



Warrumbungle Shire Council

Council meeting

Thursday, 17 April 2008

to be held at the Fire Control Centre, Coonabarabran

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
FIRE CONTROL CENTRE, COONABARABRAN ON THURSDAY, 17 APRIL 2008
COMMENCING AT 9.00AM**

Date: 11 April 2008

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 April 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 March 2008

ADOPTION OF THE RECOMMENDATIONS of the Traffic Advisory Committee meeting held on 27 March 2008

ADOPTION OF THE RECOMMENDATIONS of the Warrumbungle Shire Tourism and Economic Development Advisory Committee meeting held on 9 April 2008

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.....
R J GERAGHTY
GENERAL MANAGER

GENERAL MANAGER'S REPORT

ANNEXURE 1

1.1 LEGAL ASSISTANCE

The Shires Association has written to Council seeking a contribution towards the legal costs of Gosford City Council in a case relating to the enforcement of a Tree Preservation Order. They ask that Council contribute \$2,723.71.

The request states:

The Environmental Planning and Assessment Act 1979 (the EP&A Act) allows a council to make a planning instrument and Gosford has the Gosford Planning Scheme Ordinance in place as one of its four planning instruments.

Gosford also has a Tree Preservation Order (the TPO) made by way of Clause 44 of the Gosford Planning Scheme Ordinance.

Mr Tauszik was prosecuted by way of the EP&A Act in the Land and Environment Court by council for the removal of three large Norfolk Island pine trees from the front of his property. Mr Tauszik did not have the approval of Council to remove the trees.

Senior counsel had advised that a prosecution of Mr Tauszik in the Land and Environment Court for a breach of the Gosford Planning Ordinance Scheme was appropriate.

The Land and Environment Court convicted Mr Tauszik and fined him \$25,000 and ordered him to replant 2 trees and pay council's costs in the matter.

Mr Tauszik appealed to the Court of Criminal Appeal against the decision of the Land Environment Court.

The Court found that consent for the removal of the trees had to be obtained by way of the TPO and not the EP&A Act and therefore the removal of the trees was not an offence under the Gosford Planning Scheme Ordinance.

A prosecution under the TPO had to commence within six months of the offence being committed and the Court found that council was now statute barred from bringing proceedings against Mr Tauszik.

Gosford City Council put forward that two important legal principles were being considered by the Court.

- 1. That a breach of a TPO is a breach of the EP&A Act and not merely a breach of a council Order and that the issue of the different times allowed for the starting of proceedings against separate Subsections of the Act are no longer applicable, and*
- 2. That an error in the making of a TPO by a council does not result in the repeal of all earlier versions of that instrument.*

Council was also attempting to uphold the general principles that there are obligations on the public to comply with a TPO and to discourage the removal of trees to improve views.

Council has incurred costs of \$547,351 in defending this matter and your council's proportion of the costs is \$2,723.71, based on your share of the Association's total membership subscriptions.

Council allocates \$1,500 in its budget towards such requests. However this years allowance was paid in full the cost of Bankstown in relation to Section 733.

RECOMMENDATION

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

1.2 PLANNING REFORM

Council at its ordinary February 2008 meeting agreed to pay \$500 toward the issue of a letter and other actions the Shires Association had undertaken relating to the State Governments legislation changes. This amount was taken out of the allocation Shire Association Subscriptions which had a budget of \$18,900. With the above payment the current expenditure is \$18,350.

A second request along with an invoice has been received for an additional \$746.43 towards the ongoing campaign.

This matter is now submitted for Council's consideration.

RECOMMENDATION

For Council's consideration and if approved determine where the funds will be provided from.

.....
R J GERAGHTY
GENERAL MANAGER

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

Dear Sir

DIRECTOR OF CORPORATE SERVICES

ANNEXURE 2

**2.1 DUE BY THE BANK TO THE FOLLOWING FUNDS AS AT
 31 MARCH 2008**

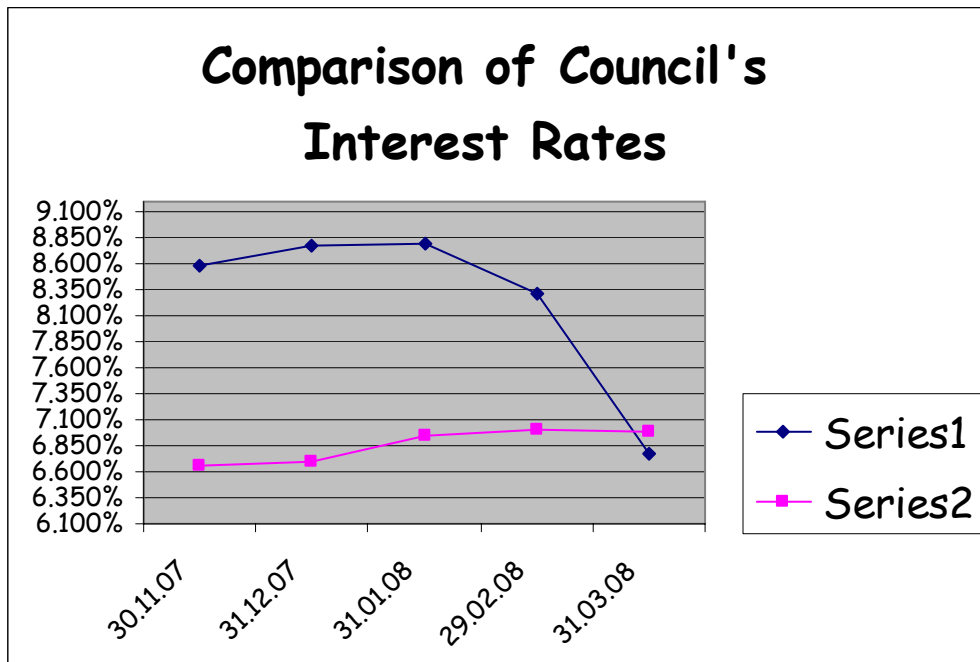
GENERAL FUND	BANK	RESTRICTED	BALANCE
General Fund Bank Balance	\$ 11,788,344.38	\$ 1,408,000.00	\$ 5,920,344.38
Future Capital Upgrading		\$ 2,520,000.00	
Employees Leave Liability		\$ 770,000.00	
External Grants for Specific Projects		\$ 980,000.00	
Development Sec 94 & 64 Contb'ns		\$ 190,000.00	
TOTALS	\$ 11,788,344.38	\$ 5,868,000.00	\$ 5,920,344.38
WATER FUNDS	BANK	RESTRICTED	BALANCE
Baradine Water Bank	\$ 34,987.37		\$ 34,987.37
Binnaway Water Bank	\$ 545,448.06	\$ -	\$ 545,448.06
Coonabarabran Water Bank	\$ 1,498,244.44	\$ 179,230.45	\$ 1,319,013.99
Coolah Water	\$ 874,730.97	\$ 836,697.00	\$ 38,033.97
TOTALS	\$ 2,953,410.84	\$ 1,015,927.45	\$ 1,937,483.39
SEWERAGE FUNDS	BANK	RESTRICTED	BALANCE
Coonabarabran Sewerage	\$ 2,005,646.74	\$ 836,510.08	\$ 1,169,136.66
Baradine Sewerage	\$ 286,782.84	\$ -	\$ 286,782.84
Coolah Sewerage	\$ 1,076,144.91	\$ 563,170.00	\$ 512,974.91
TOTALS	\$ 3,368,574.49	\$ 1,399,680.08	\$ 1,968,894.41
SUMMARY	BANK	RESTRICTED	BALANCE
General Fund	\$ 11,788,344.38	\$ 5,868,000.00	\$ 5,920,344.38
Water Fund	\$ 2,953,410.84	\$ 1,015,927.45	\$ 1,937,483.39
Sewerage Fund	\$ 3,368,574.49	\$ 1,399,680.08	\$ 1,968,894.41
TOTALS	\$ 18,110,329.71	\$ 8,283,607.53	\$ 9,826,722.18

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	7.89%
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	\$ 877,419.99	7.35%
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%
DANDELION-WESTPAC	\$ 1,000,000.00	BBSW + 1.5%
ROYAL BANK OF CANADA	\$ 1,000,000.00	7.70%
ALL SEASONS-KEOLIS AAA	\$ 1,500,000.00	8.00%
TOTAL	\$ 16,377,419.99	

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.



*Bank Bill Swap Rate

This is the industry standard benchmark for investment return.

Currently Council would see a reduction in interest income over the next 12 months of \$225,000 if the market remains the same.

If BBSW rates fall then we will start to see interest (coupon) payments start to pay again on the 4 that are currently not paying.

Council has currently had several FRN's revalued for the next 3 months to rates between 7.89% to 9.2833%

2.2 RECONCILIATION OF GENERAL FUND BANK ACCOUNT – 31 MARCH 2008

CASHBOOK	
Balance as at 01.03.08	18,431,001.80
Income	
- Total Receipts	1,771,922.45
- Total Investments	
	<hr/>
	20,202,924.25
Expenditure	
- Total Cheques Drawn	2,099,355.06
	<hr/>
Balance as at 31.03.08	18,103,569.19
<hr/>	
BANK STATEMENT	
Bank Statement as at 31.03.08	17,934,267.05
Amount Not Receipted This Month	
	<hr/>
	17,934,267.05
Outstanding Deposits	187,321.82
	<hr/>
	18,121,588.87
Unpresented Cheques	18,019.68
	<hr/>
	18,103,569.19

RECOMMENDATION

For Council's information.

**2.3 STATEMENT OF INVESTMENTS AS AT 31 MARCH 2008
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	7.89	11.02.08	12.05.08	500,000.00	
BENDIGO BANK					500,000.00
5 years	Bbswmid+120	21.09.07	21.09.12	500,000.00	
DANDELION-WESTPAC					1,000,000.00
5 years	Bbsw12M+0bp	20-12-07	21-12-12	1,000,000.00	
AT CALL					877,419.99
ADELAIDE MANAGED FUND					
	7.35			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					16,377,419.99

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.

**CAROLYN UPSTON
DIRECTOR CORPORATE SERVICE**

RECOMMENDATION
For Council's information.

2.4 RATES AND CHARGES COLLECTION – UP TO and INCLUDING END MARCH 2008

GENERAL	RATE ARREARS	2006/2007 LEVY	PENSIONER WRITE OFF	ABANDON ED	RATE ARREARS AND NET LEVY	TOTAL PAYMENTS TO DATE	TOTAL OUTSTAN DING 2007/2008	COLLECTIO N % 2007/2008	TOTAL OUTSTANDI NG 2006/2007	COLLECTIO N % 2006/2007
CBN RES/RURAL RES	112,123	901,926	68,675	3,872	941,502	679,397	262,105	72.16%	444,570	51.42%
BARADINE	33,655	120,312	17,307	6	136,654	78,163	58,491	57.20%	81,301	44.80%
BINNAWAY	21,406	58,955	9,931	189	70,242	39,274	30,968	55.91%	50,824	39.18%
VILLAGES	7,088	21,986	1,952	2	27,120	15,468	11,653	57.03%	13,491	34.54%
FARMLAND	217,648	3,705,057	19,005	20,545	3,883,156	2,928,723	954,433	75.42%	992,840	70.64%
COOLAH	18,024	176,230	14,459	0	179,796	140,519	39,277	78.15%	47,391	66.72%
DUNEDOO	12,341	192,865	16,190	0	189,015	142,428	46,588	75.35%	43,078	72.23%
MENDOORAN	10,786	60,320	6,093	7	65,007	47,616	17,391	73.25%	20,857	59.27%
LEADVILLE	2,733	9,127	1,353	0	10,506	6,168	4,338	58.71%	3,409	50.60%
MERRYGOEN	357	3,696	586	0	3,466	2,222	1,245	64.09%	808	69.92%
NEILREX	337	2,218	226	0	2,329	1,742	587	74.81%	603	62.25%
UARBRY	0	3,277	73	0	3,203	2,138	1,066	66.73%	178	89.44%
COOLABAH ESTATE	2,367	14,142	1,594	2	14,914	9,869	5,045	66.17%	0.00	0.00%
RUR/RES COBBORA	1,081	3,272	289	6	4,058	3,203	855	78.93%	0.00	0.00%
GENERAL RESD/BUS- CLH	9,190	126,593	8,882	24	126,876	100,635	26,242	79.32%	148,328	47.80%
BUSINESS- CBN-RURAL	41,756	351,530	250	12	393,025	300,427	92,598	76.44%	123,737	63.22%

**ORDINARY MEETING OF THE WARRUMBUNGL SHIRE COUNCIL TO BE HELD AT THE FIRE CONTROL CENTRE, COONABARABRAN
ON THURSDAY, 17 APRIL 2008 COMMENCING AT 9.00AM**

WATER						0		0			
	COONABARA BRAN	37,058	285,286	26,540	4,565	291,240	212,515	78,724	72.97%	91,930	62.07%
	BARADINE	35,938	77,813	10,343	6	103,401	54,884	48,518	53.08%	47,917	41.36%
	BINNAWAY	41,798	61,991	8,770	257	94,761	49,730	45,030	52.48%	58,486	31.54%
	VILLAGES	15,378	10,675	788	0	25,265	6,290	18,976	24.89%	9,855	26.71%
	FARMLAND - NTH & STH	0.00	693.75	0.00	0.00	694	700	0	100.88%	-	
	COOLAH	17,052	132,041	9,950	0	139,144	105,586	33,558	75.88%	42,250	64.17%
	DUNEDOO	8,659	113,636	9,266	0	113,029	83,815	29,213	74.15%	29,436	69.48%
	MENDOORAN	10,777	51,750	4,087	7	58,433	40,757	17,675	69.75%	19,350	56.97%
	MERRYGOEN	2,017	10,248	725	0	11,540	6,800	4,740	58.93%	3,256	66.00%
SEWERAGE						0		0			
	COONABARA BRAN	51,150	609,605	26,415	1,578	632,761	472,377	160,385	74.65%	149,000	70.71%
	BARADINE	53,540	138,169	8,725	14	182,970	105,662	77,309	57.75%	80,373	53.33%
	COOLAH	17,636	146,127	8,834	0	154,930	118,084	36,846	76.22%	37,953	67.19%
	DUNEDOO	9,260	136,335	8,916	0	136,679	102,368	34,311	74.90%	32,782	70.83%
		791,155	7,525,875	290,221	31,093	7,995,716	5,857,558	2,138,164	73.26%	2,574,003	63.30%
GARBAGE- North		71,122	575,398	50,278	527	595,715	444,227	151,488	74.57%	218,634	60.85%
GARBAGE - South		35,416	346,299	35,647	52	346,015	236,474	109,541	68.34%	108,202	64.15%
FARMLAND - NTH - STH		827	20,569	396	5	20,996	0	20,996	0.00%		

LEGAL FEES		65,785	26,532	0	0	92,317	25,798	66,520	27.94%	26,903	12.61%
								0			
INTEREST		152,724	0	0	0	152,724	57,092	95,632	37.38%	120,069	14.23%
	TOTALS	1,117,029	8,494,673	376,542	31,677	9,203,483	6,621,148	2,582,341	71.94%	3,047,811	58.90%
Rates & Annual Charges Outstanding Percentage											
	COONABARA BRAN	200,330	1,796,817	121,630	10,015	1,865,503	1,364,289	501,214	73.13%	685,499	59.35%
	BARADINE	123,133	336,294	36,374	26	423,026	238,709	184,317	56.43%	209,591	47.85%
	BINNAWAY	63,204	120,945	18,701	446	165,002	89,004	75,998	53.94%	109,310	34.83%
	COOLAH	52,713	454,399	33,243	0	473,869	364,189	109,680	76.85%	127,594	66.07%
	DUNEDOO	30,260	442,835	34,372	0	438,723	328,611	110,112	74.90%	105,296	71.08%
	MENDOORAN	21,564	112,070	10,179	14	123,440	88,373	35,066	71.59%	40,207	58.19%
	VILLAGES	31,358	78,641	7,585	11	102,402	53,899	48,504	52.63%	31,600	43.80%
	FARMLAND	217,648	3,705,751	19,005	20,545	3,883,849	2,929,423	954,433	75.43%	992,840	70.64%
	RURAL	50,946	478,123	9,132	35	519,902	401,062	118,840	77.14%	272,065	56.00%
	Overall	791,155	7,525,875	290,221	31,093	7,995,716	5,857,558	2,138,164	73.26%	2,574,002	63.30%

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

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 MILLING PARK, DUNEDOO – EXCESS WATER

During 2006 a leak occurred in the old water service to Milling Park, Dunedoo. This leak was not detected immediately as it was in a gravel section and did not show on the surface.

It was not until the high meter reading was noticed that investigations were undertaken. Once located the leak was repaired.

This type of event was not allowed for in the budget and therefore would ask Council for a supplementary vote of \$16,013.67 to cover the excess account.

RECOMMENDATION

That Council provide a supplementary vote of \$14,600.00 to cover the additional cost of water at Milling Park.

3.2 WATER STANDPIPE AT BARADINE

Background

There is a water standpipe in Baradine located on the corner of Narren Street and Walker Street, which is open for use by the general public. The standpipe is not locked and currently there is no control over who has access to the standpipe. The matter was raised at the Council meeting on the 20 March 2008, whereupon it was resolved to investigate and prepare a report on the matter.

Issues

Water standpipes in general are a public facility and are particularly used during times of drought. Council has a policy which allows rural properties to obtain water from standpipes for domestic use without charge during times of declared drought. Depending of water supply levels, standpipes are also during times of bush fire.

However, reports have been received that the standpipe in Baradine is being accessed for reasons other than domestic use. Clearly, staff are not available to monitor usage of the standpipe and installing a lock on the standpipe may cause significant disruption to daily activities of the work crew in Baradine.

There is a water standpipe in each urban centre and the location and access arrangements for each are detailed as follows;

- Coonabarabran. Located in the works depot, use of the standpipe is monitored and recorded by the storeman.
- Coolah. Located in the works depot and use is monitored and recorded by the storeman.
- Dunedoo. Located near the saleyards, the standpipe is locked and it is commonly understood that the key is obtained from the Dunedoo storeman or Supervisor.
- Mendooran. Located near the reservoir in Cobra Street, the standpipe is locked and key access through Mendooran staff.

There are no meters on the standpipe except for the one at Dunedoo.

Options

It is possible to lock standpipes and provide an electronic key to users, however, such a system requires considerable administration and it is not likely to be effective. The best system appears to be locking the standpipes and installing a sign with contact details.

Financial Considerations

The cost of a staff member unlocking the standpipe when access is requested will depend on travel distance and time taken to fill the tank of the user. During times of the drought the cost could be considerable, unless access times are restricted.

The cost of installing a meter on standpipes is around \$2,500 and hence installation is subject to specific budget allocation.

RECOMMENDATION

That the standpipe at Baradine be locked and access be by appointment, between the following times: 7.30am – 8.30am and 3.30pm – 4.30pm Monday to Friday.

3.3 PROPOSAL TO EXTEND SEWER RETICULATION TO RACECOURSE Background

A proposal to extend town sewer to the facilities at the Coonabarabran Racecourse and Riding for Disabled complex is included in the works programme for 2007/08.

Preliminary survey and design plans have been completed for the project and cost estimates have been prepared. The budget allocation is not sufficient to meet the expected cost of the project and Council is being requested to reconsider the project.

Issues

The riding for disabled complex is adjacent to the facilities at the racecourse and has grown in size and use over the last few years. The RDA facility is occupied one day per week on average and occasional there are riding camps. The jockey club conducts two to three race meetings per year and occasional there are special functions, such as wedding receptions, at the racecourse. The facilities are also used during the annual Coonabarabran horse expo. Between the two facilities there are 15 toilets, 4 urinals, 5 sinks, 11 hand basins and 9 showers.

The distance between the facilities and the nearest sewer manhole, which is located in Nelson Street is 726 metres. The preferred method of extending sewer reticulation is via a gravity main. The slope of the land is just sufficient to construct a gravity sewer line, however a flush box may need to be installed to prevent blockages in the line. It is also possible to provide sewer via a pump out system, however there are ongoing costs associated with electricity and parts replacement.

Options

Council has been reluctant to allow installation of pump out systems to be connected to gravity reticulation for two reasons; firstly there is concern about introduction of sewage effluent that has turned septic into the treatment works. Secondly, if pump out systems become widespread, it effectively increases the reticulation area of the town, putting additional pressure on treatment works to effectively treat the effluent.

Financial Considerations

The 2007/08 budget allocation for the sewer project is \$20,000. The estimated cost of installing a gravity sewer line is \$89,000. The estimated cost of installing a pump out system is \$55,000. The ongoing maintenance cost for a pump system is estimated to be \$2000 per year and this includes electricity costs and a component for replacement of the pumps.

RECOMMENDATION

That a restricted asset account is established for the project to extend sewer to the Racecourse and Riding for Disabled Facilities and that the current budget allocation of \$20,000 is transferred to that account and further, funding of the project is considered during annual budget preparations.

3.4 TENDER FOR MENDOORAN WATER TREATMENT PROJECT

Background

Council will be aware that tenders closed on the 27 September 2007 for a design and construct contract for the Mendooran Water Treatment Plant project. The Department of Commerce has been engaged by Council to undertake the tender review process and with the assistance of the tender evaluation committee provide Council with a recommendation.

A recommendation from the Department of Commerce has now been received, albeit in draft form only, and the recommendation and report has been forwarded to Councillors under separate cover.

Ministerial approval is required before the contract is awarded and Council is now asked to consider the draft report from Department of Commerce and accept the recommendations.

Issues

The tender review process involved investigating the proposal by the lowest tenderer and in particular the capability of the tenderer to deliver specified outcomes. At the heart of the water treatment process is filtration and the Department sought much detail from the

lowest tenderer on their proposal. After much investigation, the tender review panel advised the lowest tenderer that the proposed method of filtration was not acceptable and the tenderer was given an opportunity to provide an alternative. The tenderer did this and the revised method and design company was acceptable to the evaluation committee. Further, the price of the revised proposal was less than the next lowest tenderer.

The proposal accepted by the evaluation committee and included in the recommendation by the Department of Commerce is for a treatment process involving gravity sand filtration and a plant capacity of 1 megalitre per day.

Options

Council has previously advised the community of Mendooran that it would further consult with them on the price of the project once tenders are received. Council may wish to make arrangements for a public meeting in Mendooran or find another way of consulting with the community.

FINANCIAL CONSIDERATIONS

The total cost of the project is now estimated to be \$3.9m. This price includes refurbishment of the town reservoir in Cobra Street and installation of a roof. It also includes duplication of a water main in Coolabah Estate, however, this component may not be undertaken as it will not be funded by the Department of Water and Energy.

The revised pricing for the project has been forwarded to Councillors under separate cover.

RECOMMENDATION

That the community of Mendooran is consulted about the tender price for the proposed water treatment project and that arrangements are made for a public meeting.

3.5 PROPOSAL TO RENAME JOHN RENSHAW PARKWAY TO TIMOR ROAD

Background

The John Renshaw Parkway is the official name for the road between Coonabarabran and the Warrumbungle National Park. The road with the same name continues through to the Coonamble Tooraweenah Road in Gilgandra Shire. The commonly used name for the road in Warrumbungle Shire is Timor Road.

A request has been received to rename the road from John Renshaw Parkway to Timor Road. The request includes a petition with a significant number of signatures. The request and petition has been forwarded to Councillors under separate cover.

Council has authority under the Roads Act to name, and rename, a public road. However, guidelines issued by the Geographical Names Board must be observed.

Issues

The Roads Act requires Council to notify Australia Post, the Registrar General and the Surveyor General of the proposed road name. In addition, the proposed road name must be advertised in a local newspaper and written submissions invited.

The following points are highlighted extracts from guidelines produced by the GNB.

- Name duplication within a local government area should be avoided
- Names should be appropriate to the physical, historical or cultural character of the area concerned.
- Names of living persons should not be used.
- Preferred sources for road names include; Aboriginal names, local history, early explorers or settlers and other eminent persons, war/casualty lists and thematic names such as flora, fauna or ships.
- A given name should only be included with a family name where it is essential to identify an individual or where it is necessary to avoid ambiguity. The use of given names should generally be avoided.

Perhaps the most significant issue in changing the name is that Gilgandra Shire Council may decide to keep the current road name, and hence there will be a name change part way along the route. Disjointed road names are generally discouraged by the GNB and Department of Lands as they do not comply with guidelines for rural addressing. However, the fact that the route is interrupted by Warrumbungle National Park may be an acceptable reason to move outside the guidelines.

Options

Council has discretion in this matter and may wish to commence the process of public consultation associated with the proposed change in road name.

Financial Considerations

There is not expected to be significant budget implications associated with the process of road name consultation and administration.

RECOMMENDATION

That a media release be issued outlining the proposal of the petitioners and seeking public comment. Additionally, consultation on the proposal be made with Gilgandra Shire Council. Further that a report be prepared at the conclusion of the 28 day period and consultation outlining the options for Council.

3.6 DRAINAGE PROJECT IN RENSHAW STREET BINNAWAY

Background

The road shoulder in Renshaw Street Binnaway, between Yarran Street and Castlereagh Av on the southern side is unsealed and there is no kerbing and guttering. The natural slope of the road and surrounding land is west to east however the slope of the unformed table drain is from east to west. There is a concrete dish drain at the intersection of Yarran Street and Renshaw Street and runoff from rainfall collects and ponds in the dish drain, that is, there is no satisfactory overland drainage flowpath or underground pipe for runoff from the intersection.

Council has received many complaints about water ponding at the intersection and funds have been allocated in the 2007/08 budget to rectify the drainage situation. Survey investigation and design tasks have been undertaken for the project and the cost of proposed capital improvements exceeds the budget allocation.

Council is asked to consider the benefit of the proposed project given that expected costs exceed current budget allocations.

Issues

Currently, the surface of table drain between Yarran Street and Castlereagh Avenue in Renshaw Street is grassed and maintenance operations simply consist of mowing and cleaning out the drain with a grader or front end loader every two years or so. However, the average fall between the concrete dish drain in Yarran Street and the pipe culvert in Castlereagh Avenue is just 0.45percent. Even with increased maintenance of the drain, stormwater flow velocity along the drain will be very slow and the slightest deposit of debris will cause the flow to stop.

The expected outcome for the project was construction of either a concrete dish drain or concrete kerb and guttering between Yarran Street and the culvert under Castlereagh Avenue. While the concrete drain would eliminate water ponding in Yarran Street there are a number of ongoing maintenance issues that would remain unresolved including; maintenance of the steep bank between the drain and school fence, maintenance of the larger road shoulder area and maintenance of drain and road verges at the end of drain before Castlereagh Avenue. The attached photograph may help clarify the situation. In effect construction of a concrete drain reduces the opportunity for further development of the roadside area between Yarran Street and Castlereagh Avenue.

The most effective method of draining water from Yarran Street is installation of underground pipe. Approximately 10 years ago, consultants prepared a concept drainage plan for the urban area of Binnaway and it included construction of underground drainage along Renshaw Street. The plan proposed a pipe with diameter of 900 millimetres between Castlereagh Avenue and Yarran Street. Such a large diameter pipe is necessary to allow for the underground pipe to extend to Bullinda Street via David Street. Of course it is possible to install a much smaller diameter pipe between the Castlereagh Avenue and Yarran Street, but then there is no potential then for expansion of the underground system in the future.

The installation of underground drainage pipe, provides the opportunity to landscape Renshaw Street between Yarran Street and Castlereagh Avenue. That is, the opportunity will be there to shift the line of any future kerb and guttering to the edge of existing bitumen and increase the area of footpath or 'nature strip'.

There are several locations in Binnaway where there are drainage problems, in particular the dip in the road in Bullinda Street and slow moving drainage water at the end of Wattle Street. Further, the concrete dish drain in Yarran Street is severely cracked and rehabilitation work is required.

Options

The cost of fully implementing the drainage strategy has previously been considered by Council as cost prohibitive. However, if implementation is commenced, then construction of underground drainage pipe in Renshaw Street between Castlereagh Avenue and Yarran Street is an appropriate place to commence.

Council may wish to undertake construction of concrete kerb and guttering and accept the ongoing need for maintenance of the high bank and road shoulder area. Alternatively, Council may wish to pursue, through the budget process, implementation of the drainage strategy.

Financial Considerations

The 2007/08 budget allocation for the Renshaw Street Drainage project is \$40,000. The estimated cost of the various options is as follows;

1. Kerbing and Guttering - \$27,000. This does not include construction of retaining wall or bitumen surfacing of road shoulder.
2. Underground drainage pipe 450mm in diameter between Castlereagh Avenue and Yarran Street. - \$55,000.
3. Underground drainage pipe 900mm diameter, accordance with Binnaway Drainage Study, between Castlereagh Avenue and Yarran Street - \$104,000.

RECOMMENDATION

1. That underground drainage pipe is installed in Renshaw Street between Castlereagh Avenue and Yarran Street, the diameter of the pipe is the minimum needed, between 375 mm and 450mm, to prevent water collecting and ponding at the Yarran Street dish drain.
2. The current budget allocation of \$40,000 for the project is transferred into a restricted asset account and the cost to complete the drainage project is considered by Council during preparation of 2008/09 budget.

.....
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 ADOPTION OF ALCOHOL-FREE ZONES FOR ENSUING THREE YEAR PERIOD

Background

Council has historically established alcohol free zones as a framework for the implementation of designated areas where the consumption of alcohol is prohibited.

The establishment of these zones requires compliance with s644 to s644C and s646 of the Local Government Act 1993 *and* the Ministerial Guidelines created under s646(1) of the Act. It is proposed, by this report, to review all existing zones, create some new ones and group all renewal dates into a common timeframe.

Commentary

Council has received formal applications to establish zones in Coonabarabran, Coolah, Binnaway, Mendooran, Dunedoo and Baradine from the Coonabarabran Police. The proposals have been placed on public exhibition along with notices to all local hotels, clubs and police with an invitation to make submissions in relation to these zones (copies of proposed zones [6] forwarded for Councillors information as Enclosure 'A').

Two submissions were received (copies forwarded for Councillors information as Enclosure 'B'). A map showing the proposed extension of the zone in Coonabarabran to include Chappell Avenue from the northern end of the Mary Jane Cain Bridge, including Gordon Street, White Street and Baradine Road is forwarded for Councillors information and marked Enclosure 'C'. The submission provided reasoning for this request as being the regular disturbances to local residents by groups of inebriated youths. A copy of this request has been forwarded to the Coonabarabran Police and Council's attention is drawn to how this request links the existing Alcohol Free Zone to the recently adopted Alcohol Free Area surrounding the Coonabarabran Youth Centre.

A modification of this proposal to show this link is forwarded for Councillors information as Enclosure 'D'.

The next step in this process is for formal adoption of the zones by Council and advertising by way of notice in a local newspaper confirming the establishment of the

alcohol free zones. The areas are then signposted accordingly with provision for extra costs in the 2008/2009 Budget process.

RECOMMENDATION

1. That Council adopts the proposals put forward by the Coonabarabran Police with regard to the establishment of alcohol free zones in Coolah, Binnaway, Mendooran, Dunedoo and Baradine and advertise this decision in local newspapers as prescribed.
2. That Council modifies the Coonabarabran proposal to include the road reserve from the Mary Jane Cane Bridge to the Oval gates at the front of the Youth Centre Alcohol Free Area and advertises this decision in local newspapers as prescribed.

4.2 BARADINE SEWERAGE SCHEME – CONNECTION OF REMAINING PROPERTIES

Background

Council's objective to ensure that all available premises in Baradine are connected to the sewerage system is an ongoing process and has progressed to the point that only the following properties remain unconnected. .

PART A

Dwelling Locality	Status - Unconnected
Bligh Street	Unable to provide for finance
Bogan Street	Unable to provide for finance
Castlereagh Street	Vacant property - reason not determined
Darling Street	Unable to provide for finance
Lachlan Street	Quote has been obtained to complete works required
Lachlan Street	Unable to provide for finance
Macquarie Street	Vacant property - reason not determined
Macquarie Street	Vacant property - reason not determined
Walker Street	Unable to provide for finance
Worrigal Street	Vacant property - reason not obtained
Worrigal Street	Unable to provide for finance

PART B

Commercial Building Locality	Status - Unconnected
Wellington Street	Requirement forms a condition of development consent. Quote sought from plumber.

Commentary

Some of the above property owners have made enquiries with Council regarding finance but are unable to meet the adopted pre-requisitions of the application for financial assistance.

As part of the formal process Council has issued Notice of Intention to Serve an Order on owners of all the above properties. The benefits of moving to the next step of

serving the order to connect includes: a formal mechanism to advise any intending purchasers of the problem and identifying a definitive time frame in which to solve finance and quotation matters.

RECOMMENDATION

That Orders to Connect to the Baradine sewerage scheme be served on the above property owners providing for a period of twelve months in which to comply with the Order.

4.3 STRATEGIC PLANNING CONTROLS - DEVELOPER CONTRIBUTIONS

Background

Council has currently underway the preparation of the shire-wide Local Environmental Plan and supporting Development Control Plans. As part of this process the need has arisen to determine whether or not Council wishes to provide for the collection of Development Contributions toward public infrastructure, facilities or services.

A two page information leaflet on section 94 of the Environmental Planning and Assessment Act 1979 is forwarded for Councillors' information as Enclosure 'E' for the purpose of explaining the mechanisms and issues involved with this concept. In addition Council is advised that a new section has been added to the legislation (Section 94A) which allows for provisions to be made in contribution plans for fixed percentage levies applicable to identified types of development and not specifically linked to the amenities or services utilised by the subject development.

As water supply and sewerage works cannot be funded through section 94 a similar mechanism is available through section 64 of the Local Government Act 1993 for this purpose.

Warrumbungle Shire is currently covered by the following plans; '*Coonabarabran Shire Council Contributions Plan*' and '*Coolah Shire Council Section 94 Contribution Plan – Rural Areas*' however the latter does not prescribe any monetary contributions. The current Coonabarabran contributions sheet is enclosed with this report as Enclosure 'F'.

Samples of Contributions Plans will be tabled on meeting day for the purpose of showing content and giving an indication of the range of costs that can be incurred in their preparation.

Summary

This topical and controversial means of raising essential revenue for public infrastructure purposes is designed to assist Council in the delivery of such services however it also has a negative side which discourages development. Council's past experiences with parking contributions in John Street Coonabarabran are indicative of developer reaction to this financial burden.

RECOMMENDATION

That Council determine whether or not the inclusion of s94, 94A and/or s 64 provisions into the Development Control Plans are required.

4.4 REQUEST TO REMOVE RESTRICTIVE COVENANT FOR PROPOSED MOTOR CYCLE RECREATION PARK - LOT 112 KURRAJONG ROAD, BUGALDIE

Background

The owner of the above parcel of land has approached Council (as the beneficiary of the restriction) for the removal of the following restriction from the title to the land:

'No development other than general agriculture is permitted on the lots burdened'

The owner seeks the removal of the covenant so that a development application can be lodged for a motor cycle recreation park. In the event that Council does not lift or agree to lift the covenant at some stage the development application cannot be legitimately processed.

Commentary

A copy of the formal request with a Summary Impact Statement is marked Enclosure 'G' and distributed separately to this Business Paper.

RECOMMENDATION

That Council advise the applicant (Mitchel Hanlon Consulting Pty Ltd) that in the event a development application for the subject motor cycle recreation park survives the merit based assessment processes, including all NSW Department of Environment and Climate Change and NSW Roads and Traffic Authority requirements and the owner of the land meets all costs, Council will either remove or adjust the subject restrictive covenant accordingly.

4.5 DISCUSSION PAPER: WARRUMBUNGLA SHIRE PUBLIC SWIMMINGPOOLS - APRIL 2008

Background

In keeping with Council's previous decision the following discussion paper has been prepared to identify major operating issues;

Introduction

This paper is a brief introduction into the issues associated with ongoing maintenance and repairs, capital improvements, and legislative compliance constraints which impact on the budget requirements and the operations of the six public swimming pools generally.

Length of Season

This year the pool season was closed early by Council resolution following the identification of unfavourable seasonal conditions resulting in unusually low water temperatures and pool attendance numbers. The net result was to close the pools early and minimise any further wastage of allocated funds.

Community Service Obligation

Public Swimming Pools are key community assets often with historical significance. The community pool plays a continuing role in the promotion of social interaction and healthy lifestyle through the provision of a central community meeting place for activity. The benefit of the opportunity to learn to swim demonstrated by the participation levels of our schools and the Sport and Recreation Intensive Programs, is further acknowledged by the number of local children participating at state and regional level competitions. The pools are also available to be used as a medium of delivering low impact exercise for an ageing population. Two pools currently offer such services.

Fees and Admission Charges

Council has recently received a number of submissions requesting review of adopted fees and charges for the Public Swimming Pools. This season, the usage of a Season Ticket was compromised by the weather and then the subsequent early closure of the pools. The Season Ticket prices are roughly in line with other Local Government Areas, however some changes have been included in this year's fees and charges submission to reflect these requests. One of the interesting ideas to come out of a tour of a neighbouring Shire was the flat fee of \$2 per person per day for a casual swim. The Narromine Shire Pools have very high attendance rates, in particular high casual attendance. The introduction of this affordable flat rate was in their opinion, very beneficial for their pools.

Hours of Opening

Standardised opening hours currently apply across the Shire. Staffing constraints, attendance numbers and variations in group bookings have made this unsustainable. There are also historical reasons for the differences in usage. Early morning lap swimming has always been available at the northern end but only at Dunedoo in the southern. The aim is to establish opening hours for each pool which reflect the needs and levels of usage by their community. This has now become more common practice in other neighbouring Councils.

The ability to staff the opening hours also varies between towns. In other Local Government Areas the opening hours have been differentiated by population and usage. There is a designated "Town" pool whilst the other pools are "Village" Pools.

The Town pool would have better facilities and longer opening hours with the understanding the patronage is higher and that usually the ability of Council to staff these pools with casuals is easier. Casuals are essential for ensuring succession planning, keeping over-time to a minimum, and providing staff with the ability to take leave. With the number of young elite swimmers across our Shire, the increased usage of casuals may provide for career opportunities and casual employment of young people.

At this stage a new workplace agreement for all pool staff is being drafted to better reflect the needs of respective communities with extended pool opening hours. A current initiative is looking at using volunteer labour for swimming clubs, and requiring groups such as schools to provide their own lifeguard as occurs in other Council areas. Any volunteer or casual labour force will have to acquire the appropriate qualifications required to operate a pool as well as be inducted into the

facility in which they will be working. A further issue requiring special training needs is the fact that two of the six facilities have diving pools.

Kiosks

This year attendance has been very low across all pools. The kiosk operators, normally paid a small retainer by Council, have also suffered the effects of the poor weather conditions. The manning of the kiosks is essential as kiosks provide an emergency back up to our staff as well as another opportunity for employment within small communities.

The kiosk operators are paid the retainer to collect gate income and assist with their insurances necessary to run a kiosk. All kiosk operators must comply with Working With Children checks and enforce the 'accompanied children under ten' rule for the lifeguards.

At the moment every kiosk is in need of significant capital upgrades to bring them into line with occupational health and safety as well as food safety standards. If the current kiosk operations remain the same, it is likely that next year over half the kiosks will be unmanned. There is an urgent need to explore options of staffing, retainers and volunteers to ensure that this service at the pools can remain.

Swimming Pool Facility Maintenance

Council's six public swimming pools are located in each town within the Shire and serve, on a per capita basis a lower population than neighbouring Local Government Areas. The maintenance and repairs on these facilities is growing as the pools age. The legislative requirements that the pools must operate within are also tightening.

Each pool requires an average of 3 weeks full time for repairs and maintenance to be ready to open each year. In addition to this the pools may need to be emptied, painted or re-grouted, and then re-filled. Most of the maintenance that occurs at pools is costly. The chemicals to ensure water quality are also expensive.

Daily maintenance in terms of hygienic amenities, clean grounds, compliant water quality, and mowing of the lawns are also time consuming and costly.

Anticipated Capital Requests – Five Year Plan

A brief overview of the level of works to be undertaken at each pool over the next five years to meet basic community requests or expectations, as well as essential capital works, has been identified in the attached table.

Anticipated Capital Requests – 5 Year Plan

	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
Baradine	<ol style="list-style-type: none"> 1. Replace concrete concourse stage one 2. Hot water and power upgrade in kiosk 3. Umbrellas x 3 4. Seating x 2 baby pool 	<ol style="list-style-type: none"> 1. Replace concrete concourse stage two 2. Tree planting along road 3. Shade over play equip 	<ol style="list-style-type: none"> 1. Repaint, repair & refill pool 2. Replace sinks, taps etc bathrooms 3. Painting of amenities block 	<ol style="list-style-type: none"> 1. Water tanks and irrigation 2. Turnstiles removal and replacement 3. New pool vacuum 	<ol style="list-style-type: none"> 1. Replace shade structure to cover entire baby pool 2. Retile baby pool and re-level to correct depth 3. Tree pruning 4. Flagpole
Binnaway	<ol style="list-style-type: none"> 1. Irrigation to Pool & Bore 2. Pruning of trees 3. Paint kiosk & office 4. Chemical shower 5. Repairs to tiling in baby pool, refill pool 	<ol style="list-style-type: none"> 1. Plant room upgrades 2. Irrigation & Bore 	<ol style="list-style-type: none"> 1. Replace Concrete Concourse – Stage 1 2. Repaint, repair & refill pool 	<ol style="list-style-type: none"> 1. Replace Concrete Concourse – Stage 2 2. Shade over seating/ replace umbrellas 	<ol style="list-style-type: none"> 1. Replace shade structure to cover entire baby pool 2. Tree pruning 3. Flagpole
Coonabara bran	<ol style="list-style-type: none"> 1. Irrigation Stage 2. 2. Soft Fall & shade structure for play area 3. Repair bench seats around main pool 	<ol style="list-style-type: none"> 1. Tiling repairs main pool 2. Front Entrance upgrade & disabled ramp 3. Tree planting 4. Tree pruning of trees staying 	<ol style="list-style-type: none"> 1. Retiling baby pool stage one 2. Install BBQ Area / Shade Cover 3. Replace umbrellas 4. Removal one plane tree 	<ol style="list-style-type: none"> 1. Concrete Concourse upgrade – Stage 1 2. Seating 3. Removal one plane tree 4. Baby pool retiling stage two 	<ol style="list-style-type: none"> 1. Concrete concourse upgrade stage 2 2. Seating 3. Shade structure over entire baby pool 4. Flagpole
Coolah	<ol style="list-style-type: none"> 1. Lighting over main pool 2. Shade cloth behind the grandstand seating 3. Disabled toilet & BBQ area in old toilet block space 	<ol style="list-style-type: none"> 1. BBQ shade area 2. Tree planting around BBQ and main entrance 3. Tables and chairs 4. Plant room (Filter covers / plumbing) 	<ol style="list-style-type: none"> 1. Upgrade bathrooms 2. Upgrade kiosk 3. Seating 	<ol style="list-style-type: none"> 1. Upgrade Back Fence (Ellis / Central Lane) 3. Repair expansion joint, re-grout & refill pool 	<ol style="list-style-type: none"> 1. Upgrade clubhouse 2. Water tanks & irrigation 3. Children's play equip, soft fall & shade. 4. Seating behind blocks 5. Flagpole
Dunedoo	<ol style="list-style-type: none"> 1. Disabled access 2. Shade structure over entire baby pool. 3. Kiosk upgrade 4. Fill in foot baths 	<ol style="list-style-type: none"> 1. Upgrades to plant room and sewer drainage 2. Tree pruning 3. Upgrade concrete concourse – Stage 1 	<ol style="list-style-type: none"> 1. Children's play equipment & soft fall 2. Retiling stage one 3. Fix flagpole 	<ol style="list-style-type: none"> 1. Shade structure over play equipment 2. Upgrade concrete concourse – Stage 2 3. Retiling stage two 	<ol style="list-style-type: none"> 1. BBQ Area / Shade Cover 2. Bathrooms upgrade 3. Front entrance upgrade 4. Retiling stage three
Mendooran	<ol style="list-style-type: none"> 1. Seating 2. Umbrellas 3. Mower shed 4. Tree planting 	<ol style="list-style-type: none"> 1. Retile baby pool 2. Repaint, repair expansion joint & refill pool 	<ol style="list-style-type: none"> 1. Soft fall 2. Children's play area 3. Shade over play area 	<ol style="list-style-type: none"> 1. Irrigation stage 1 – bore, tanks & roof catchment 2. Upgrade concrete concourse stage 1 	<ol style="list-style-type: none"> 1. Irrigation stage 2 – in-ground sprinkler system 2. Upgrade concrete concourse stage 2 3. Flagpole

The major capital works projects such as new concrete concourses, new pumps and filtration units, and retiling of swimming pools, are all falling due around the same time as five out of six of the pools are the same age. This shows that over the next few years a solid investment will be sought from Council.

Grants, Community Participation and Ownership

A full and independent professional study would be beneficial to further quantify the future requirements of pools in terms of capital works and maintenance and repairs. This process is essential both for the budget, public liability potential and for the long term sustainability of the pools.

The assessment will also enable Council to specifically identify projects so that grants can be sought. In order for many of the grant applications to be successful it will be necessary to enlist the help of community groups.

Already many individuals and Swimming Clubs have offered their services or voiced ideas about volunteering for various functions to do with the swimming pool operations following the premature closure of the pools this year. This support is essential and will need to be utilised in the most beneficial way.

Recommendations

Stated Commitment to the Public Swimming Pools

In order to gain community support and participation Council must take the lead and promote the ongoing development and sustainable use of public pools.

Independent Assessment

As a follow-up to this paper it is necessary to enlist the services of a professional independent assessor to lead an inspection of all pools individually with staff, councillors and Swimming Club representatives.

Harnessing Community Participation and Volunteers

Various swimming clubs and individuals have offered their services or ideas to Council subsequent to the conclusion of the 2008/2009 season. Following the above-mentioned pool tour it would be valuable to raise some of the identified issues for public consultation and comment.

RECOMMENDATION

That Council determine if it wishes to adopt the above draft recommendations as listed.

4.6 WARRUMBUNGL E SHIRE COUNCIL APPLICATIONS RECEIVED FOR THE MONTH OF MARCH 2008

Complying Development (set criteria) Development Application (Specialised Conditions)	Owners Name	Location (Street)	Location (Town)	Development Type	Status (Approved or Pending)
DA 62/0708	Pilliga Pottery	Dandry Road	Coonabarabran	Dual occupancy	Approved
CDC 105/0708	Keith Martin	Baradine Road	Coonabarabran	Erection of cabin	Pending
DA 106/0708	D Goodridge	Mount Dapper'	Gulgong	Parking of school bus	Approved
CDC 107/0708	Harnett Homes	Lot 12 Section 17 DP 758668	Mendooran	Dwelling	Approved
CDC 108/0708	V Isedale	Andromeda Way	Coonabarabran	Additions to dwelling	Pending
DA 109/0708	R & A Farley	5-7 Digilah Steet	Dunedoo	Dwelling	Pending
CDC 110/0708	Rawson Homes	Lot 4 Baradine Road	Coonabarabran	Dwelling	Pending
CDC 111/0708	M & E Jones	36 George Street	Binnaway	Additions to dwelling	Approved
DA 112/0708	St Vincent de Paull	88 Bolaro Street	Dunedoo	New shop	Pending
CDC 113/0708	Minton & Shields	Lot 4 Reservoir St	Coonabarabran	Dwelling & shed	Approved
CDC 114/0708	D Kiefel	7 Irwin Street	Coolah	Shed	Approved
DA 115/0708	Mark Young	Naranvale'	Coolah	Dwelling	Pending
CDC 116/0708	D Devenish	The Block'	Coonabarabran	Shed	Approved
CDC 117/0708	Harnett Homes	7 Glencoe Street	Coolah	Dwelling	Pending

WARRUMBUNGL E SHIRE COUNCIL APPLICATIONS HELD PENDING AS AT THE MONTH OF MARCH 2008					
DA 61/0708	Andrew Harris	Timor Street	Coonabarabran	Extension	Pending - Waiting submission of Owner Builder Permit
DA 87/0708	Anne Fraser	Beulah'	Coonabarabran	Subdivision	Waiting submission of comment from ARTC
DA 92/0708	Carol Mahon	5 Reservoir	Coonabarabran	Relocatable dwelling	Waiting submission of Owner Builder Permit

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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 WARRUMBUNGLA SHIRE RURAL FIRE SERVICE SHEDS

Background

The Rural Fire Service (RFS) wish to establish Fire Sheds at various Brigades around the Shire. In order for the Development Application (DA) process to proceed, since the General Manager would be required to sign these DA's, the aim of this report is to inform Council of the proposed Fire Shed locations raising any immediate issues that require Council consideration. It seeks Council support in principle for each project, noting that by the nature of the DA process, any environmental, community or road safety issues would be identified.

It is assumed that apart from the requested Council contribution for the Dunedoo RFS/SES Shed that has been included in the draft 2008-2009 budget request; any costs associated with the design, planning, legal costs of land transfer/acquisition, NSW Department of Lands charges, DA process and construction is to be met by the RFS. Whether this is included in the future RFS annual bid request/ask from Council or State or Federal Government funding, is to be determined as each project commences.

It is therefore accepted that any costs associated with these proposed RFS sheds are not incurred by Council.

The RFS have funds available this financial year to purchase a few of these sheds, which will be stored and constructed as the DA process proceeds, land transfer/acquisition and as funds allow.

A map showing each proposed shed location follows in Appendix A.

1. Dunedoo RFS/SES Shed

Location: Whiteley Street, Dunedoo

This is on railway land that is in the process of being acquired by RFS. The subdivision is in progress. The proposed shed is a 30 x 15 metre shed, with access off Whiteley Street. It is the intention of the RFS to allow the facility to be shared with the SES at Dunedoo. The Dunedoo RFS Brigade presently has no permanent location for their vehicle and at present it is located at a property about 8 kms from town. The SES Shed

presently located adjacent to the Council Depot on Council Depot land, has been recognised as being inadequate in the near future. The RFS have proposed that if Council share the fitting out of the building, \$30,000 then this could become a shared facility. The location was identified as well suited for both agencies with easy access to the Golden Highway as well as to the town. A town location is seen as providing an opportunity for renewed interest for volunteers.

The request to Council for \$30,000 has been placed in the draft Emergency Services capital budget for 2008-2009.

2. Leadville Fire Station

Location: Corner Plumb and Cox Street, Leadville

This land has been formally offered to Council at no cost, by the owner for the sole purpose of the Leadville RFS Shed. The proposed shed is a 15 x 12 metre shed, with access off Cox Street.

The RFS Brigade at Leadville has struggled to survive over the years working from an old shed owned by the Town Improvement Society. The Brigade has just been given a reasonably new (2004) Cat 7 dual cab Fire Tanker; that requires a modern building to house the vehicle and associated equipment. The new truck has encouraged the Brigade membership and the shed will provide a new focal point for the town and the volunteers.

3. Dandry Fire Shed

Location: Council Depot, Gardiner Street, Coonabarabran.

The proposed 18 x 12 metre shed would be located on the boundary of Council's Coonabarabran depot, with separate access to the depot gates. It is proposed that access will be from Gardiner Street, separate from Council's front gate to ensure that security of the Depot is not compromised. The Dandry Bush Fire Brigade presently housed and operated from the current Captains property along Dandry Road. The vehicles are housed in an open farm shed. Dandry has also recently acquired a new Fire Tanker. The relocation back to the Shire depot provides a more suitable meeting place for the Brigade and the location is more favourable for quicker responses to fires in brigade area and supporting of other brigades in the Coonabarabran area.

4. Yaminbah Fire Shed

Location: Corner of Oxley Highway and Quaker Tommy Road, Coonabarabran.

This land is to be acquired from NSW Department of Land and Water, since it is currently Crown Land. Similar to the Neilrex Fire Shed project, whereby acquisition is made by compulsory acquisition under the Land Acquisition (Just Terms Compensation) Act 1991).

It is proposed to build a single bay shed with access from the back of the block onto Quaker Tommy Road. The Yaminbah BF Brigade has a Fire Truck housed and operated from the current Captains property and consultation with brigade executive indicate that a

more central location would be preferred. Should NSW Department of Lands be willing for Council to proceed with acquisition of this block under the provision of the Land acquisition (Just Terms) Compensation Act 1991, a lengthy 13-14 step process, that could take up to 12 – 18 months will be required to be granted permission from Department of Lands and extinguish Native Title prior to land tenure transfer.

RECOMMENDATION

That Council agree in principle, subject to Development Application approval the building of the following NSW Rural Fire Service Brigades Sheds.

1. Dunedoo
2. Leadville
3. Dandry
4. Yambinbah

FURTHER that in the case of LEADVILLE Rural Fire Brigade Council accept the donation of land at Leadville by the owner for the purpose of a RFS Fire Shed.

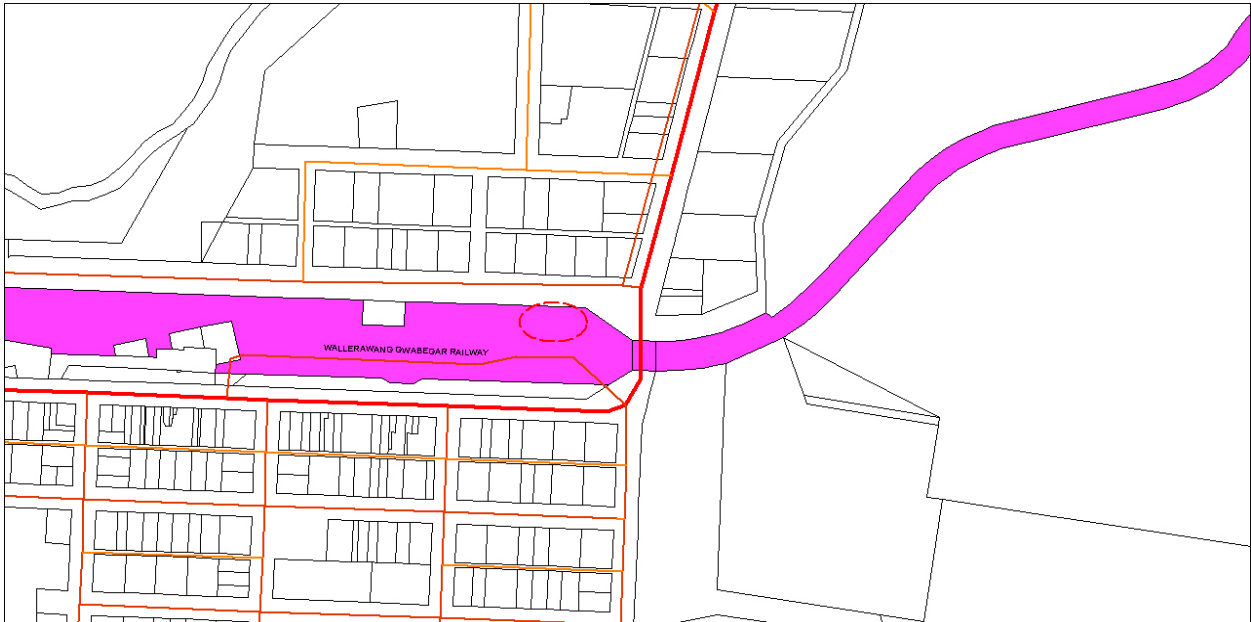
FURTHER that in the case of DANDRY Rural Fire Brigade Council agree to allowing the RFS to utilise an area of land at the Council Coonabarabran Depot for the use by the Dandry Brigade.

FURTHER that in the case of the YAMINBAH Rural Fire Brigade;

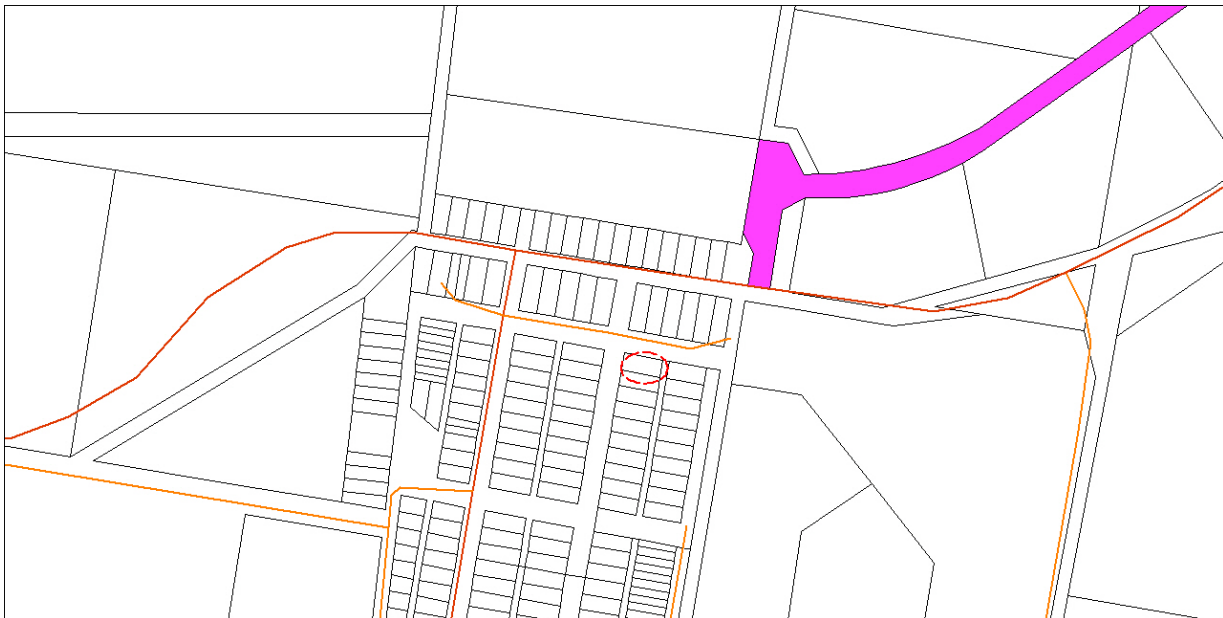
1. Council proceed to acquire land described as Lot 7043 DP 1017042 at the corner of Oxley Highway and Quaker Tommy Road by compulsory acquisition under the Land Acquisition (Just Terms Compensation) Act 1991.
2. That the General Manager be granted authority for an application to be made for the approval of the Minister for Local Government pursuant to the Section 187 (2) of the Local Government Act.
3. That the General Manager be granted authority for an application to be made for the approval of the Governor to be obtained under Section 19 of the Land Acquisition (Just Terms Compensation) Act 1991 to the gazettal of an acquisition notice.
4. That the Council confirm that all minerals are to be excluded from the compulsory acquisition.
5. That the land when acquired be classified as operational land.
6. That the Mayor and General Manager be authorised to use the Warrumbungle Shire Council seal in the process of acquisition of this land.

Appendix 'A' Warrumbungle Shire Rural Fire Service Sheds

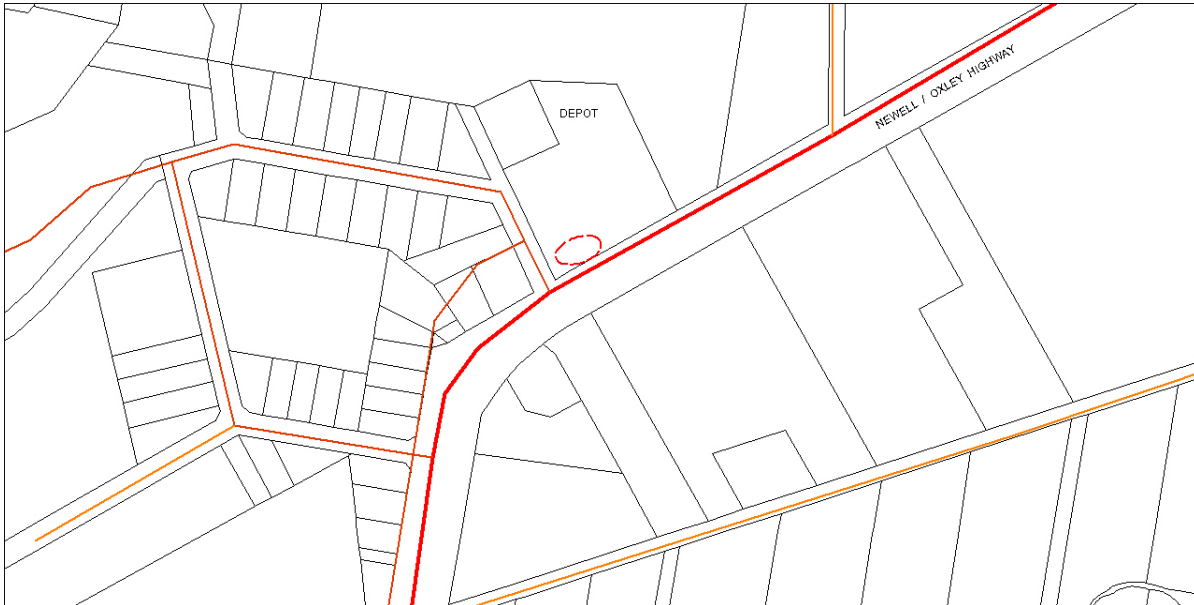
1. DUNEDOO



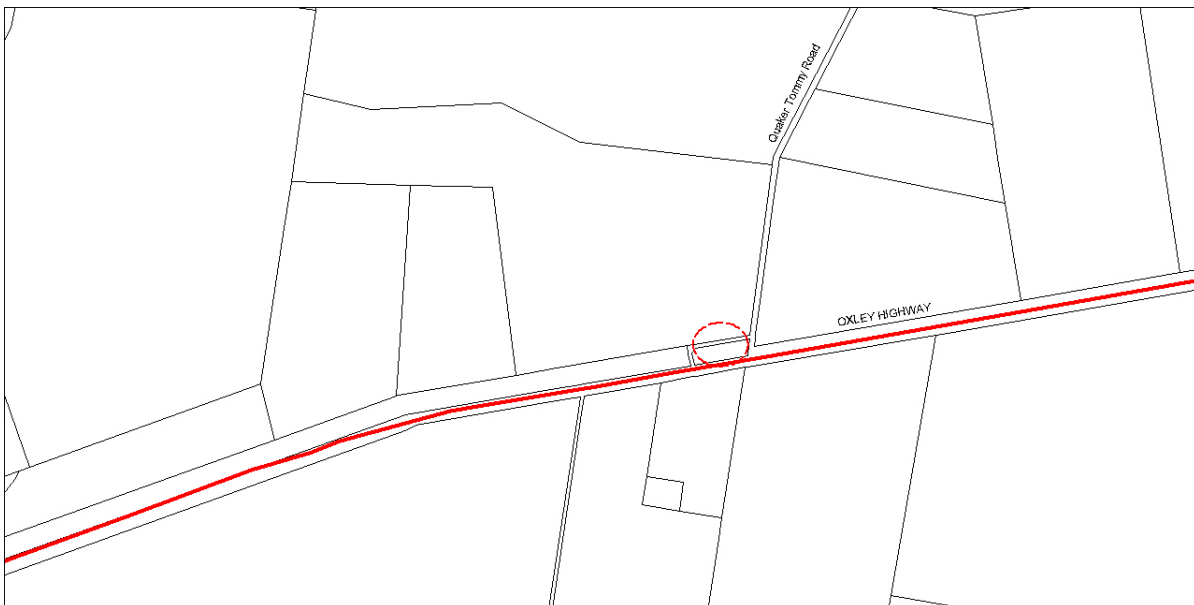
2. LEADVILLE



3. DANDRY



4. YAMINBAH



 Proposed Location (all maps)

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REBECCA RYAN
DIRECTOR COMMUNITY SERVICES