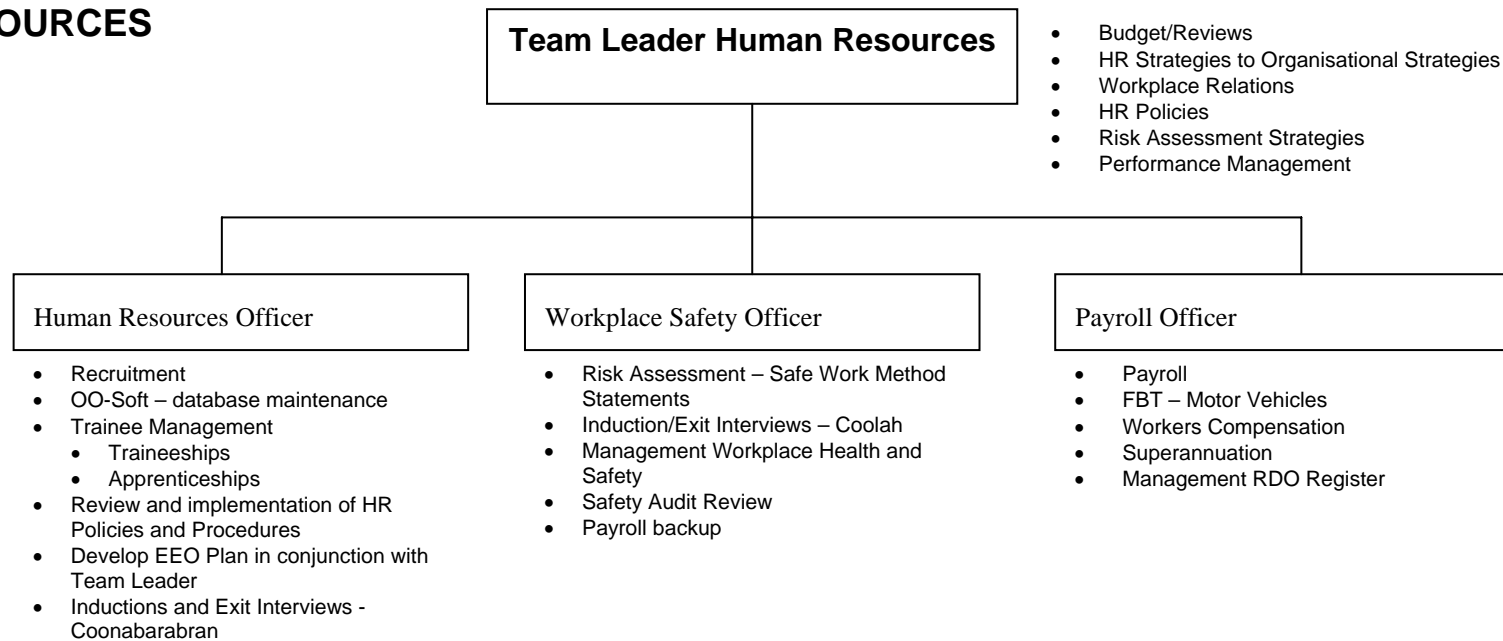
That Council endorse the amended organisation structure.

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

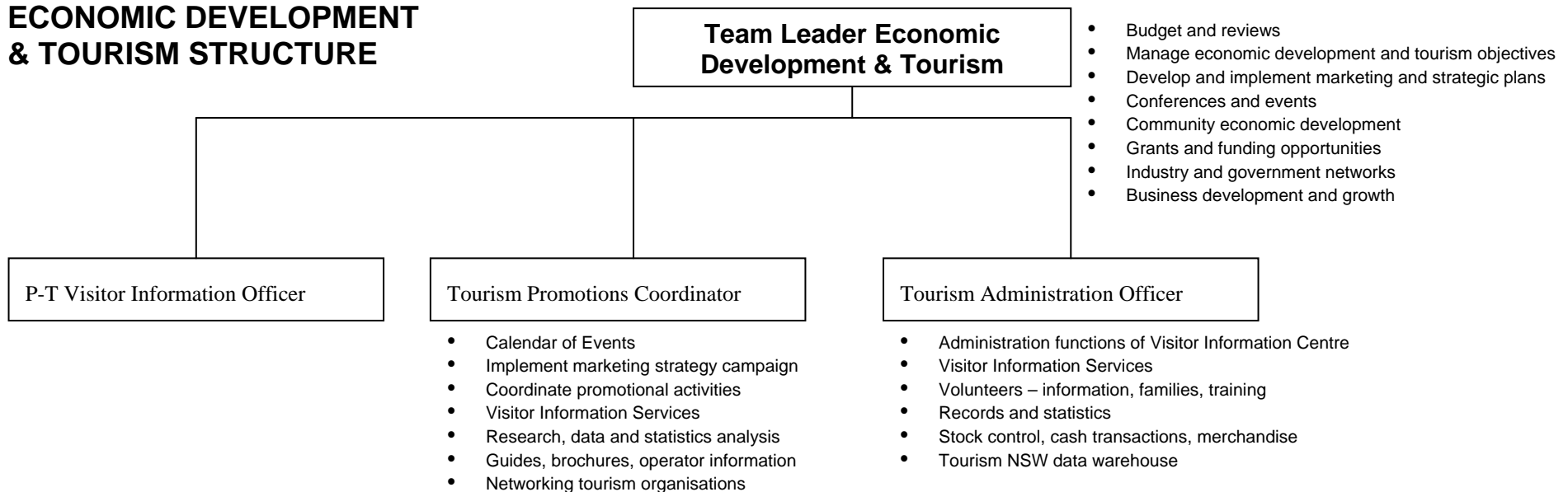
**Warrumbungle Shire Council Structure**



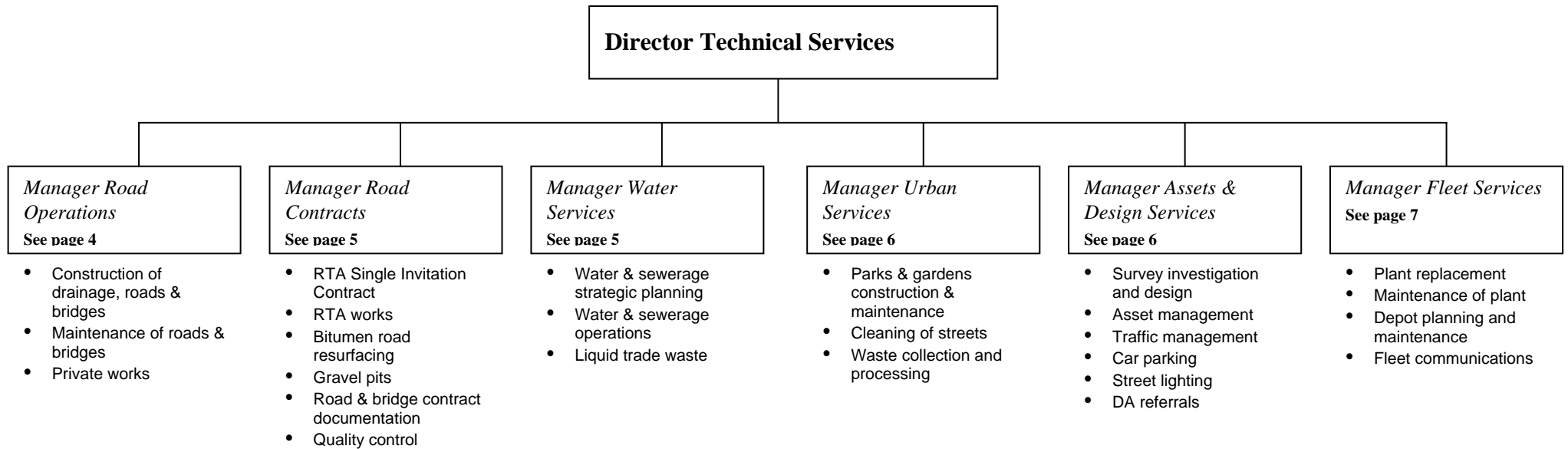
## HUMAN RESOURCES STRUCTURE



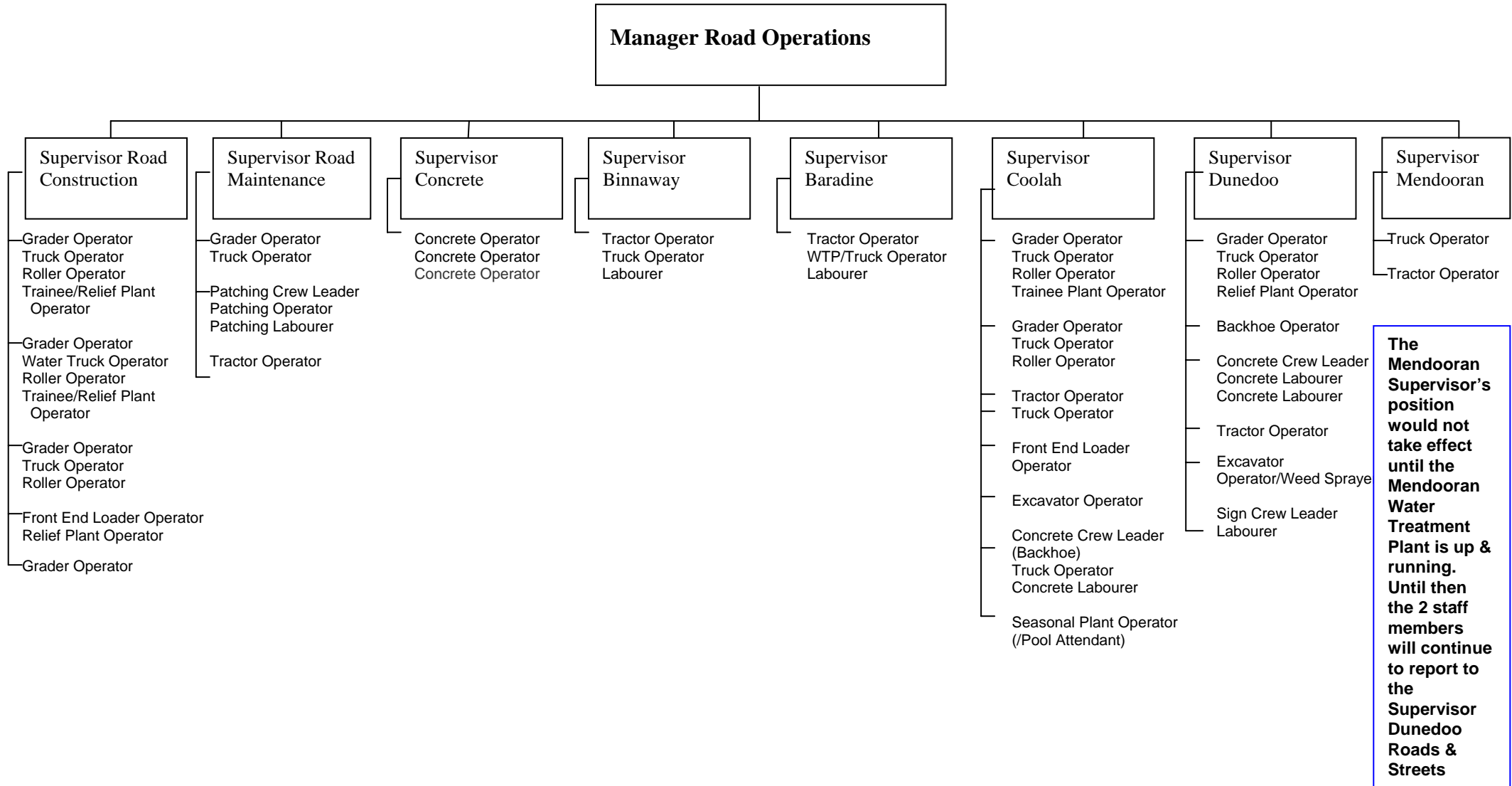
## ECONOMIC DEVELOPMENT & TOURISM STRUCTURE



## TECHNICAL SERVICES DIVISION STRUCTURE



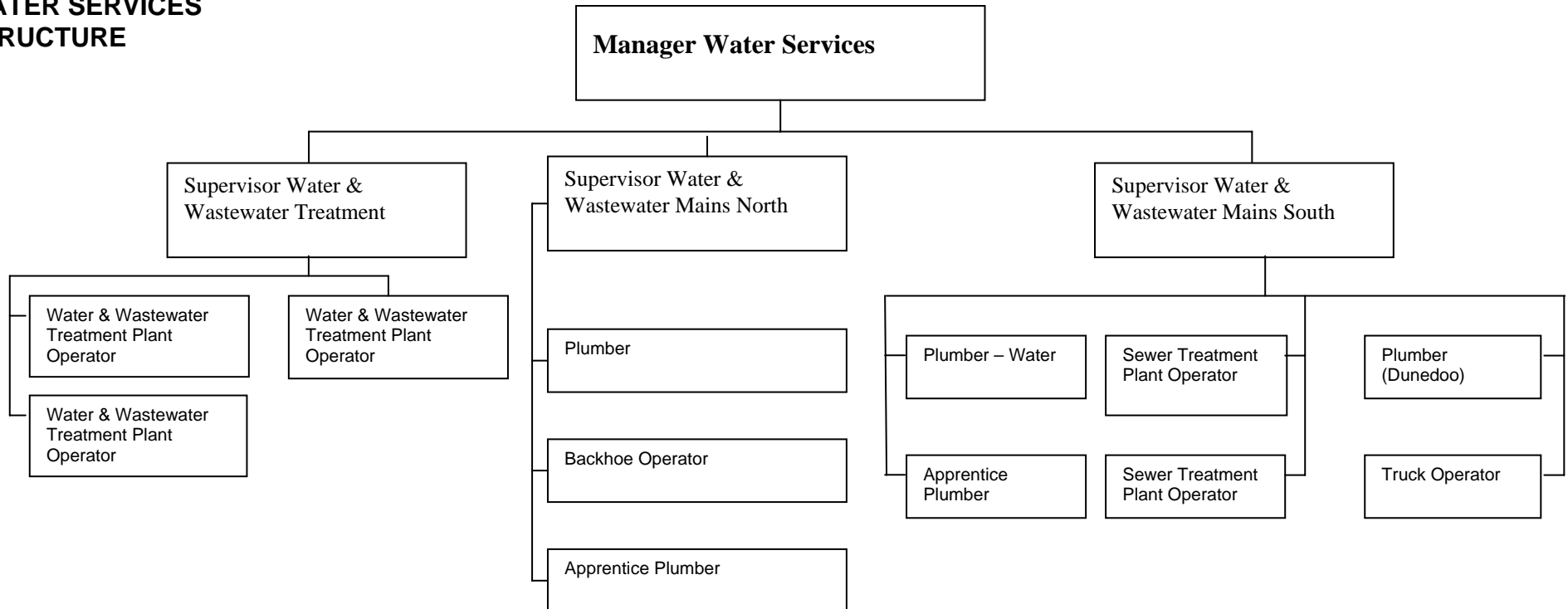
**ROAD OPERATIONS STRUCTURE**



**ROAD CONTRACTS  
STRUCTURE**

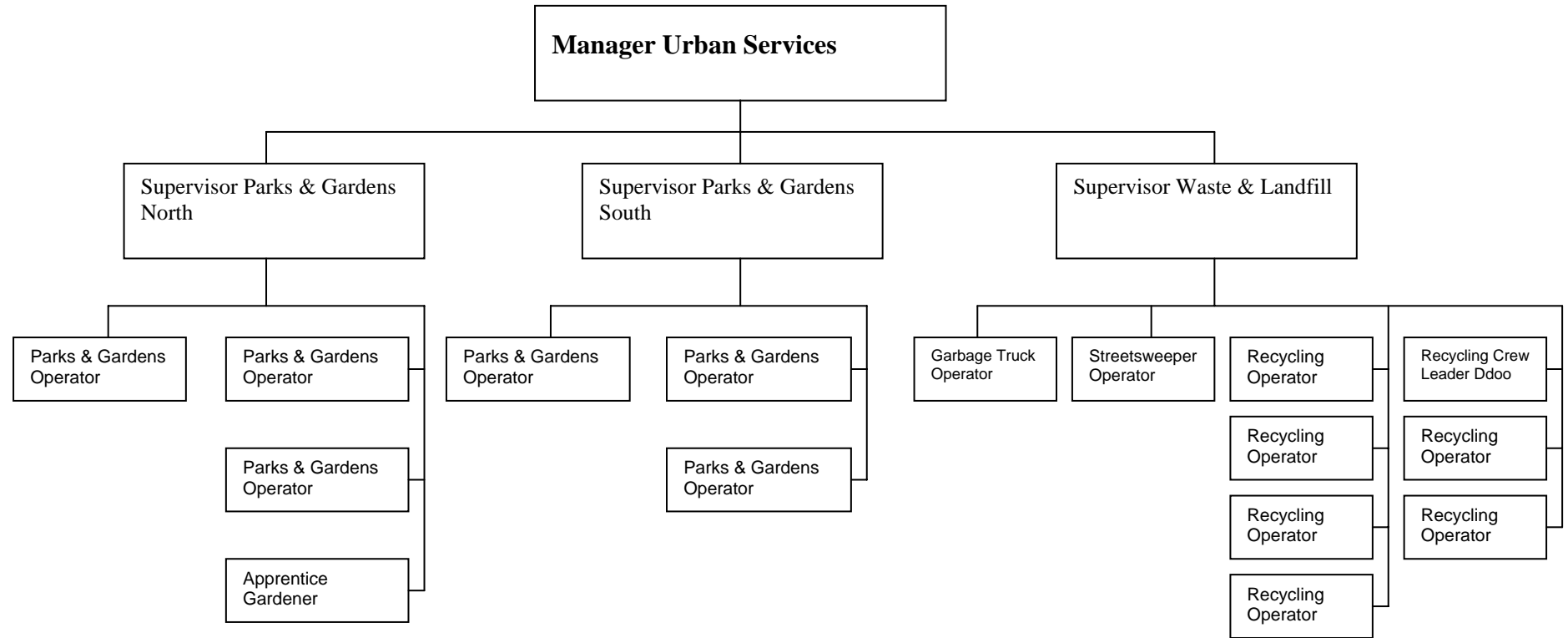


**WATER SERVICES  
STRUCTURE**

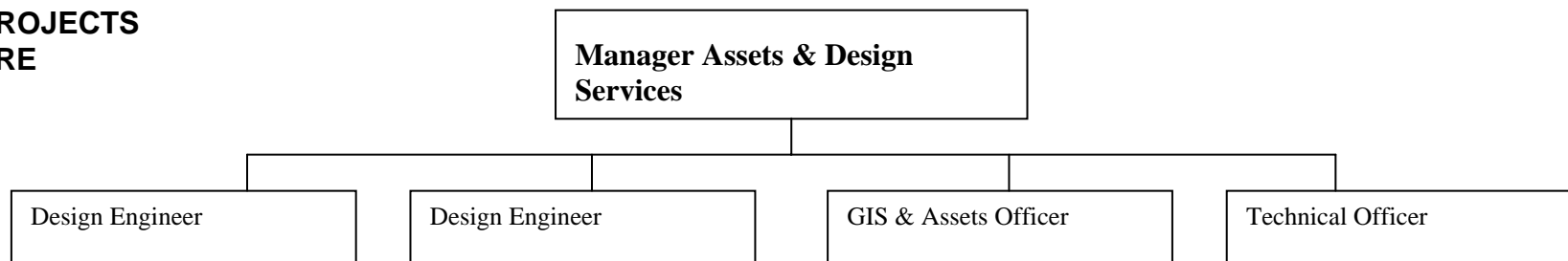




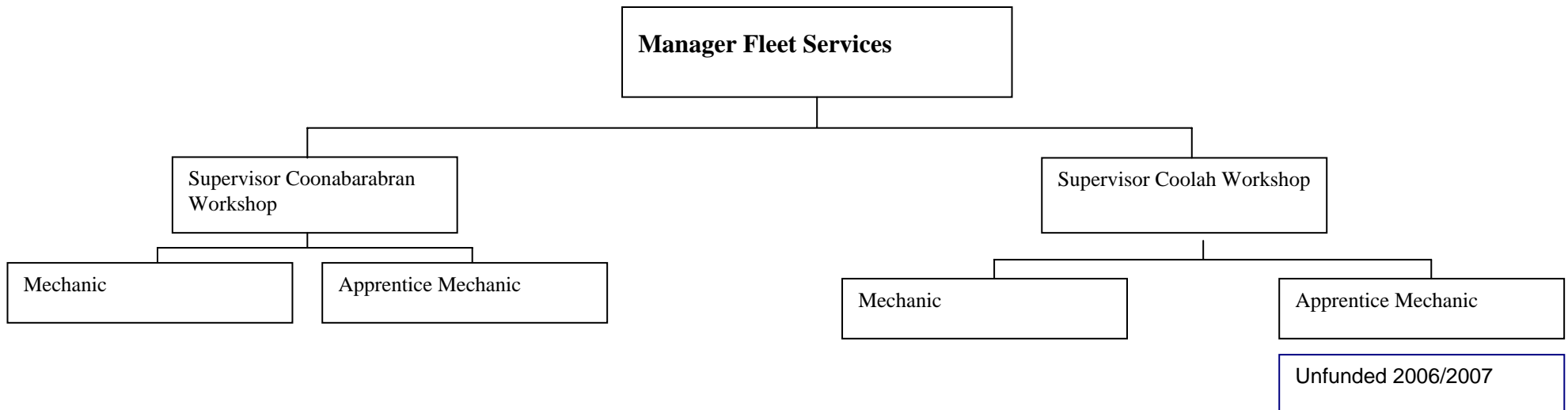
**URBAN SERVICES STRUCTURE**



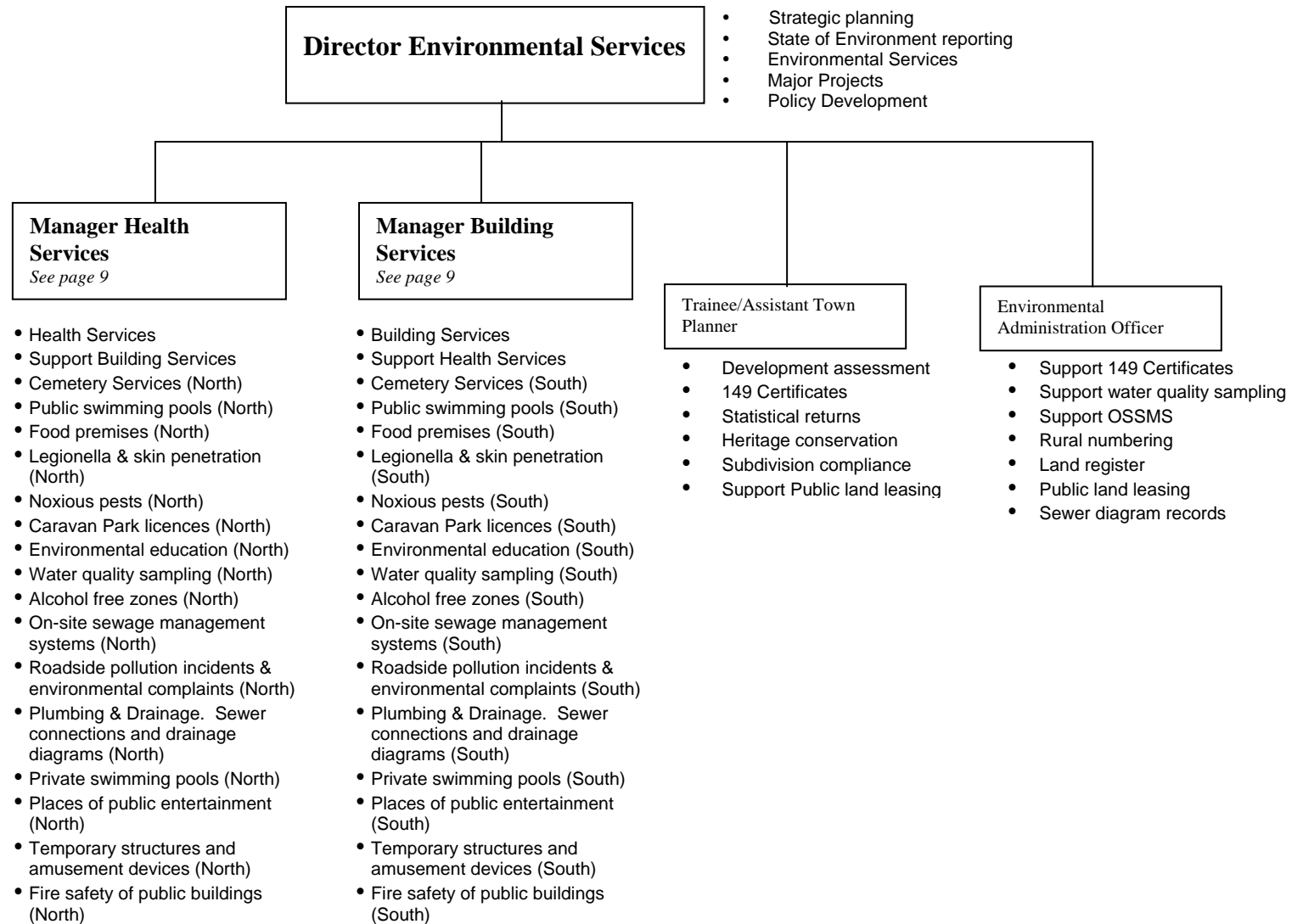
**DESIGN PROJECTS STRUCTURE**



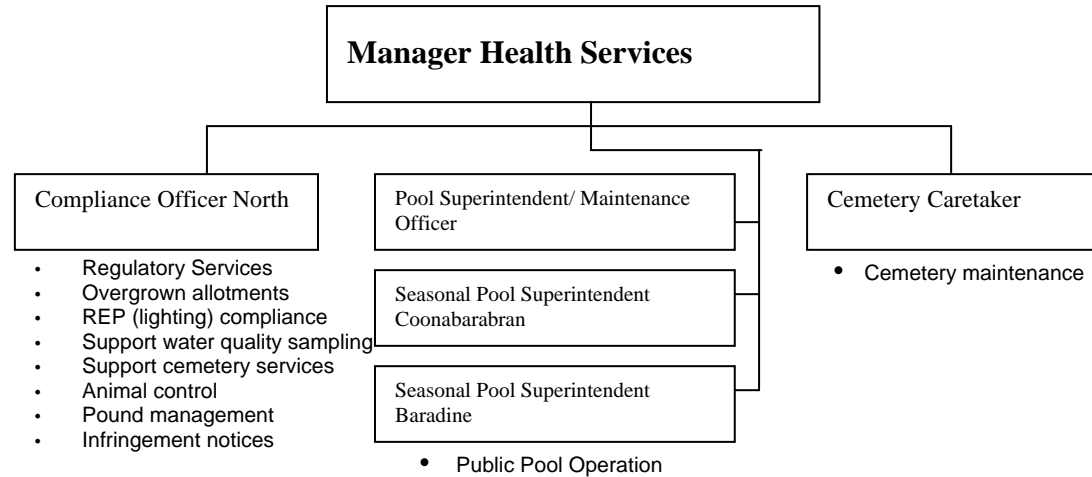
**FLEET SERVICES  
STRUCTURE**



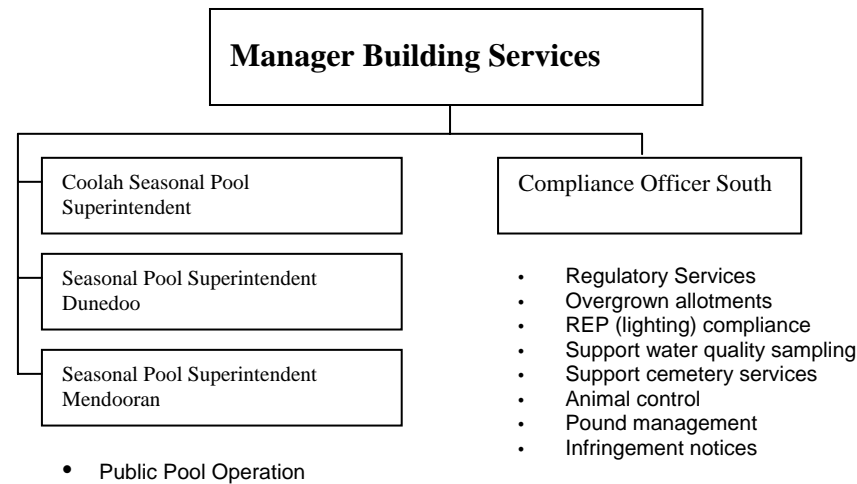
## ENVIRONMENTAL SERVICES DIVISION STRUCTURE



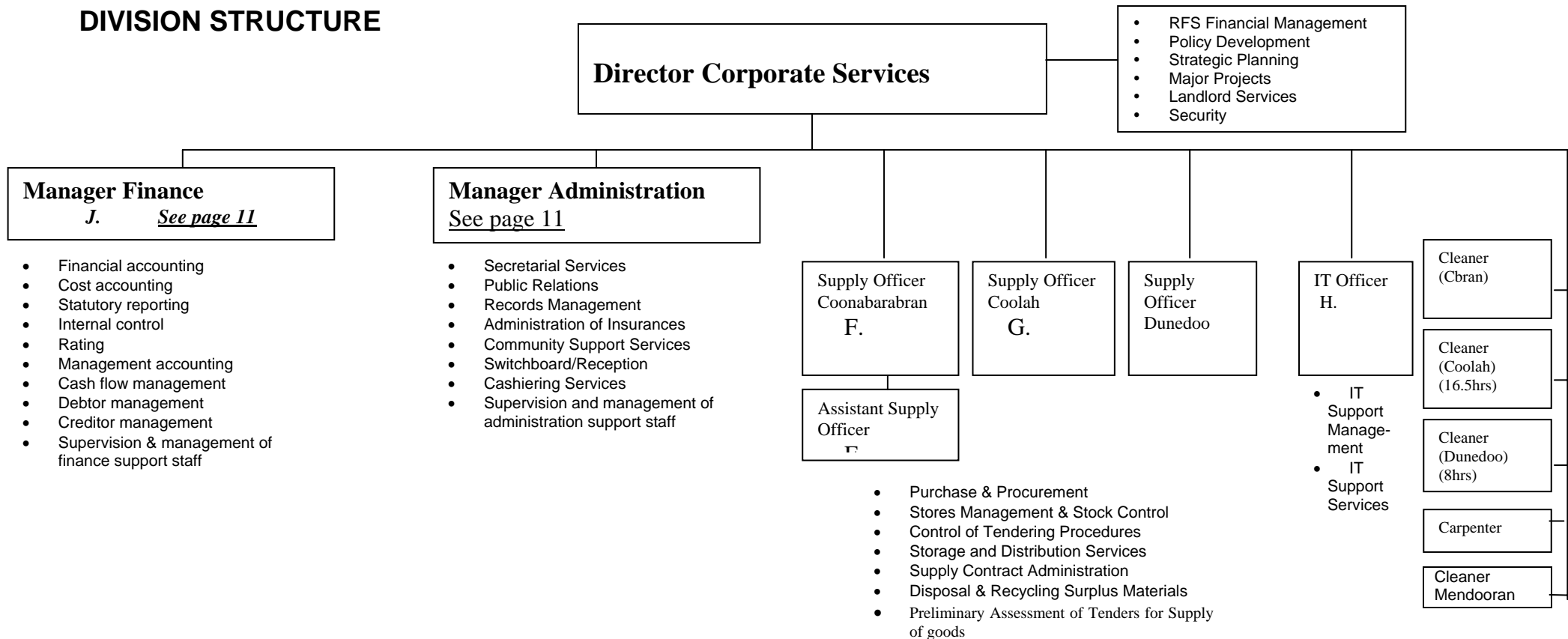
**HEALTH SERVICES  
STRUCTURE**



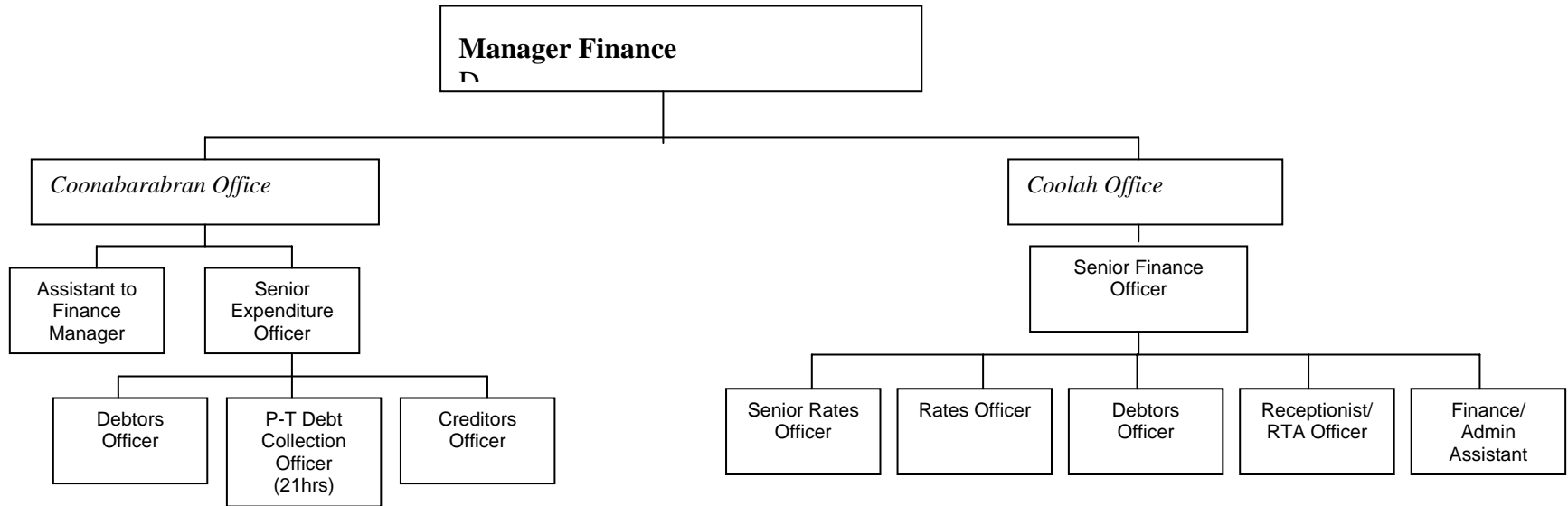
**BUILDING SERVICES  
STRUCTURE**



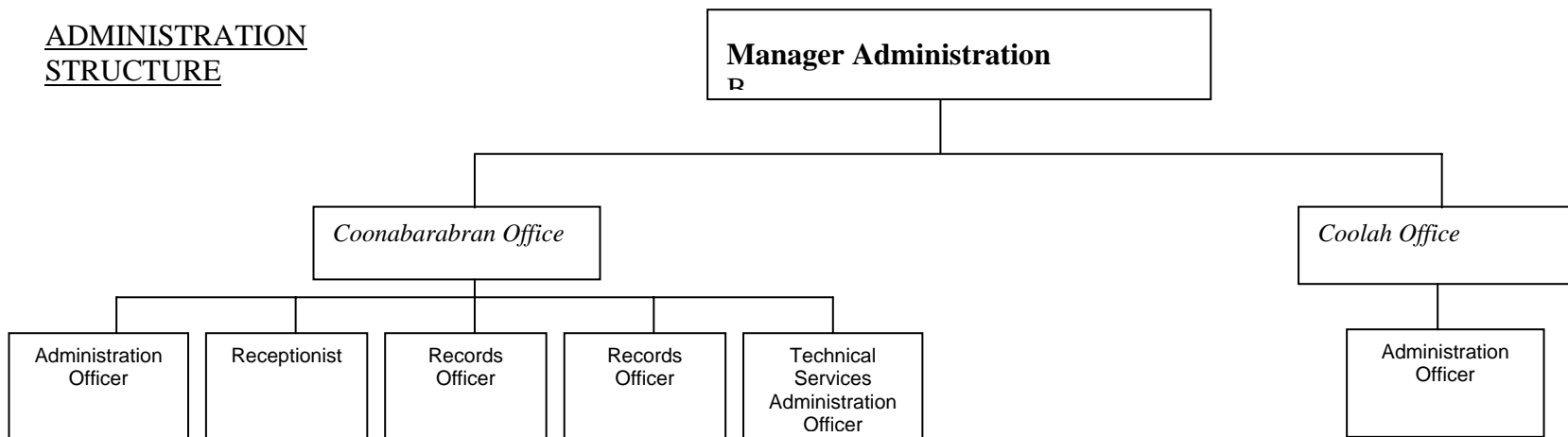
## CORPORATE SERVICES DIVISION STRUCTURE



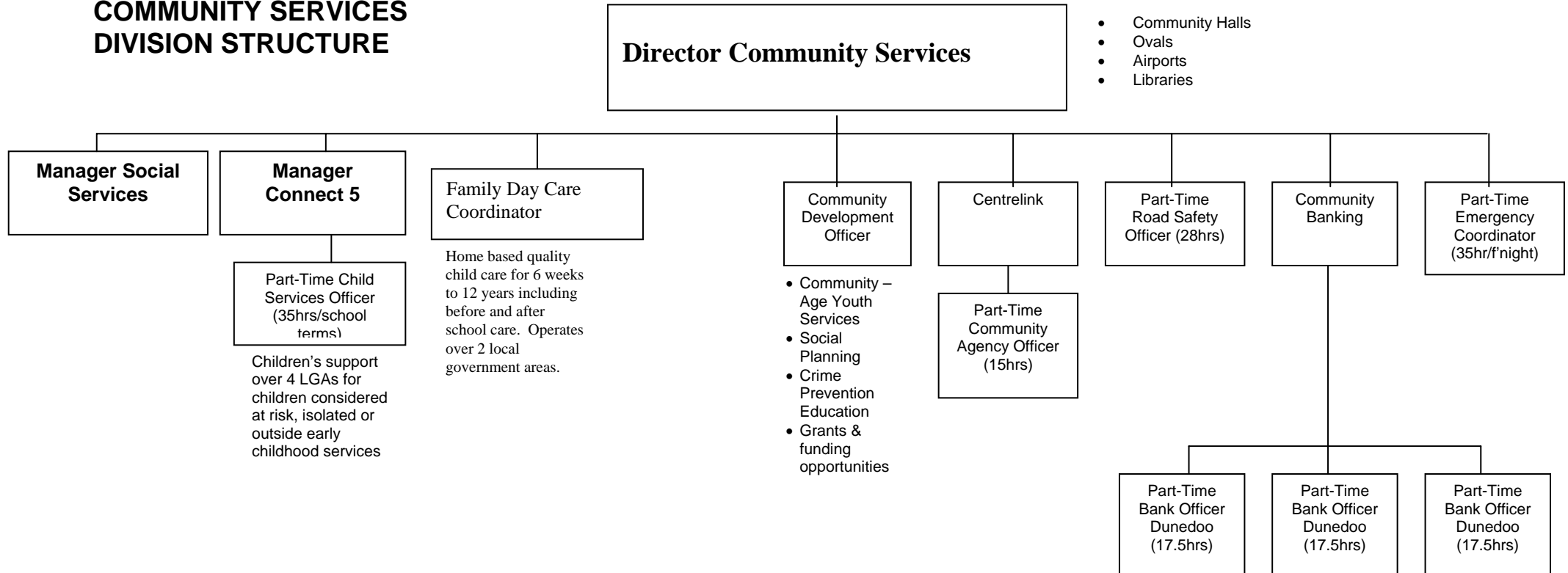
FINANCE STRUCTURE



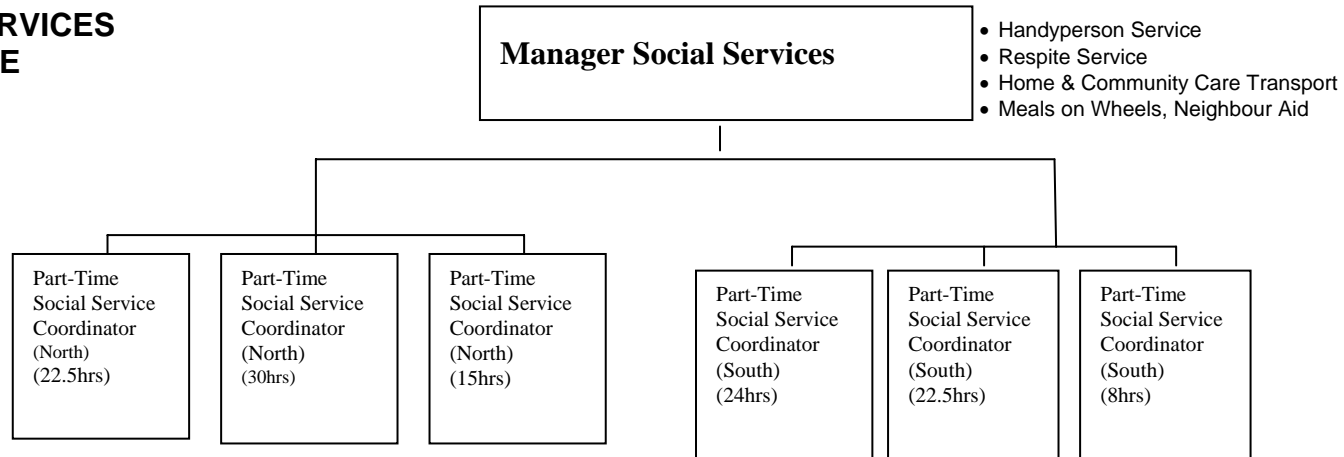
ADMINISTRATION STRUCTURE



## COMMUNITY SERVICES DIVISION STRUCTURE



**SOCIAL SERVICES  
STRUCTURE**





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 30th September 2007**

<b>GENERAL FUND</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
General Fund Bank Balance	\$ 12,864,205.88	\$ 1,408,000.00	\$ 6,996,205.88
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>\$ 12,864,205.88</b>	<b>\$ 5,868,000.00</b>	<b>\$ 6,996,205.88</b>

<b>WATER FUNDS</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
Baradine Water Bank	\$ 208,743.72	\$ 89,000.00	\$ 119,743.72
Binnaway Water Bank	\$ 549,425.98	\$ -	\$ 549,425.98
Coonabarabran Water Bank	\$ 1,487,760.79	\$ 179,230.45	\$ 1,308,530.34
Coolah Water	\$ 982,530.85	\$ 836,697.00	\$ 145,833.85
<b>TOTALS</b>	<b>\$ 3,228,461.34</b>	<b>\$ 1,104,927.45</b>	<b>\$ 2,123,533.89</b>

<b>SEWERAGE FUNDS</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
Coonabarabran Sewerage	\$ 2,245,753.75	\$ 836,510.08	\$ 1,409,243.67
Baradine Sewerage	\$ 284,924.91	\$ -	\$ 284,924.91
Coolah Sewerage	\$ 1,067,461.65	\$ 563,170.00	\$ 504,291.65
<b>TOTALS</b>	<b>\$ 3,598,140.31</b>	<b>\$ 1,399,680.08</b>	<b>\$ 2,198,460.23</b>

<b>SUMMARY</b>	<b>BANK</b>	<b>RESTRICTED</b>	<b>BALANCE</b>
General Fund	\$ 12,864,205.88	\$ 5,868,000.00	\$ 6,996,205.88
Water Fund	\$ 3,228,461.34	\$ 1,104,927.45	\$ 2,123,533.89
Sewerage Fund	\$ 3,598,140.31	\$ 1,399,680.08	\$ 2,198,460.23
<b>TOTALS</b>	<b>\$ 19,690,807.53</b>	<b>\$ 8,372,607.53</b>	<b>\$ 11,318,200.00</b>

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<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%
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 MANAGED FUNDS	\$ 3,842,419.99	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%
<b>TOTAL</b>	<b>\$ 18,342,419.99</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

**Carolyn Upston**  
**ACTING DIRECTOR CORPORATE SERVICE**

**RECOMMENDATION**  
For Council's information.

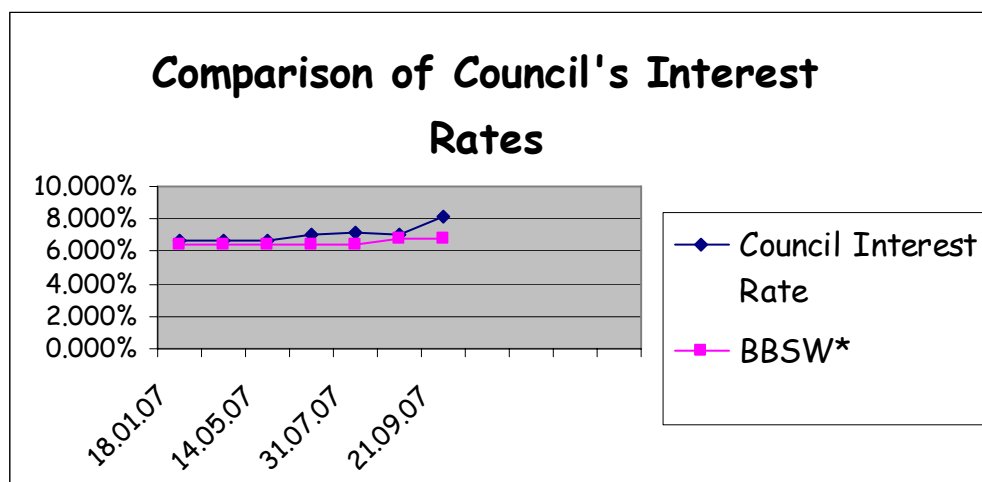
**2.2 STATEMENT OF INVESTMENTS AS AT 30 SEPTEMBER 2007  
 INVESTMENT REGISTER**

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					3,842,419.99
ADELAIDE MANAGED FUND					
	6.90%			3,842,419.99	
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	
<b>TOTAL</b>					<b>18,342,419.99</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.

**CAROLYN UPSTON**  
 ACTING DIRECTOR CORPORATE SERVICE

**RECOMMENDATION**  
 For Council's information.



\*Bank Bill Swap Rate

This is the industry standard benchmark for investment return.

## 2.3 BANK RECONCILIATION

Warrumbungle Shire Council General Fund Bank Account for the Month Ending 30th September, 2007

Bank Statement as at 01.09.2007	1,127,245.55	
Plus Total Investments	18,342,419.99	
Total Receipts	<u>3,823,140.71</u>	
		23,292,806.25
Outstanding Deposits		<u>59,659.30</u>
		<b>23,352,465.55</b>
Less Cheques Drawn		3,518,046.58
Unpresented Cheques		143,611.44
		<u>3,661,658.02</u>
<b>TOTAL BANK BALANCE AS AT THE 30 SEPTEMBER, 2007</b>		<b>19,690,807.53</b>

## RECOMMENDATION

For Council's information.

**2.4 RATES AND CHARGES COLLECTION – UP TO and INCLUDING END SEPTEMBER 2007**

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABAND ONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENT S TO DATE	TOTAL OUTSTAND ING 2007/2008	COLLECT ION % 2007/2008	TOTAL OUTSTAN DING 2006/2007	COLLECTI ON % 2006/2007
	CBN RES/RURAL RES	112,123	901,926	68,181	3,385	942,483	199,530	742,953	21.17%	819,919	15.60%
	BARADINE	33,655	120,312	17,215	2	136,750	37,219	99,531	27.22%	139,781	15.72%
	BINNAWAY	21,406	58,955	10,084	189	70,089	20,035	50,054	28.58%	79,799	14.38%
	VILLAGES	7,088	21,986	1,952	2	27,120	7,881	19,240	29.06%	14,038	12.54%
	FARMLAND	217,512	3,704,363	19,521	18,922	3,883,431	1,159,635	2,723,796	29.86%	2,991,895	18.28%
	COOLAH	18,024	176,230	14,704	0	179,550	62,447	117,104	34.78%	138,346	19.92%
	DUNEDOO	12,341	192,865	16,369	0	188,837	63,644	125,193	33.70%	136,362	22.43%
	MENDOORAN	10,786	60,320	6,261	3	64,843	22,203	42,640	34.24%	61,656	1.78%
	LEADVILLE	2,733	9,127	1,353	0	10,506	3,002	7,505	28.57%	8,270	14.84%
	MERRYGOEN	357	3,696	586	0	3,466	1,062	2,405	30.63%	2,691	10.08%
	NEILREX	337	2,218	226	0	2,329	1,123	1,205	48.23%	1,541	13.23%
	UARBRY	0	3,277	73	0	3,203	1,643	1,560	51.30%	1,757	36.34%
	COOLABAH ESTATE	2,367	14,142	1,562	1	14,946	4,069	10,878	27.22%	10914.00	16.64%
	RUR/RES COBBORA	1,081	3,272	289	0	4,064	1,244	2,820	30.62%	1872.00	29.66%

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABAND ONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENT S TO DATE	TOTAL OUTSTAND ING 2007/2008	COLLECT ION % 2007/2008	TOTAL OUTSTAN DING 2006/2007	COLLECTI ON % 2006/2007
	GENERAL RESD/BUS- CLH	9,326	127,287	8,441	3	128,169	54,797	73,371	42.75%	324,436	2.59%
	BUSINESS- CBN-RURAL	41,756	351,530	250	2	393,035	276,974	116,061	70.47%	324,792	13.05%
<b>WATER</b>						0		0			
	COONABARA BRAN	37,058	285,503	26,224	4,267	292,070	99,555	192,514	34.09%	263,425	16.07%
	BARADINE	35,938	77,813	10,297	3	103,451	25,749	77,702	24.89%	87,500	14.58%
	BINNAWAY	41,798	61,991	8,872	256	94,660	26,631	68,029	28.13%	86,532	13.41%
	VILLAGES	15,378	10,248	788	0	24,838	3,057	21,781	12.31%	9,135	10.00%
	FARMLAND - NTH & STH	0.00	693.75	0.00	0.00	694	174	520		0.00	0.00%
	COOLAH	17,052	132,041	10,029	0	139,064	45,485	93,579	32.71%	98,029	19.47%
	DUNEDOO	8,659	113,636	9,363	0	112,932	37,258	75,674	32.99%	92,371	7.31%
	MENDOORAN	10,777	51,750	4,170	3	58,354	18,944	39,410	32.46%	56,171	4.05%
	MERRYGOEN	2,017	10,248	725	0	11,540	3,011	8,529	26.09%	10,958	1.25%

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABAND ONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENT S TO DATE	TOTAL OUTSTAND ING 2007/2008	COLLECT ION % 2007/2008	TOTAL OUTSTAN DING 2006/2007	COLLECTI ON % 2006/2007
SEWERAGE						0		0			
	COONABARA BRAN	51,150	609,605	26,099	1,198	633,457	220,563	412,895	34.82%	480,794	18.14%
	BARADINE	53,540	138,169	8,766	5	182,938	52,058	130,880	28.46%	177,055	19.53%
	COOLAH	17,636	146,127	8,979	0	154,785	54,584	100,200	35.26%	114,874	19.40%
	DUNEDOO	9,260	136,335	9,013	0	136,582	46,687	89,895	34.18%	84,646	22.54%
		<b>791,155</b>	<b>7,525,665</b>	<b>290,392</b>	<b>28,241</b>	<b>7,998,187</b>	<b>2,550,264</b>	<b>5,447,923</b>	31.89%	<b>6,619,559</b>	<b>16.51%</b>
GARBAGE- North		70,810	574,684	50,188	339	594,968	222,077	372,891	37.33%	621,395	15.34%
GARBAGE - South		35,416	346,299	34,045	13	347,657	114,882	232,774	33.04%	192,316	24.37%
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	7,132	70,263	9.21%	33,755	3.09%
								0			
INTEREST		152,724	0	0	0	152,724	12,419	140,305	8.13%	166,976	0.17%
	<b>TOTALS</b>	<b>1,116,712</b>	<b>8,478,805</b>	<b>374,953</b>	<b>28,595</b>	<b>9,191,969</b>	<b>2,906,774</b>	<b>6,285,195</b>	31.62%	<b>7,634,001</b>	<b>16.00%</b>

GENERAL		RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABAND ONED	RATE ARREARS AND NET LEVY	TOTAL PAYMENT S TO DATE	TOTAL OUTSTAND ING 2007/2008	COLLECT ION % 2007/2008	TOTAL OUTSTAN DING 2006/2007	COLLECTI ON % 2006/2007
<b>Rates &amp; Annual Charges Outstanding Percentage</b>											
	<b>COONABARA BRAN</b>	200,330	1,797,034	120,504	8,850	1,868,010	519,648	1,348,362	27.82%	1,564,138	<b>16.48%</b>
	<b>BARADINE</b>	123,133	336,294	36,278	9	423,139	115,026	308,113	27.18%	404,336	<b>17.17%</b>
	<b>BINNAWAY</b>	63,204	120,945	18,956	445	164,749	46,665	118,083	28.33%	166,331	<b>13.83%</b>
	<b>COOLAH</b>	52,713	454,399	33,713	0	473,399	162,516	310,883	34.33%	351,249	<b>19.62%</b>
	<b>DUNEDOO</b>	30,260	442,835	34,744	0	438,351	147,590	290,761	33.67%	313,379	<b>18.58%</b>
	<b>MENDOORA N</b>	21,564	112,070	10,431	6	123,196	41,147	82,050	33.40%	117,827	<b>2.89%</b>
	<b>VILLAGES</b>	31,358	78,214	7,554	4	102,014	26,092	75,922	25.58%	61,176	<b>12.95%</b>
	<b>FARMLAND</b>	217,512	3,705,057	19,521	18,922	3,884,125	1,159,809	2,724,316	29.86%	2,991,895	<b>18.28%</b>
	<b>RURAL</b>	51,082	478,817	8,691	5	521,204	331,772	189,432	63.65%	649,228	<b>8.02%</b>
	<b>Overall</b>	<b>791,155</b>	<b>7,525,665</b>	<b>290,392</b>	<b>28,241</b>	<b>7,998,187</b>	<b>2,550,264</b>	<b>5,447,923</b>	31.89%	<b>6,619,559</b>	<b>16.51%</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.

.....  
**CAROLYN UPSTON**  
**ACTING 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 TENDER FOR THE SUPPLY OF BITUMEN AND SEALING AGGREGATE 2007/2008**

#### **Background**

Tenders closed on 27 September 2007 for contracts to supply bitumen and sealing aggregate for 2007/08. The materials will be used to resurface existing bitumen sealed roads and for initial seal projects. A resolution is required from Council as the contract sum exceeds \$150,000.

#### **Issues**

Council undertakes a bitumen road-resurfacing program each year on local roads and regional roads. As well Council undertakes resurfacing of State Roads under contract to the RTA. Initial seals are completed on various local roads each year and on the regional road MR129 near Bomera.

The quality assurance requirements for resurfacing of State Roads is generally more demanding than that required on local roads and regional roads. As a consequence the specifications are different for State Roads and resurfacing rates are generally higher.

Council has used the services of Boral, Pioneer and Emoleum in recent years for bitumen supply and spray and has been generally satisfied with their performance. In relation to aggregate, Council has used Readymix and Boral and Buttai Gravel in the past and again generally satisfied with their product. However, Contract documents for supply and delivery of aggregate have been prepared to allow Council flexibility in choice of supplier depending on location of the job throughout the Shire.

#### **Options**

As well as price other relevant factors in making a decision include work quality and availability.

#### **Financial Considerations**

The contract documents are prepared on a schedule of rates basis and as such quantity of work undertaken will be in accordance with budget allocations. For comparison purposes, however, the total tender amount for supply and spraying of bitumen and aggregate is as follows;

	1/2008 Aggregate \$ (excl GST)			
	Readymix Holding Pty Ltd	Boral Resources Country Pty Ltd	Buttai Gravel Pty Ltd T/A Daracon Quarries	
		Non Conforming		
Totals	\$462,573.21	\$417,885.39	\$621,967.41	

Road Type	2/2008 Bitumen Supply \$ (excl GST)				
	Boral (1)	RTA (2)	Pioneer RS (3)	Sami RS Non Conforming	Downer EDI Non Conforming
Regional and Local Roads	\$319797.88	\$312461.00	\$333343.80	\$394257.84	\$402447.40
State Roads	\$1070007.15	\$1065897.00	1086189.00	\$1307291.86	\$1309058.90
Establishment Charge	\$7500.00	\$36800.00	\$7500.00	\$20850.00	\$42750.00
Totals	\$1397305.03	\$1415158.00	\$1427032.80	\$1722399.70	\$1754256.30

### RECOMMENDATION

1. That the 2007/2008 Contract for supply and delivery of Precoated aggregate and crusher fines be awarded in two contracts one to Readymix Holding Pty Ltd and one to Boral Resources (Country) Pty Ltd
2. That the 2007/2008 contract for supply and spray of bitumen be awarded to Boral Asphalt.

### 3.2 REQUEST TO PURCHASE UNUSED ROAD OFF TIMOR STREET IN COONABARABRAN

#### Background

The Uniting Church in Coonabarabran is seeking title to a road that currently exists within the Church grounds. The road is no longer used as road, or used as access to adjoining properties, it was probably used as access for collection of sanitary pans prior to sewer reticulation. The Church requires the land for construction of a toilet block. The subject laneway is marked on the map in attachment 1.0 and a copy of the letter from the Church has been forwarded to Councilors under separate cover.

#### Issues

The width of the laneway is approximately 6 metres and it is approximately 40 metres in length. It is no longer used for access and is unlikely to be ever used as access as all adjoining properties have adequate street frontage. Laneways are often an important feature of urban properties, however, in this case it is unlikely that either Council or adjoining property owners would ever have a practical use for the land.

The laneway is a public road and as such Council requires consent from the Minister to close the road. Any application to close a public road must be advertised by the Minister.

#### Options

Council has discretion in this matter; however closure may establish a precedent for further applications. It should be noted that a number of disused roads exist within the commercial block bounded by John Street, Cassilis Street, Dalgarno Street and Charles Street.

**Financial Considerations**

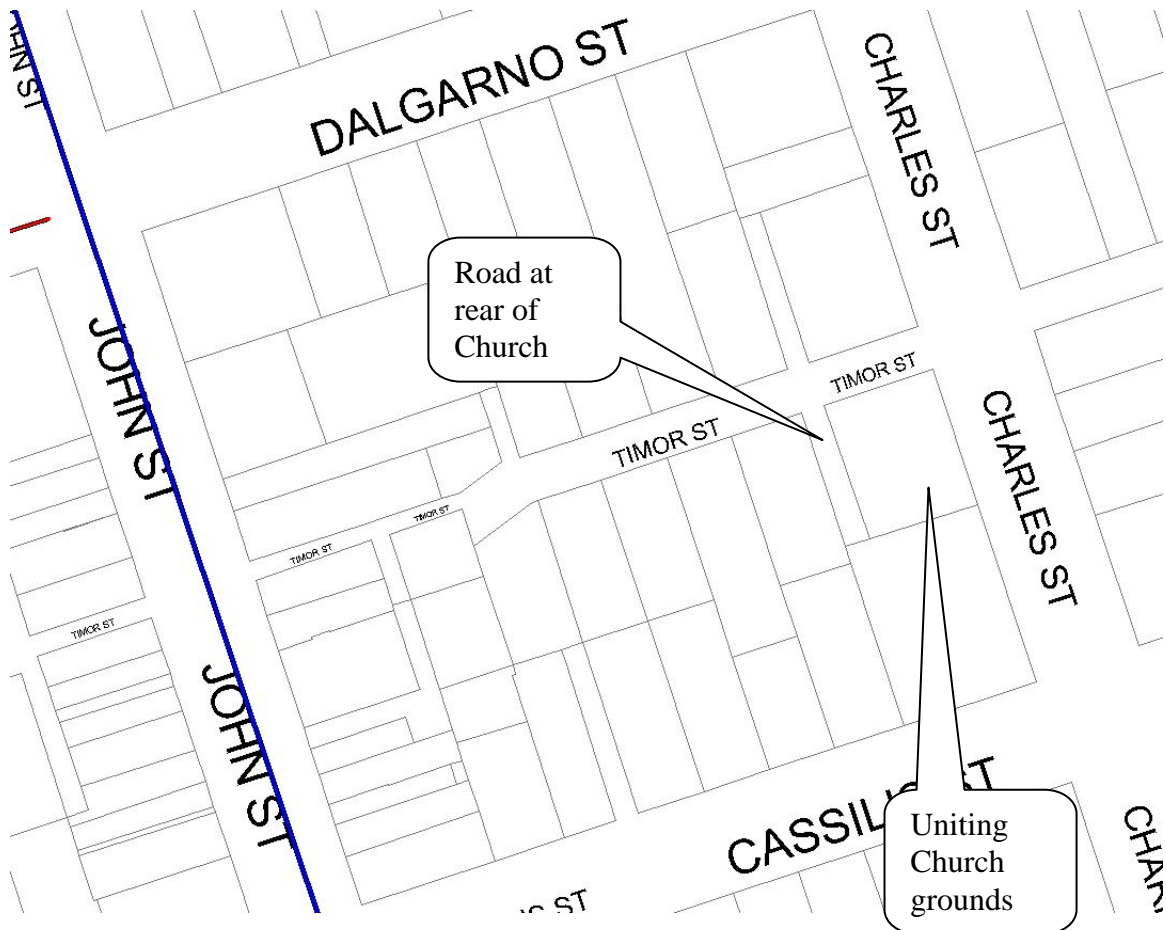
The costs associated with road closure and subsequent sale include: application fees, survey fees and possibly the cost of valuation and legal fees. The cost of such a process could be as high as \$2,500.

**RECOMMENDATION**

That application by the Uniting Church in Coonabarabran for title to the road located off Timor Lane and to the rear of the Uniting be granted subject to the following conditions:

1. That the land area taken up by the road is consolidated with land owned by the Uniting Church, that is, it is not treated as a separate lot.
2. That the Church engages all necessary professional services associated with closure and transfer of the land.
3. That the land is sold to the Church for a price based on adjoining land values as determined by the Valuer General.

Attachment 1.0 – Map showing location of laneway behind Uniting Church in Coonabarabran.



### 3.3 PROPOSAL TO TRANSFER CROWN ROAD TO COUNCIL CONTROL

#### Background

The Department of Lands wants to know Council's position in relation to a proposal to transfer crown road to public road under the care and control of Council. Apparently, the owner of lot 25 Dp 754978, has made application through the Department to change status of the road. The property adjoins lot 24 Dp 754978, which has direct access to Neible Road.

A plan showing the location of the two properties in relation to Neible Road is included in attachment 1.0.

#### Issues

The total length of crown road that joins lot 25 to the dedicated public road is approximately 2.7km. Council has undertaken minimal formation works on the first 1.0km of the road. The remaining 1.7km is unformed and unsurfaced, and it also crosses

a number of water courses. There is evidence that the surface of the road, or grass and topsoil, has been recently graded to one side.

Generally though, the condition of this last 1.7km of road is no better than a typical paddock track. However, the Department of Lands claim that work has been undertaken on the road without their approval and hence their proposition that the crown road be converted to dedicated public road.

### **Options**

Council has discretion in this matter, but should be mindful of the many hundreds of kilometres of crown road in the Shire used as access to properties. If the road is converted to dedicated public road, Council still has discretion in relation to roadwork activity, clearly though the additional road length will increase Council's road maintenance burden.

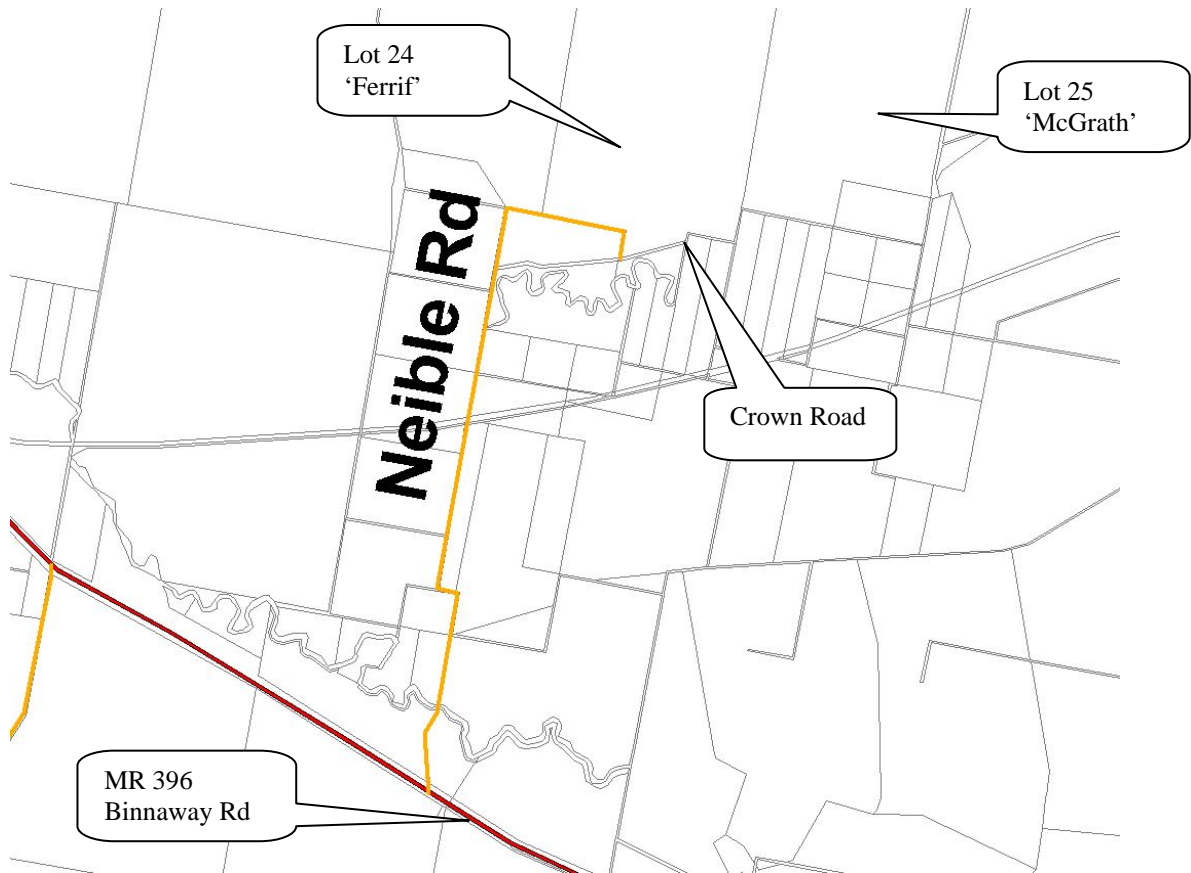
### **Financial Considerations**

Conversion of the crown road involves application to the Department of Lands and a transfer fee of \$219.20. The cost of upgrading the road to a standard that allows access during wet conditions, without installation of drainage structures, is estimated to be \$42,500.

### **RECOMMENDATION**

That Council advises the Department of Lands that it does not want to pursue conversion of crown road between the end of Neible Road and property lot 25 Dp 754978, to public road under the care and control of Council.

Attachment 1.0 – Neible Road



.....  
KEVIN TIGHE  
DIRECTOR TECHNICAL SERVICES

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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 PEDESTRIAN ACCESS TO REAR OF LEN GUY PARK, BINNAWAY**

**Background**

An informal pedestrian walkway (as marked on the attached locality plan) is being used by Binnaway residents as a convenient short-cut from Andy's Lane to Len Guy Park and the shops in Renshaw Street. This has been a long standing practice but is not substantiated by any identifiable legal agreement.

In response to an approach to Council by the current owner of the land to the west of this walkway (for assistance with fencing costs) a budget allocation of \$5,000 was provided in the 2007/2008 budget to cover the cost of legal and practical processes necessary to investigate and correct any anomalies in this area. Approximately 10% of these funds have been expended to-date, mainly on the acquisition of a Registered Surveyor's report which confirmed the suspected encroachment of the toilet block and a short chain mesh fence (purported to be constructed by the Binnaway Lions Club) onto the privately owned land to the west of the subject walkway. A copy of the Surveyor's sketch plan showing these encroachments is attached to this report which also shows some remnant fencing in the vicinity of the walkway.

**Analysis and Progress To-date**

The Registered Surveyor's report (and its inherent property searches) did not identify any legal rights of carriageway over the subject walkway. In addition the maximum encroachment of the existing brick toilet block onto the land to the north was shown to be the eaves at 1.19 metres. A maximum area of twelve (12) square metres of land is required to correct this encroachment.

A practical walkway could be achieved by either 'right of carriageway' or boundary adjustment on either the east side or west side of the land to the north and it would utilise approximately seventy (70) square metres of land.

As part of the enquiries to-date it has also been identified that: the septic system serving the public toilets is located on Community Health Centre land, a legal laneway (currently not in use) exists on the western side of the Binnaway pool (approximately one hundred (100) metres to the west of the subject current walkway) and Council is the owner of the

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land on which 'the old fire station' stands (Lot 62 DP 532596) at the rear of the Community Health Care Centre.

As part of discussions with the current owners of the allotments on which the unofficial walkway exists (Lot B DP 103571 and Lot 1 DP 334583) it was identified that they would prefer to relocate a formal walkway to the western side of Lot B so that it was further away from the walls of their existing home that contain bedrooms.

The following proposal has been offered to the owner of Lot B DP 103571 as a means of assisting with fencing costs (as provided in Part 4, Section 25 of the Dividing Fences Act 1991) and resolving encroachment issues: -

1. That Council will cover all survey, search and plan registration costs associated with a boundary adjustment between Lot A (Len Guy Park) and Lot B DP 103571 to create a 1.6 metre wide walkway on the western side of Lot B and including an adjustment to wholly accommodate the brick toilet building onto Lot A. Estimated cost \$3,000.
2. That Council will cover the costs associated with tree stump removal, signage, public advertisements and colourbond fencing heading east from the existing brick toilets to the existing fencing of Lot 2 DP 334583 and heading north along the new property line to Andy's Lane. Estimated cost \$1,500.

This offer has been verbally refused by the current owner of Lot B DP 103571, with the additional request that Council immediately close the current walkway.

## **RECOMMENDATION**

1. That the offer outlined above and made to the current owner of Lot B DP 103571 be withdrawn.
2. That the current owners of Lot B DP 103571 and Lot 1 DP 334583 be advised that the issue of trespass on their land is outside Council's control.
3. That cost estimates be prepared on the options of (1) reconstructing the rear wall of the brick toilets within the boundary of Len Guy Park and (2) undertaking the compulsory acquisition process necessary to acquire up to a maximum of twelve (12) square metres of land from the current owner of Lot B DP 103571.
4. That the Lions Club of Binnaway be approached regarding its expectations with the low level chain mesh fence currently situated on Lot B DP 103571.
5. That the Greater Western Area Health Service be approached regarding its views on a boundary adjustment with either or both parcels of neighbouring Council owned land such that the septic tank and effluent disposal area can be transferred back to Council for both septic tank maintenance purposes and facilitation of a walkway between Len Guy Park and Andy's Lane.
6. That the Binnaway Progress Association, as a representative community organisation, be approached to ascertain its preferences in this matter, and
7. That Council consider a further report on this matter following responses to the above requests.



**Locality Plan**

**Surveyor's sketch plan**

**4.2 APPLICATIONS RECEIVED FOR THE CALENDAR MONTH OF SEPTEMBER 2007**

<b>Complying Development / Development Application</b>	<b>Owner</b>	<b>Address</b>	<b>Development Type</b>	<b>Status</b>
DA 27/0708	Mr M Black	Bullinda Street, Dunedoo	Subdivision	Pending
CD 28/0708	Mr R Fenwick	Timor Rd, Coonabarabran	Extension to existing dwelling	Pending
CD 29/0708	Mr G Auld	Yule Street, Coolah	Extension to existing dwelling	Approved
DA 30/0708	Rawson Homes	Andromeda Way, Coonabarabran	Dwelling	Approved
DA 31/0708	G and M Harris	Lot 1 Timor Rd, Coonabarabran	Subdivision (2 Lot)	Pending
CD 32/0708	Cleary Building			
DA 33/0708	Ms P Love	Lot 251 Timor Rd, Coonabarabran	Subdivision (4 Lot)	Pending
DA 34/0708	Mr J Berthet	Lot 8 Pine Springs Estate, Binnaway Rd	Est of Herbal Clinic & Retail Nursery	Pending
DA 35/0708	Mr P Jamieson	Lot 23 John Renshaw Parkway, Coonabarabran	Subdivision (2 Lot)	Pending
DA 36/0708	Anglican Church	Renshaw Street, Binnaway	Demolition	Approved
CD 37/0708	Mr D Longdon	Carrington Lane, Coonabarabran	Shed	Approved
CD 38/0708	Mr J Dicks	6 Hagan Av, Coonabarabran	Extension to existing dwelling	Pending
CD 39/0708	Mr N Buchanan	Lot 2 Bingie Grumble Rd, Coonabarabran	Shed	Approved
CD 40/0708	Mr B Marsh	Purlewaugh Road, Coonabarabran	Garage	Approved
CD 41/0708	R and M Slade	34 Masman Street, Coonabarabran	Awning on dwelling	Approved
CD 42/0708	Wallis and Jamieson	Lot 32 Bingie Grumble Rd, Coonabarabran	Awning and Pool	Approved
CD 43/0708	Mr J Cormie	Masman Street, Coonabarabran	Inground Pool	Approved
DA 44/0708	Mr M White	Boomley Road, Dunedoo	Subdivision	Pending

**APPLICATIONS HELD PENDING AS AT THE MONTH OF SEPTEMBER 2007**

<b>Complying Development/ Development Application</b>	<b>Owner</b>	<b>Address</b>	<b>Development Type</b>	<b>Status</b>
DA 12/0708	E & N Kelly	Gwabegar Road, Gwabegar	2 Lot Subdivision	Pending
CD 18/0708	B. Milne	Adelyne Street, Dunedoo	Storage Shed	Pending
CD 24/0708	Lawrence & Wilson	Lachlan Street, Baradine	New Dwelling	Pending
DA 08/0708	Ms D Britton	Bingie Grumble Rd, Coonabarabran	Subdivision into 2 Lots	Pending
DA 172/0607	Ms A Manning	Bullinda Street, Dunedoo	Relocate Dwelling	Awaiting fees & HOWI
DA 63/0607	Mr P Rzerminski	Major Mitchell Road, Coonabarabran	New Dwelling	Awaiting further applicant information
CDC 65/0607	Mr Roberts	Timor Road, Coonabarabran	Relocate Dwelling	Awaiting further applicant information
DA 113/2004	Warrumbungle Shire Council	Jackson Street, Coonabarabran	45 Lot Industrial Subdivision	4 month extension granted by Council
DA 139/0506	P and D Redden	Merebene Street, Coonabarabran	3 Lot Subdivision	Awaiting RFS response

CDC 140/0506	F Border	"Ringwood", Coonabarabran	Additions to Dwelling	Awaiting further applicant information
CDC 145/0607	Mr J Kubowicz	Whiteley Street, Dunedoo	Erect cover over Pool	Awaiting applicant Engineer Details
DA 148/0607	J and J Pogson	Timor Road Coonabarabran	68 Lot Subdivision	Awaiting further applicant information

.....  
RON VAN KATWYK  
DIRECTOR ENVIRONMENTAL SERVICES

