



Warrumbungle Shire Council

Council meeting

Wednesday, 21 November 2012

**to be held at the Council Chambers,
Coolah**

commencing at 4.00 pm

Mayor

Councillor Peter Shinton

Deputy Mayor

Councillor Murray Coe

COUNCILLORS

Councillor Gary Andrews

Councillor Anne-Louise Capel

Councillor Fred Clancy

Councillor Victor Schmidt

Councillor Chris Sullivan

Councillor Ron Sullivan

Councillor Denis Todd

MANAGEMENT TEAM

Tony Meppem (Acting General Manager)

Stefan Murru (Acting Director Corporate Services)

Kevin Tighe (Director Technical Services)

Tony Meppem (Director Environmental & Community
Services)

Warrumbungle Shire Council

Vision

Excellence in Local Government

Mission

We will provide:

- Quality, cost effective services that will enhance our community's lifestyle, environment, opportunity and prosperity.
- Infrastructure and services which meet the social and economic needs and aspirations of the community now and in the future.
- Effective leadership and good governance, by encouraging teamwork, through a dedicated responsible well trained workforce.

We Value

Honesty

Frank and open discussion, taking responsibility for our actions

Integrity

Behaving in accordance with our values

Fairness

Consideration of the facts and a commitment to two way communication

Compassion

Working for the benefit and care of our community and the natural environment

Respect

To ourselves, colleagues, the organisation and the community listening actively and responding truthfully

Transparency

Open and honest interactions with each other and our community

Passion

Achievement of activities with energy, enthusiasm and pride

Trust

Striving to be dependable, reliable and delivering outcomes in a spirit of goodwill

Opportunity

To be an enviable workplace creating pathways for staff development

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

NOTICE is hereby given that the **ORDINARY MEETING** of Council will be held on Wednesday, 21 November 2012 at the Council Chambers, Coolah commencing at 4.00pm

AGENDA

Welcome

Turn Off Mobile Phones

Order of Business

Forum

Apologies

Disclosure of Interest

Pecuniary Interest

Non Pecuniary Conflict of Interest

Mayoral Minute

Reports

Questions and Matters of Concern

Reports to be considered in Closed Council

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Matter to be dealt with “in committee”

In accordance with the Local Government Act 1993 and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

The item relates to tenders and is classified CONFIDENTIAL under Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

.....
TONY MEPPM
ACTING GENERAL MANAGER

WARRUMBUNGL SHIRE COUNCIL

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Item 1 Minutes of Ordinary Council Meeting – 18 October 2012

Division: Executive Services

Management Area: Governance

Author: Manager Administration & Customer Service – Sally Morris

CSP Key Focus Area: Local Governance and Finance

Priority / Strategy: GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

File Ref: **Function:** Corporate Management **Activity:** Council meetings

PRESENT: Cr Peter Shinton (Chairman), Cr Andrews, Cr Capel, Cr Clancy, Cr Coe, Cr Schmidt, Cr C Sullivan, Cr R Sullivan, Cr Todd, General Manager (Steve Loane), Director Corporate Services (Rebecca Ryan), Director Technical Services (Kevin Tighe) and Director Environmental & Community Services (Tony Meppem).

In attendance: Manager Administration & Customer Service (S Morris) (minutes)

Forum 10.04am

Mr Tom Underwood, regarding Baradine Golf Club rates. Mr Underwood informed the meeting that the rates had increased considerably due to the Valuer General's Valuation. The Club has appealed the Valuation which was lodged late and they have been advised that NSW Golf are looking into the issue and once that review is completed a response will be forthcoming. The Club does not have a bar licence or poker machines. Minimal fees are charged for their activities. The Club has 22 members with a \$30 membership fee.

Council will investigate and review the rating of the Baradine Golf Club.

10.12am

Lisa De Costa addressed the meeting regarding extension of cycle track to the tourist park on the southern end of Coonabarabran. Request that the Concrete cycle way and pedestrian walkway be extended from entrance to park and connect up with footpath near high school on southern end of town. Customers cannot walk to town due to condition of footpath area and have to walk on highway if they do walk to town. There is a distance of approximately 200 metres where customers walk on the road if they choose to walk to town. There are also drainage problems with the dish drain overflowing through park.

10.20am

The Mayor called for Declarations of Interest (to declare pecuniary or non-pecuniary interest) from Councillors and senior staff in any matter listed in the Agenda for consideration at the meeting.

WARRUMBUNGLE SHIRE COUNCIL

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REPORTS

Item 1 Minutes of Ordinary Council Meeting – 20 September 2012

109/1213 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 September 2012 be endorsed.

Coe/Todd
The motion was carried

Item 2 Minutes of the Special Council Meeting – 20 September 2012

110/1213 RESOLVED that the resolutions contained in the Minutes of the Special Council meeting held on 20 September 2012 be endorsed.

Capel/Coe
The motion was carried

Item 3 Minutes of Traffic Advisory Committee Meeting – 27 September 2012

111/1213 RESOLVED:

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held on 27 September 2012 at Coonabarabran
2. Coonabarabran Pony Club – Closure of John Street for Annual Street Parade on Friday, 28 September 2012
THAT application by Coonabarabran Pony Club to close John Street between Edwards Street and Essex Street on Friday, 28 September 2012 between 2.45 pm and 3.15 pm to conduct an Annual Street Parade be approved subject to compliance with Council's Road Closure Policy and approval from RMS and NSW Police **FURTHER** that a letter be forwarded to Coonabarabran Pony Club advising of a three month notification period for consideration by the Traffic Committee of road closure applications.
3. Proposed Plan for Intersection of John Street and Edwards Street – Response from RMS
THAT changes be made to the existing proposed intersection at John Street and Edwards Street by removing the centre line relocation and extending the blisters on the pedestrian crossing south of the intersection be endorsed.
4. Speed Concerns on Tambar Springs Road (between Premer and Black Stump Way)
THAT Council not accede to request for proposal to change the speed limit on Tambar Springs Road
5. Coonabarabran RSL – Closure of John Street on Sunday, 11 November 2012 for Remembrance Day
THAT request by Coonabarabran RSL with assistance from Council to close John Street and Dalgarno Street on 11 November 2012 between 11.00 am and 11.15 am for a Remembrance Day Service be approved subject to seeking concurrence with RMS be endorsed.
6. Bike Ride Event, 4 October 2012 – Black Stump Way
THAT application to conduct a Duke of Edinburgh Bike Ride Event on 4 October 2012 along the Black Stump Way be approved subject to lodgement of the necessary documentation and Council seeking confirmation from Gunnedah Police be endorsed.
7. Request to Relocate 70kph Speed Limit Sign on Northern Approach to Coonabarabran
THAT Council write to RMS with a proposal to relocate the 50 kph speed zone located on the Newell Highway further north to the first intersection of Crane Street, Coonabarabran be endorsed.
8. **THAT** Council make no change to the existing 'Give Way' sign located at the second intersection of Crane Street, Coonabarabran be endorsed.

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9. Installation of Reassurance Sign on Vinegaroy Road – ‘Dubbo to Coolah’
THAT Council write to RMS regarding the installation of a ‘Reassurance’ sign on Vinegaroy Road north of the Golden Highway intersection be endorsed.

Clancy/Andrews
The motion was carried

Item 4 Minutes of the Audit and Risk Management Committee Meeting – 8 October 2012

112/1213 RESOLVED:

1. **THAT** Council accepts the Minutes of the Audit and Risk Management Committee meeting held on 8 October 2012 at Coonabarabran
2. Action List
THAT the items pending and actions completed for Action List be noted.
3. Financial Statements Year Ending 30 June 2012
THAT the ARMC is not aware of any issues that would preclude Warrumbungle Shire Council from adopting the financial statements for the year ended 30 June 2012 as presented; **FURTHERMORE** the ARMC has reviewed and discussed the audit process and received confirmation from the External Auditor that:
 - i. they have been provided access to all necessary records,
 - ii. auditor staff are suitably qualified to conduct the audit
 - iii. had sufficient time to complete
 - iv. items identified have been resolved to their satisfaction
 - v. representations made in the External Auditors Management Letter.

Schmidt/Clancy
The motion was carried

Item 5 Workplace Health & Safety – Provision of PPE

113/1213 RESOLVED that Council refers the request for supplementary vote to the November meeting for consideration during the quarterly budget review.

R Sullivan/Clancy
The motion was carried

Item 6 October 2012 Report from Human Resources

Received.

Item 7 Warrumbungle Shire Employee Excellence in Achievement Award 2012

114/1213 RESOLVED that Council accepts the recommendation from MANEX and presents Michelle Capewell, Room Leader Yuluwirri Kids with the fourth quarter Warrumbungle Shire Council Employee Excellence in Achievement Award.

R Sullivan/Clancy
The motion was carried

Item 8 Poll Results – 8 September 2012

115/1213 RESOLVED that Council retains the name of Warrumbungle Shire Council.

Capel/Schmidt
The motion was carried

Item 9 Boral Quarry Coonabarabran Formal Handover

Received.

Item 10 Brick Bats and Bouquets

Received.

WARRUMBUNGLE SHIRE COUNCIL

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Item 11 Rent Relief for Tenant 141 Martin Street, Coolah

116/1213 RESOLVED that Council offer rent reduction of 25% to Dr and Mrs Dissanayake, the former tenants of 141 Martin Street Coolah, being a total \$765 as per the current Residential Tenancies Act 2010, Part 3, Division 43, Rent Reduction for the period from 4 December 2010 to 1 April 2011 and adjust the current debt account accordingly.

R Sullivan/Schmidt
The motion was carried

10.50 am

117/1213 RESOLVED that standing orders be suspended to receive a presentation by Council's external Auditor, Mr Paul Cornall of Forsyths, regarding Audit of 2011/2012 Financial Statements.

R Sullivan/Schmidt
The motion was carried

11.32am

Presentation finished
Meeting adjourned for morning tea.

11.46 am

118/1213 RESOLVED that standing orders be resumed.

R Sullivan/Schmidt
The motion was carried

119/1213 RESOLVED that staff be thanked for work in relation to ensuring financial statements prepared on time.

R Sullivan/Schmidt
The motion was carried

Item 12 Bank Reconciliation for month ending 30 September 2012

120/1213 RESOLVED that Council accept the Bank Reconciliation Report for the month ending 30 September 2012.

R Sullivan/Schmidt
The motion was carried

Item 13 Investments & Term Deposits

121/1213 RESOLVED that Council accept the Investments Report for the month ending 30 September 2012.

R Sullivan/Capel
The motion was carried

Item 14 Rates Report for Month ending 30 September 2012

Received.

Item 15 Pensioner Concession Subsidy 2011-12

122/1213 RESOLVED that, subject to the concurrence of the Auditor, the following rates are abandoned for the 2011-12 year since these rates were due by persons eligible for a Pensioner Concession Subsidy reduction under s575 of the Local Government Act (1993) and that these writing-off be charged against the following funds.

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	Total Pensioner Concession 2011-2012	55% Return of Pensioner Concessions	Council portion Pensioner Concession
General Fund	\$165,495	\$91,022	\$74,473
Domestic Waste	\$106,344	\$58,489	\$47,855
Water	\$72,533	\$39,893	\$32,640
Sewerage	\$84,895	\$46,692	\$38,023
	\$429,267	\$236,096	\$193,171

Clancy/Schmidt
The motion was carried

Item 16 Compulsory Acquisition of Land – Visitor Information Centre Car Park

123/1213 RESOLVED that Council proceed with the acquisition of the Visitor Information Centre Coonabarabran Crown Land Reserve R120017 being Lot 589 DP721790 in Coonabarabran, Coonabarabran Parish, Gowen County by compulsory acquisition under the Land Acquisition (Just Terms Compensation) Act 1991. **FURTHERMORE;**

1. 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.
2. That Council confirm that all minerals are to be excluded from the compulsory acquisition.
3. That the land when acquired be classified as operational land.
4. That the Mayor and General Manager be authorised to use the Warrumbungle Shire Council seal in the process of acquisition of this land.
5. That a further report will be bought back to Council when all costs involved in the compulsory acquisition including purchase price and solicitors' costs are ascertained.

Schmidt/R Sullivan
The motion was carried

Item 17 Crown Reserve Trust Committee

124/1213 RESOLVED that in Councils capacity as a trust manager, Council endorse the General Manager's establishment of a Reserve Trust Committee to manage all Crown Lands in the care of Warrumbungle Shire Council to comply with the legislation that controls all Crown Land in NSW. The Reserve Trust Committee being made up of the General Manager, Director of Corporate Services, Manager Urban Services and Manager Property and Risk.

Schmidt/Clancy
The motion was carried

Item 18 Request to purchase Council owned land Lot 4 DP 875499

125/1213 RESOLVED that Council should decline the consideration for sale at this time, and include this land in investigation and consideration for development along with other Council owned land in all towns.

Capel/R Sullivan
The motion was carried

12.20pm

Item 19 Binnaway Sewerage Scheme

126/1213 RESOLVED that:

1. That a meeting be called with interested Binnaway residents to discuss the order of magnitude of costs and to determine if the residents are prepared to meet the contributions towards the cost of the scheme over the next 30 years. **FURTHER** that the meeting be held at the Town Committee meeting to be held on Monday, 5 November 2012

WARRUMBUNGLE SHIRE COUNCIL

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2. That Council investigate how to minimise problems with stormwater runoff overloading existing on site systems.
3. Approach State Government to have Binnaway sewerage placed on the Country Towns Water Supply and Sewerage Scheme Program as soon as possible.

Schmidt/R Sullivan

The motion was carried

Item 20 Funding Approval for 'Investigation and Design of Baradine Flood Levee'
127/1213 RESOLVED that Council accepts the funding assistance offer from the NSW State Government of \$385,715 for the project to investigate and design the proposed Baradine Flood Levee.

Todd/Capel

The motion was carried

12.24pm

128/1213 RESOLVED that standing orders be suspended to break for lunch and presentation of Award.

Schmidt/Todd

The motion was carried

Presentation to Michelle Capewell of fourth quarter Warrumbungle Shire Council Employee Excellence in Achievement Award.

1.15pm

129/1213 RESOLVED that standing orders be resumed.

Capel/Todd

The motion was carried

Item 21 2012 /13 Technical Services Works Program – Road Operations

130/1213 RESOLVED that:

1. The works program presented in attachment 1.0 to the business paper for the Road Operations section is noted for information only.
2. That 2012/2013 budget allocation for the Kurrajong Road project is reduced by \$75,000
3. That Morrisseys Road project is included in the 2012/2013 capital works program and a supplementary vote of \$75,000 is allocated to the project.

Schmidt/Clancy

The motion was carried

Item 22 Membership of Robertson Oval Advisory Committee

131/1213 RESOLVED that the community membership of the Robertson Oval Advisory Committee be as follows: Four (4) members of the community being Matthew Guan, Monica Foran, Mark Yeo and Dale Hogden.

Coe/Capel

The motion was carried

Item 23 Waste Management Operations

132/1213 RESOLVED that Council:

1. accept the quotation from Robert Bailey Consulting for the development of a Waste Management Strategy, Pollution Incident Response Management Plan and Landfill Environmental Management Plan.
2. consider a supplementary vote of \$17,250 at the quarterly review to fund the Waste Management Strategy, Pollution Incident Response Management Plan and Landfill Environmental Management Plan.

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R Sullivan/Todd
The motion was carried

Item 24 Crown Land at Dunedoo

133/1213 RESOLVED that Council continue with the plan to purchase the vacant crown land within Dunedoo.

Coe/Schmidt
The motion was carried

Item 25 After School and Vacation Care Policies

134/1213 RESOLVED that Council adopt the Coonabarabran after School and Vacation Care philosophy and polices as set out in the business paper.

Clancy/Capel
The motion was carried

Item 26 Development Applications

135/1213 RESOLVED that Council note the Applications Received for the month of September 2012, the Applications Held Pending as at 30 September 2012 and their status, and of those approved during September 2012, under Delegated Authority.

Clancy/Schmidt
The motion was carried

Item 27 149 Certificates Processed September 2012

Received.

QUESTIONS AND MATTERS OF CONCERN

Councillor Capel raised the following matters

- Parking in front of Hall at Coolah – seeking 45 degree angle parking for that specific area – DTS advised not sufficient room for angle parking and does not meet guidelines for angle parking.

136/1213 RESOLVED that proposal for lines to be painted to encourage better utilisation of the parking area, be referred to Traffic Advisory Committee.

Capel/Andrews
The motion was carried

- Placement of phone number in public toilet facilities if there is an issue – staff could be notified earlier to rectify problem

Councillor Clancy raised the following matters

- Press release from MP George Souris; does Council receive same from Kevin Humphries MP
- Castlereagh Street Coonabarabran – letter re tree
- Warrumbungle quarry – inspection of site
- Provision of financial arrangements for Administration building
- Traffic Advisory Committee member did not receive Agenda
- Medical Services Advisory Group would like four (4) Councillors to meet and formulate a plan and audit, then will call a meeting and invite more members if needed
- Cycleway – submissions due November – DTS to report back regarding funding / applications

137/1213 RESOLVED that a report be brought back for Council's consideration regarding the cycle track in Coonabarabran on Newell Highway southern entrance to town.

Clancy/Schmidt
The motion was carried

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- Toilet facility at industrial area –
- 138/1213 RESOLVED** that a report be brought back regarding provision of a 'Windy Loo' toilet facility at the industrial area.

Clancy/Schmidt
The motion was carried

Councillor C Sullivan raised the following matters

- Main street of Dunedoo – lot of traffic going through town on golden highway and concerns regarding crowds – refer to Traffic Committee
- Speed of traffic – not taking notice of 50kph sign – slowing of traffic – refer to Traffic Committee
- Cobbora mine – keep community up to date with the development
- Park area – meeting Manager Urban Services to discuss general condition of park – see saw missing – unappealing state of park – rubbish in park and children's area not appealing – park not being maintained – garden on railway side not being maintained
- Disused hospital site – looking for ideas for use and presentation of site
- Mendooran doctor issue – availability of technology for bulk billing

Councillor R Sullivan raised the following matters

- Could a Traffic count on Golden Highway in Dunedoo be referred to RMS
- Congratulations to Senior Rates Officer for Pensioner Report.

Councillor Todd raised the following matters

- Road sealed and breaking up Cumbil Road
- Creek crossing of Bugaldie Creek on Guinema road
- Armistice day and closure of road for duration of ceremony – refer to traffic committee
- Lights in Lachlan street towards showground – no action taken yet

MINUTES OF THE PLANT ADVISORY COMMITTEE MEETING HELD ON 18 OCTOBER 2012

139/1213 RESOLVED that the Minutes of the Plant Advisory Committee meeting held on 18 October 2012 be adopted.

R Sullivan/Coe
That motion was carried.

Cr Coe raised the following issues:

- congratulate Director Technical Services and staff on a job well done on Digilah Road
- Request for purchase of disused blue metal in various stock piles around the shire. To sell something council has to go to open tender. Old stockpiles are recovered when required. Old stockpiles could be taken back to local depots and sold from there. This matter will be investigated.

General Manager – outlined information regarding the proposed Cobbora Coal Mine. In receipt of letter to Council inviting consultation. Council is the consent authority for the closure of a road.

2.35pm

140/1213 RESOLVED that Council move into committee to consider reports on structure of each division.

R Sullivan/Schmidt
That motion was carried.

Presentations by Directors of each division's structure.

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3.52pm

141/1213 RESOLVED that Council move out of committee.

Schmidt/R Sullivan
That motion was carried.

There being no further business the meeting closed at 3.53 pm.

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CHAIRMAN

RECOMMENDATION

That the resolutions contained in the Minutes of the Ordinary Council meeting held on 18 October 2012 be endorsed.

WARRUMBUNGL SHIRE COUNCIL

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Item 2 Minutes of Administration Building Project Committee, 3 September 2012

Division: Executive Services
Management Area: General Manager
Author: Executive Assistant – Melissa Bennett
CSP Key Focus Area: Local Governance and Finance
Priority / Strategy: GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

File Ref: Function: Council Property **Activity:** Administration Building

PRESENT: Clr Peter Shinton, Clr Ron Sullivan, Clr Murray Coe, Steve Loane, Tony Meppem, Rebecca Ryan, Aaron Parker, Bikram Joshi

Chairperson: Clr Murray Coe

In attendance: Melissa Bennett

9.05am

APOLOGIES: Nil

Meppem / Shinton

1. Confirmation of minutes 20 August 2012

Sullivan / Loane

2. Workplace Health & Safety/ Insurance Requirements / Contractor Compliance

Nil to report

3. Budget Tracking

Nil to report

4. David Payne Constructions Invoice Number 3304

RECOMMENDATION

The Committee authorise the General Manager to pay David Payne Constructions invoice number 3304.

Shinton / Sullivan

BUSINESS ARISING FROM PREVIOUS MINUTES

5. Leadlight and old table

5.1 The leadlight is in good order but will not be able to support itself. The Committee agreed to donate the leadlight to the historical group.

5.2 The table has been located but the size of the table is not suitable.

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6. Flagpoles

RMS has no objections to placing poles on the corner of footpath. When installing flagpoles it is important to be mindful of the optical fibre cable under the footpath.

Telstra Cable

Due to the volume of power of electrical cables, the Telstra cable will not be placed in the same trench as the Telstra cable needs to be 500mm clear of the electrical cables. When the footpath is reconstructed the Telstra cable will be placed in its own trench.

GENERAL BUSINESS

7. Power pole at back of premises

Awaiting quotation for power connection and installation of pole to rear of building. We are unable to connect to the new up stand installed in Cassilis Street due to insufficient power available.

8. Official opening of the new building

The estimated time of completion is 22nd November 2012.

RECOMMENDATION

- The official opening of the new Council administration building be held in February or March 2013
- The public to be invited to view the new building from 2pm to 4pm on opening day
- A civic function be held in the evening of the 6.30pm for a 7.00pm dinner with guests being invited such as the Governor and outgoing Councillors.

Sullivan / Shinton

9. Front door of the new building

The General Manager brought to the committee's attention that the front doors and the Chamber doors are not on direct alignment. This matter was inspected during the site inspection and the committee decided that it was not an issue of concern.

10. Front entry mats

For 2 mats with measurements of 900mm tall x 800mm wide will cost \$736 +GST with an additional cost for delivery at \$60 +GST. The mats will be a black background with coloured WSC logo. There would be a 3 weeks lead time for the mats.

11. Existing building

11.1 Windows / front door in existing building - To remove and replace windows and front door in existing building is estimated at \$64,000. A quote will be obtained to paint the windows and front door.

11.2 Exterior – A tender will be placed to paint the existing building to match the new building.

12. Street lamp

Two new street lamps will be installed. One of the street lamps is going to be placed on a blister on the road. Hold off on installing street lamps until the blister is in place.

13. Carpark

Design has been completed but the cost is yet to be submitted to the Committee.

Meeting Closed: 11.15am

Next Meeting: Monday 24th September 2012 @ 10am

WARRUMBUNGLA SHIRE COUNCIL

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RECOMMENDATION

1. That the Minutes of the Administration Building Project Committee meeting held on 3 September 2012 be endorsed.
2. The Committee authorise the General Manager to pay David Payne Constructions invoice number 3304.
3. The Committee to decide on Official Opening Options
 - a. The official opening of the new Council administration building be held in February or March 2013
 - b. The public to be invited to view the new building from 2pm to 4pm on opening day
 - c. A civic function be held in the evening of the 6.30pm for a 7.00pm dinner with guests being invited such as the Governor and outgoing Councillors.

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Item 3 Minutes of Administration Building Project Committee, 24 September 2012

Division: Executive Services
Management Area: General Manager
Author: Executive Assistant – Melissa Bennett
CSP Key Focus Area: Local Governance and Finance
Priority / Strategy: GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

File Ref: **Function:** Council Property **Activity:** Administration Building

PRESENT: Clr Peter Shinton, Clr Ron Sullivan, Steve Loane, Tony Meppem, Rebecca Ryan, Aaron Parker, Bikram Joshi

Chairperson: Clr Ron Sullivan

In attendance: Emma Gardiner

10.05am

APOLOGIES: Murray Coe

1. Confirmation of Minutes 3 September 2012

Sullivan / Loane

2. Workplace Health & Safety/ Insurance Requirements / Contractor Compliance

An incident occurred on Thursday 20 September when an Electrician created an arc while pulling cables through an electrical box. He burnt 2 fingers.

RECOMMENDATION

An electrical incident occurred on the building site Thursday 20 September. A report from David Payne Construction is to be presented to the committee

Loane / Parker

3. Budget Tracking

An invoice from Essential Energy was received for the install of the street light in Cassilis Street at a cost of \$83,000 as per budget.

Aaron to receive confirmation of the date of completion before the Essential Energy invoice is paid.

True Vision Designs (Design Consultant) invoice received.

RECOMMENDATION

The Committee authorise the General Manager to pay the True Vision Designs invoice

Ryan / Meppem

BUSINESS ARISING FROM PREVIOUS MINUTES

4. Leadlight and Table

The Historical Group are yet to confirm if they will take the leadlight and table.

WARRUMBUNGL SHIRE COUNCIL

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5. **Flagpoles**

RMS have approved construction of 2 freestanding flag poles which will not touch the fascia. Clearance between flag poles is approximately 3.6m.

6. **IT Cabling**

Cost variation from CAT 3 to optical fibre cable.

Aaron rejected initial variation to be revised by David Payne. The initial variation planned for 100 lineal metres and suggested 40 lineal metres of optical fibre.

7. **Power Pole at Back of Premises**

The proposed upstairs electrical box isn't sufficient, 200amps is required and the electrical box only has 140amps available. To install and connect power will cost \$18,508 plus GST. This is not funded by David Payne and will come out of the contingency funds. The alternative option was to install transmitter at a cost of \$80,000.

RECOMMENDATION

That council proceed to install and connect 200 amp power at a cost of \$18,508 plus GST for the new administration building in Coonabarabran. This cost is not included in initial budget with David Payne Constructions and will come from contingency funds.

Shinton/Meppem

8. **Front Entry Mats**

The front entry mats will be ordered after the name change has been decided upon by Council.

9. **Existing building**

A quote of \$9,196 plus GST was received to paint the inside and outside of doors and windows.

This price is not included in the price of the repaint of the new building. Scaffolding and material from the new building will be utilised.

Joshi/Meppem

10. **Street lamp**

The street lamp has been chosen by Essential Energy and will use a low energy bulb.

11. **Carpark**

The rear carpark will have:

- 4 car spaces.
- An electric sliding aluminium powder coated gate 3.6m in length with security swipe card access and will not automatically close.

Bikram to cost the carpark for both asphalt and concrete which includes a footpath.

To make the carpark secure a second gate will be installed, this gate does not have to be electric and will run along the wall.

Aaron Parker to cost the price of a second gate.

RECOMMENDATION

That Council proceed with second gate to make the rear carpark attached to the new administration building secure

Sullivan/Loane

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

GENERAL BUSINESS

12. Chamber Desk Colours

Galileo EssaStone tops, black kick recessed, "Seductive Limba" Timber look Laminate in Diamond gloss finish, bullnose strip made out of same material as desktop with black capping.

RECOMMENDATION

That the colour of the Chamber desks be

- desktop - Galileo EssaStone
- black recessed kick board
- modesty curtain side and intermediate panels -"Seductive Limba" Timber look Laminate in Diamond gloss finish
- bullnose strip to front surface and top capping to be made of Galileo EssaStone

Parker/Ryan

13. Tony Masters Accounts

Tony Masters will waive \$900 off the Council account. Aaron and Steve will hold a separate meeting to discuss further.

14. Local Trades

Local trades receive a 5% discount as per Council policy.

David Payne has the final choice and has said he will try to use local tradesman.

Aaron to gather information about the local trades/businesses that David Payne is using e.g. hotels.

15. Furniture

15.1 Survey of Current Furniture

Survey which desks should be retained and new desk/furniture requirements.

15.2 New Rooms Furniture Requirements

Moveable fold up tables and public area seating required.

Design of furniture and chairs and Chamber furniture based on current selected colours.

Cue Office Furniture and Corporate Express Office Furniture preliminary pricing to include IT equipment and wireless access points.

Training room box in floor power points and data connections. Data and power cables over carpet within ramp over ducting.

16. Entry Way Through Existing Building

The entry way through to the new building will be knocked out on the weekend of October 13. The builders will put dust covers on furniture while construction is in process.

17. Void Area

The void area can be used for light storage and filing.

The air conditioning ducts and the compressor for cool room will be piped into the void.

18. Upstairs Hot Water System

The upstairs hot water system has been deleted from the plan due to the connections not being used for a number of years making the warranty void.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

19. Displays

Displays are required for the Chamber walls, the entry foyer for the new and existing building and the lift waiting area wall.

Discussion about flags, a picture of the Queen and the honour boards on the Chamber walls and interchangeable children's art and Council photos in a display cabinet the entry foyer.

The solid concrete walls require special hooks or a picture rail.

Aaron to investigate options for anchoring pictures.

Meeting Closed: 11.15am

Next Meeting: Wednesday 10th October 2012 @ 9.30am

RECOMMENDATION

1. That the Minutes of the Administration Building Project Committee meeting held on 24 September 2012 be endorsed.
2. A report from David Payne Construction is to be presented to the committee regarding an electrical incident that occurred on the building site Thursday 20 September.
3. The Committee authorise the General Manager to pay the True Vision Designs invoice.
4. That council proceed to install and connect 200 amp power at a cost of \$18,508 plus GST for the new administration building in Coonabarabran. This cost is not included in initial budget with David Payne Constructions and will come from contingency funds.
5. That Council proceed with second gate to make the rear carpark attached to the new administration building secure
6. That the colour of the Chamber desks be
 - desktop - Galileo EssaStone
 - black recessed kick board
 - modesty curtain side and intermediate panels -"Seductive Limba" Timber look Laminate in Diamond gloss finish
 - bullnose strip to front surface and top capping to be made of Galileo EssaStone

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 4 Minutes of Administration Building Project Committee, 10 October 2012

Division: Executive Services
Management Area: General Manager
Author: Executive Assistant – Melissa Bennett
CSP Key Focus Area: Local Governance and Finance
Priority / Strategy: GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

File Ref: **Function:** Council Property **Activity:** Administration Building

PRESENT: Clr Peter Shinton, Clr Ron Sullivan, Steve Loane, Rebecca Ryan, Aaron Parker, Bikram Joshi

Chairperson: Clr Ron Sullivan

In attendance: Kelly Dewar

9.37 am

APOLOGIES: Clr Murray Coe

Shinton/Loane

1. Confirmation of Minutes 24 September 2012

Parker/Loane

2. Workplace Health & Safety/ Insurance Requirements / Contractor Compliance

Written report submitted 9 October 2012 with revised WMS. Attached to minutes
Damage to our premises – security system spiked, complete new system to be installed with new building
Physical damage to board – electricians fixing at there cost
Andor – waiting on invoice to see if there are any charges to be passed on
There has been no other instances on site

3. Budget Tracking

Should start to see credits coming through soon. Need approval for \$19,632.99 overrun on carpet and vinyl. Motion to move variations for resilient finishes. Complete breakdowns are available from Aaron. Still waiting on confirmation of Bill from Essential Energy – re-issuing bill on completion of works

RECOMMENDATION

To accept variation for resilient finishes. Costing's from finishing budget for the amount of \$19,632.99

Shinton/Ryan

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

BUSINESS ARISING FROM PREVIOUS MINUTES

4. IT Cabling

Still being addressed waiting on cost variation

5. Power Pole at Back on Premises

Variation approval handed over to DPC

6. Front Entry Mat

Will not be ordered til after Council meeting

7. Street Lamp

The Street Lamp will use low energy bulbs

8. Car Park

Still waiting on pricing for gate

9. Local Trades

List has been supplied to us regarding what local trades/businesses are being used. Trying to get Local trades involved but pricing and timeframes cannot be met.

10. Furniture Survey

Furniture survey completed on existing and new furniture
Quotes received for new furniture

11. Entry Way Through Existing Building

The breakthrough to new building has been postponed til the 27 October to eliminate disruptions to staff by having to do multiple moves.

12. Void Area

Void Area has been plumbed out and can be used for storage above the Kitchen area, only light weight storage only

13. Tony Masters Accounts

Steve wrote email to Tony on Wednesday 26 September regarding account. Still waiting response from Tony Masters. Email Attached

GENERAL BUSINESS

14. Lift

Lift is in and tested, waiting on permanent power to be hooked in to the new building

15. Atrium

Shaped up and formed. Photos available on Website

16. Swipe Card and Touch Pads

Swipe cards to be changed to Touch Pads with pin numbers on access doors. A further 3 doors have been located that need to be secured.

RECOMMENDATION:

Committee approves the change from Swipe Cards to Touch Pads with a PIN plus the additional 3 doors – price to be brought to next meeting

Parker/Ryan

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

17. Lights

- 17.1 Lights for the toilets are the wrong size. Lights signed of and purchased prior to Aaron. Trying to get supplier to take the light back and give us a credit for the new lights to be purchased. If supplier will not take them back we will have to wear the cost. Update to be bought to the next meeting.
- 17.2 Lights on Chamber walls have been changed to the style as the hanging lights. This is a heads up there may be additional costs involved in this.

18. Chamber Furniture

Furniture for the Chambers has been finalised. Costing of the furniture is \$59,000 for the Chamber Tables and \$6525 for the Chamber Chairs, this price is ex GST. There needs to be an 8 week lead up time for the ordering of the tables and chairs for the Chambers.

RECOMMENDATION:

That the process for ordering the furniture for the Council Chambers commences and that the furniture is ordered through Corporate Express for the price of \$65,525 (ex GST)

Loane/Shinton

19. Revote of Funds

At next Council Meeting top up needed of funds to the amount of \$150,000. Still have the painting of the exterior of the current building and the back carpark and gates, waiting on final figures for lighting.

20. Carpark

Bikram – no costing as yet, costing needs to be brought to the next meeting

21. Moving of Offices

Staff will be required for moving people into their new offices, crew needs to be equip with trolleys, boxes etc to be able to move the offices in a safe manner. Discussions need to be made with Kevin for the staff 6-10 men required. Aaron to talk to Kevin to cross hire staff for the day.

Meeting Closed: 10.32am

Next Meeting: 22 October 2012 at 9.30am

RECOMMENDATION

1. That the Minutes of the Administration Building Project Committee meeting held on 10 October 2012 be endorsed.
2. To accept variation for resilient finishes. Costing's from finishing budget for the amount of \$19,632.99
3. Committee approves the change from Swipe Cards to Touch Pads with a PIN plus the additional 3 doors – price to be brought to next meeting
4. That the process for ordering the furniture for the Council Chambers commences and that the furniture is ordered through Corporate Express for the price of \$65,525 (ex GST)

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 5 Minutes of Administration Building Project Committee, 22 October 2012

Division: Executive Services
Management Area: General Manager
Author: Executive Assistant – Melissa Bennett
CSP Key Focus Area: Local Governance and Finance
Priority / Strategy: GF2.1 Give communities of the shire opportunities to be informed about and involved in Council's activities and decision making.

File Ref: **Function:** Council Property **Activity:** Administration Building

PRESENT: Clr Peter Shinton, Clr Ron Sullivan, Tony Meppem, Rebecca Ryan, Aaron Parker, Bikram Joshi

Chairperson: Clr Ron Sullivan

In attendance: Melissa Bennett

9.37 am

APOLOGIES: Clr Murray Coe, Steve Loane

Sullivan/Parker

1. Confirmation of Minutes 10 October 2012

Parker/Sullivan

2. Workplace Health & Safety/ Insurance Requirements / Contractor Compliance

Nil to report

3. Budget Tracking

3.1 Chamber furniture is listed in budget

3.2 Technical Services is to provide individual cost for footpath and car park

3.3 Next bill is due 25/10/12 and to be paid by 14/11/12

3.4 RECOMMENDED to Finance Projects Committee for supplementary vote requests for furniture and footpath, being non contract building project items

RECOMMENDATION

RECOMMENDED to Finance Projects Committee for supplementary vote requests for furniture and footpath, being non contract building project items

Meppem / Ryan

GENERAL BUSINESS

4. Footpath

Footpath is to be rehabilitated but the footpath is not part of the development application condition.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

5. Completion Date of construction

Contractors are still on time for completion on 22/11/12

6. Floor Mats

Order can now be placed for mats now that Council have resolved to remain with the name Warrumbungle Shire Council

Meeting Closed: 10.30am

Next Meeting: 08/11/12 @ 9am

RECOMMENDATION

1. That the Minutes of the Administration Building Project Committee meeting held on 22 October 2012 be endorsed.
2. Recommend to the Finance Projects Committee for supplementary vote requests for furniture and footpath, being non contract building project items

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 6 Minutes of Traffic Advisory Committee Meeting – 25 October 2012

Division:	Technical Services
Management Area:	Technical Services Management
Author:	PA to Director Technical Services – Tracy Cain
CSP Key Focus Area:	Public Infrastructure and Services
Priority / Strategy:	P13 Road networks throughout the Shire need to be safe, well maintained and adequately funded.
File Ref:	Function: Roads Activity: Traffic Advisory Committee

PRESENT: Cr Fred Clancy (Chair), Mr Kevin Tighe (Director Technical Services), Acting Sergeant Jason Conolly (NSW Police), Ms Jackie Barry (RMS), Mr Ken Smith (Road Safety Officer), Mr Colin Harper.

In Attendance: T Cain (Minutes).

APOLOGIES: Sergeant Peter Trow (NSW Police), Bikram Joshi (Manager Asset & Design).

CONFIRMATION OF MINUTES:

21/1213 RECOMMENDED that the minutes of the meeting held on Thursday, 27 September 2012 be confirmed.

Barry/Tighe

BUSINESS ARISING FROM THE MINUTES

The following matters were noted as outstanding:

- Wallaroo Street laneway – look signs.
- Caravan Park service sign in Dunedoo – refer to RMS.
- Modification of Over Dimension Route in Coonabarabran to prevent over dimension parking in Edwards Street. It was noted that RMS appear to have rejected the concept of using gazette notice to prevent over dimension vehicles parking in Edwards Street. More negotiation to be had with RMS, highlighting the issue of safety, width of the street and night time parking. Council to consider linemarking or signposting OD parking area in Edwards Street.
- School Bus Parking at Mendooran Central School – Council and RMS to consult on preparing a design for the school bus parking area in front of the school.
- Anzac Day Ceremonies – Development of improved Traffic Management Plans prior to 2013 Anzac Day Ceremonies. Revised Traffic Management Plan to be forwarded to RMS and brought back to November 2012 Traffic Committee meeting.
- Easter Bunny Bazaar – Council to review Traffic Management Plan for the Annual Easter Bunny Bazaar prior to the 2013 event. Revised Traffic Management Plan to be forwarded to RMS and brought back to November 2012 Traffic Committee meeting.
- Installation of “Camp Cypress” sign on the corner of Lachlan Street and Darling Street, Baradine.
- Installation of ‘School Bus Stop’ signs on the north and south bound lanes of the Village of Bugaldie.
- Installation of ‘Side Road’ warning signs in advance of the Baradine Road and Old Baradine Road intersection. Investigate clearing of vegetation at the intersection.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

- Final Design Plan for Intersection at Cunningham Street and Campbell Street, Coolah – Council to forward final plan to RMS for approval and lodge a funding submission under the Minor Facilities Grant.
- Design Plan for Traffic Calming in Bandulla Street, Mendooran – lodgement of the design plan and additional information for traffic calming devices to be brought back to the 26/07/12 meeting for further consideration by the Traffic Committee.
- Extension of unbroken lines on Forest Road south to the intersection of the Castlereagh Highway. RMS to investigate northbound traffic.
- Incorrect installation and location of 'Exhaust Brake' sign on Newell Highway – RMS to investigate.
- 'Ambulance Only' parking sign in Dunedoo – Removal of sign located in front of the old Ambulance Station in Bolaro Street, Dunedoo.
- Installation of 'No B Double' signage – Erection of advisory signs to be arranged with Marty Cassell of RMS. Signs to be located underneath 'Wide Load' sign, and post to be changed to withhold additional weight / size.
- Assessment of Traffic Management at Nullen Rest Area on Golden Highway – Council to reopen the access off Black Stump Way subject to installation of 'No Parking' signs north and south of the access on the eastern side.
- Intersection at Narren Street and Worrigal Street, Baradine – Council to investigate the 'Give Way' sign located at the intersection of Worrigal Street and Narren Street, Baradine.
- 50 kph speed zone signs in Neilrex – 'End Zone' signs to be erected on the back of existing signs.
- 'No Stopping' sign to be erected in Dalgarno Street, Coonabarabran at the front of Woolworths Supermarket.
- Letter to be forwarded to RMS regarding unbroken lines on the northbound approach to Jack Halls Creek on the Newell Highway.
- Council to upgrade road approaches to the new cattle grid located on Caigan Road, including road widening, removal of existing grid and restoration of site.
- MR334 – RMS to be requested to install advance signs on MR334 on the northern side of Caigan Road warning of the intersection.
- RMS to be requested to install signs on both northern and southern approaches warning of turning traffic at Caigan Road.
- Coonabarabran Pony Club – Road Closure Applications. Council write to Coonabarabran Pony Club advising of a three month notification period for consideration by the Traffic Committee of road closure applications.
- Binnia Street, Coolah – Concerns about speeding vehicles. Council to investigate traffic count data and relocate speed trailer to area of concern.
- Proposed Plan for Intersection of John Street and Edwards Street – Changes be made to existing proposed intersection at John Street and Edwards Street by removing the centre line relocation and extending the blisters on the pedestrian crossing south of the intersection.
- Request to Relocate 70 kph Speed Limit Sign on Northern Approach to Coonabarabran – Council write to RMS with a proposal to relocate the 50 kph speed zone located on the Newell Highway further north to the first intersection of Crane Street, Coonabarabran.
- Requirement for Sign Posting of 'Bus Zone' area in Neilson Park – Investigation of Council minutes for initial implementation of bus zone area.
- 2013/2014 Lodgement of Coonabarabran Cycleway Funding Application to RMS – November 2012.
- Installation of Reassurance Sign on Vinegaroy Road – 'Dubbo to Coolah'. Council write to RMS regarding the installation of a 'Reassurance' sign on Vinegaroy Road north of the Golden Highway intersection.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

AGENDA ITEMS

- a) Pedestrian Safety Concerns for Over Dimension Route in Anne Street, Coonabarabran
b) Request for Installation of Pedestrian Crossing at the Intersection of Namoi Street and Dalgarno Street, Coonabarabran

22/1213 RECOMMENDED that no further action be taken in relation to concerns raised with pedestrian safety at Over Dimension Route in Anne Street and installation of pedestrian crossing at the intersection of Namoi Street and Dalgarno Street, Coonabarabran following discussions with concerned resident.

Barry/Clancy

- c) RMS – Perennial Approval / Annual Application for Closure of Newell Highway for Special Events

Discussions were held in relation to RMS approval for development of an annual gazettal notice for closure of the Newell Highway during special events. It was determined that a meeting be held with the President and Secretary of the Coonabarabran Pony Club to confirm dates for annual events. Upon application for road closure by community groups, annual events and dates should also be confirmed.

Noted that Council seek a meeting with Coonabarabran Pony Club to confirm dates and processes for conducting annual events.

- d) Coonabarabran Pony Club – Request for Closure of Reservoir Street for One Day Event on 9 December 2012

23/1213 RECOMMENDED that request by Coonabarabran Pony Club to close Reservoir Street on Sunday, 9 December 2012 between 9.30 am and 3.00 pm to conduct the annual One Day Event be approved subject to compliance with Council's Road Closure Policy.

Harper/Conolly

- e) Baradine Central School – Request to Conduct Horse Parade from Baradine Showground to Wellington Street on 25 October 2012

24/1213 RECOMMENDED that request by Baradine Central School to conduct a Horse Parade on Thursday, 25 October 2012 between 8.30 am and 9.30 am as per the following revised route be approved.

Revised Route

Commence from Baradine Showground to Lachlan Street;
to Darling Street;
to Wellington Street.
Return from Wellington Street to Namoi Street;
to Lachlan Street;
to Baradine Showground.

Harper/Clancy

- f) RSO Monthly Report – September 2012

It was noted that the speed trailer was currently out of action due to an electrical fault from moisture in the connection.

RSO Monthly Report for September 2012 was received and noted.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

GENERAL BUSINESS

The following matters were raised without Resolution:

- Request for linemarking of parallel parking in Coolah.
- Cycleway proposal for southern end of Coonabarabran – subject to a report to Council.
- RMS Bicycle Forum in Dubbo, 29 November 2012.
- Provision of toilet facility in Coonabarabran industrial area – subject to a report to Council.
- Traffic Counter in Bolaro Street to monitor speeds.
- A 'B Double Route via Newell Highway' sign is to be placed at the same location as the 'Wide Load' sign on Baradine Road.

Baradine RSL - Request for Closure of Narren Street, Baradine for Remembrance Day Ceremony on 11 November 2012

25/1213 RECOMMENDED that request by Baradine RSL to close Narren Street at the Memorial near the Swimming Pool on 11 November 2012 between 11.00 am and approximately 11.30 am be approved subject to Council's Road Closure Policy.

Harper/Barry

Speed Concerns on MR129 (between Premer and Black Stump Way)

Further discussions took place in order to clarify the initial request and locality of the proposal.

Apology for Next Meeting – 22 November 2012

Councillor Representative, Fred Clancy advised he would be an apology for the next meeting to be held on 22 November 2012. Cr Clancy will arrange for an alternate representative to attend the meeting in his absence.

There being no further business the meeting closed at 11.20 pm.

The next meeting is to be held on Thursday, 22 November 2012 commencing 10.00 am.

.....
CHAIRMAN

RECOMMENDATION

1. That Council accepts the Minutes of the Traffic Advisory Committee meeting held on 25 October 2012 at Coonabarabran
2. That no further action be taken in relation to concerns raised with pedestrian safety at Over Dimension Route in Anne Street and installation of pedestrian crossing at the intersection of Namoi Street and Dalgarno Street, Coonabarabran following discussions with concerned resident.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

3. That request by Coonabarabran Pony Club to close Reservoir Street on Sunday, 9 December 2012 between 9.30 am and 3.00 pm to conduct the annual One Day Event be approved subject to compliance with Council's Road Closure Policy.
4. That request by Baradine Central School to conduct a Horse Parade on Thursday, 25 October 2012 between 8.30 am and 9.30 am as per the following revised route be approved.

Revised Route

Commence from Baradine Showground to Lachlan Street;
to Darling Street;
to Wellington Street.
Return from Wellington Street to Namoi Street;
to Lachlan Street;
to Baradine Showground.

5. That request by Baradine RSL to close Narren Street at the Memorial near the Swimming Pool on 11 November 2012 between 11.00 am and approximately 11.30 am be approved subject to Council's Road Closure Policy.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 7 Minutes of the Finance and Projects Committee Meeting 12 November 2012

Division: Corporate Services

Management Area: Financial Services

Author: Manager Finance – Paul Baker

CSP Key Focus Area: Local Governance and Finance

Priority / Strategy: Council undertakes periodic performance reviews to ensure the effective and efficient management of its assets, finances and workforce

File Ref: **Function:** Financial Management **Activity:** Finance and Projects

PRESENT: Cr Shinton (Chair), Cr Ron Sullivan, Cr Fred Clancy, Cr Murray Coe (arrived 1.20pm), Tony Meppem (Acting General Manager), Rebecca Ryan (Director Corporate Services) and Kevin Tighe (Director Technical Services).

ATTENDING: Stefan Murru (Chief Financial Officer) and Paul Baker (Manager Finance) and Cr Chris Sullivan

APOLOGIES: Steve Loane (General Manager)

RECOMMENDATION

That the apologies be accepted and noted that Cr Coe would be arriving late.

Cr R Sullivan/ Cr Clancy

1. DLG Quarterly Review Process and Supplementary Vote Requirements

Presentation from Chief Financial Officer regarding the requirements by the Division of Local Government (DLG) Quarterly Budget Review Statement (QBRs) and the supplementary vote process. Discussion held in regards to the role and responsibility of the Responsible Accounting Officer, who is currently the General Manager. Recommendation from external auditor to separate this role to provide a more accountable and transparent support to General Manager.

RECOMMENDATION

That Council appoints the Chief Financial Officer as the Responsible Accounting Officer

Cr R Sullivan/ Cr Clancy

2. Investments – Analysis of Fixed Rate Notes and CDO.

Teleconference with Structured Credit. Discussed the results of a class actions against Lehman Bros and Standard and Poors (S&P) and the implications to those Councils involved in the court case. In the former, Council's had appointed Grange as their portfolio managers and advisors as well as being the seller of the securities.

The final decision in favour of the Councils in the Lehman Bros class action was in relation to the fact that Lehman Bros and Grange were acting as advisors not brokers, and that Council's mandate is conservative and therefore Grange should not have sold them these products. The

WARRUMBUNGL SHIRE COUNCIL

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other major point in the Lehman Bros case related to the fact that Council officers involved did not fully understand that the investments could 'zero' and there was misrepresentation on the seller's side in regard to this point.

The decision in favour of Councils in the S&P case was in relation to the rating agency services and failure to fully investigate the underlying securities of the investments.

Warrumbungle Council had no relationship with Grange, and all investments were Capital Protected Notes. Each of the investments were rated according to the guarantee of the bank from which was purchased and none of the investments have in fact defaulted.

Options included meeting with a lawyer (which Council would need to fund) or a litigation funder (who may fund the case but would take approximately 50% of the awarded settlement). Council would need to first determine the amount of interest lost, the issue size for each investment and what evidence Council has in terms of emails etc that could prove misrepresentation by the seller. A relationship also needs to be established between the bank and the investment.

A report to be bought back to Council to assess the options available prior to making a decision for any claims; detailing the interest lost or when coupons were not paid, contracts/investment agreements, the bank guarantee and any reports or evidence held by Council officers.

RECOMMENDATION

That a report be bought back to Council in regards to the Capital Protected Notes and CDO Investment portfolio from prior to the global financial crisis (2007-2012).

Cr R Sullivan/ Cr Clancy

3. LTFP, AMP and NSW Treasury Corporation (TCorp) Financial Assessment and Benchmarking Report

4. Budget and Quarterly Review Ending 30 September 2012

Chief Financial Officer presented the first quarter QBRS (30 September 2012)

RECOMMENDATION

That Council approve the supplementary vote requests as presented with the inclusion of a vote for \$4,000 to cover the furniture and fittings purchase at the Coolah Medical Centre and exclusion of the request from Connect 5 for the reduction of \$3,776 income.

Cr R Sullivan/ Cr Clancy

5. Review of Council's Capital Budget Progress Report.

The CFO took the Committee through this list of capital expenditure above \$50,000 and gave indications of the stage these projects are currently at. It was requested that a percentage (%) figure of expenditure be included on this list next time.

General

6. Valuer General Valuations

Issue of properties which increase significantly as a result of a VG valuation that is an anomaly, can Council implement a checking procedure to be proactive in advising rate payers of these changes.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

RECOMMENDATION

That Council implement a procedure to check new year rates charges each year as a result of VG Valuations so that any properties that incur an increase above 20% be notified.

Cr R Sullivan/ Cr Clancy

NEXT MEETING: Thursday 7 February 2013

MEETING CLOSED: 3.45pm

.....

CHAIRPERSON

RECOMMENDATION

1. That Council accepts the Minutes of the Finance and Projects Committee Meeting held 12 November 2012 at Coolah and that the following resolutions contained in the minutes be endorsed
2. That Council appoints the Chief Financial Officer as the Responsible Accounting Officer
3. That a report be brought back to Council in regards to the Capital Protected Notes and CDO Investment portfolio from prior to the global financial crisis (2007-2012).
4. That Council approve the supplementary vote requests as presented with the inclusion of a vote for \$4,000 to cover the furniture and fittings purchase at the Coolah Medical Centre and exclusion of the request from Connect 5 for the reduction of \$3,776 income.
5. That Council implement a procedure to check new year rates charges each year as a result of VG Valuations so that any properties that incur an increase above 20% be notified.

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 8 Responses to Questions from last meeting

Questions

- Question One:** Parking in front of Hall at Coolah – seeking 45 degree angle parking for that specific area. By Councillor Capel
- Response from:** Director Technical Services – Kevin Tighe
- Response:** There is not sufficient room for angle parking and does not meet guidelines for angle parking
-
- Question Two:** Placement of phone numbers in public toilet facilities if there is an issue – staff could be notified earlier to rectify the problem. By Councillor Capel
- Response from:** Manager Urban Services – Harold Sutton
- Response:** work in progress (sign ordered)
-
- Question Three:** Press release from MP George Souris; does Council receive same from Kevin Humphries MP. By Councillor Clancy
- Response from:** Executive Assistant - Melissa Bennett
- Response:** Council receive a weekly bulletin from George Souris MP and receive media releases from Kevin Humphries occasionally, which will be forwarded directly to Councillors for information.
-
- Question Four:** Castlereagh Street Coonabarabran – letter re tree. By Councillor Clancy
- Response from:** Manager Regulatory Services – Michael Marks
- Response:** Letter answered regarding overhanging trees. Referred to State Government Legislation in dealing with the matter.
-
- Question Five:** Warrumbungle Quarry – inspection of site. By Councillor Clancy
- Response from:** Executive Assistant – Melissa Bennett
- Response:** Inspection of the site can take place on the day of the December Council meeting for Councillors who wish to inspect the site. Councillors will be notified of further details in due course.
-
- Question Six:** Provision of financial arrangements for Administration building. By Councillor Clancy
- Response from:** Director Corporate Services – Rebecca Ryan
- Response:** Budget tracking emailed to all Councillors

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

- Question Seven:** Traffic Advisory Committee member did not receive Agenda. By Councillor Clancy
- Response from:** Personal Assistant – Tracy Cain
- Response:** At the beginning of each calendar year the committee members are provided the dates for meetings to be held throughout the year. There is one committee member who does not have access to email and the agenda is provided in a hard copy. Unfortunately the committee member did not receive a courtesy call to say that the agenda was ready for their collection. It was noticed by Council staff that the agenda was not collected therefore the member was contacted just prior to the commencement of the meeting but the member was not available to attend.
-
- Question Eight:** Medical Services Advisory Group would like four (4) Councillors to meet and formulate a plan and audit, then will call a meeting and invite more members if needed. By Councillor Clancy
- Response from:** Acting General Manager – Tony Meppem
- Response:** Noted. It is understood that informal meeting has been held
-
- Question Nine:** Cycleway – submissions due November – DTS to report back regarding funding / applications. By Councillor Clancy
- Response from:** Acting General Manager - Tony Meppem
- Response:** Report provided to November Council Meeting.
-
- Question Ten:** Toilet facility at industrial area – provision of a ‘Windy Loo’ toilet facility at the industrial area. By Councillor Clancy
- Response from:** Manager Urban Services – Harold Sutton
- Response:** Prices are being sought
-
- Question Eleven:** Main Street of Dunedoo – lot of traffic going through town on Golden Highway and concerns regarding crowds – refer to Traffic Committee. By Councillor C Sullivan
- Response from:** Acting General Manager – Tony Meppem
- Response:** Not sure of expected outcome on this matter
-
- Question Twelve:** Speed of traffic – not taking notice of 50kph sign – slowing of traffic – refer to Traffic Committee. By Councillor C Sullivan
- Response from:** Acting General Manager – Tony Meppem
- Response:** Matter will be referred to suitable traffic committee meeting
-
- Question Thirteen:** Cobbora Coal Mine – keep community up to date with the development. By Councillor C Sullivan

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- Response from:** Acting General Manager – Tony Meppem
Response: Forum scheduled for Monday 12 November 2012 at Dunedoo with 180 people in attendance. Matter also raised at Dunedoo Town Meetings.
- Question Fourteen:** Park area – meeting Manager Urban Services to discuss general condition of park (see saw missing, unappealing state of park, rubbish in park and children’s area not appealing, park not being maintained, garden on railway site not being maintained). By Councillor C Sullivan
- Response from:** Manager Urban Services – Harold Sutton
Response: 1. See-saw is broken and has been removed. A provision is to be made in next year’s budget to replace the see-saw.
2. Instruction given to Supervisor to clean park and maintain gardens
- Question Fifteen:** Disused hospital site – looking for ideas for use and presentation of site. By Councillor C Sullivan
- Response from:** Manager Economic Development & Tourism – Aileen Bell
Response: Forum to be held in Dunedoo on Monday 12 November 2012. Speakers from Cobbora Coal Project, Council, Real Estate and a developer with an accommodation proposal
- Question Sixteen:** Mendooran doctor issue – availability of technology for bulk billing. By Councillor C Sullivan
- Response from:** Acting General Manager – Tony Meppem
Response: Technologies not an issue. Internet access is available. Doctor has held meetings with Rebecca Ryan and Tony Meppem concerning issues
- Question Seventeen:** Could a traffic count on Golden Highway in Dunedoo be referred to RMS. By Councillor R Sullivan
- Response from:** Acting General Manager – Tony Meppem
Response: Traffic counts will be conducted when available to monitor increase in mine traffic
- Question Eighteen:** Congratulations to Senior Rates Officer for Pensioner Report. By Councillor R Sullivan
- Response from:** Director Corporate Services – Rebecca Ryan
Response: Completed

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- Question Nineteen:** Road sealed and breaking up Cumbil Road. By Councillor Todd
- Response from:** Acting General Manager – Tony Meppem
- Response:** Matter being investigated and action to be taken if warranted
-
- Question Twenty:** Creek crossing of Bugaldie Creek on Guinema Road. By Councillor Todd
- Response from:** Manager Roads Operations – Andrew Wilkes
- Response:** Section of concrete causeway has been repaired
-
- Question Twenty-One:** Armistice Day and closure of road for duration of ceremony – refer to Traffic Committee. By Councillor Todd
- Response from:** Director Technical Services – Kevin Tighe
- Response:** Response given at October Council meeting
-
- Question Twenty-Two:** Lights in Lachlan Street towards showground – no action taken yet. By Councillor Todd
- Response from:** Manager Urban Services – Harold Sutton
- Response:** Prices for solar lights are being sought
-
- Question Twenty-Three:** Request for purchase of disused blue metal in various stock pipes around the shire. To sell something Council has to go to open tender. Old stockpiles are recovered when required. Old stockpiles could be taken back to local depots and sold from there. This matter will be investigated. By Councillor Coe
- Response from:** Director Technical Services – Kevin Tighe
- Response:** Response given at October Council meeting

RECOMMENDATION

For Council's information.

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Item 9 November 2012 Report from Human Resources

Division:	Executive Services	
Management Area:	Human Resources	
Author:	Manager Human Resources – Val Kearnes Learning and Development Officer – Glennis Mangan	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF7 Council is presented with a range of organisational challenges including its aging workforce, skills shortages, increasing regulatory demands and the management of risk	
File Ref: Function:	Personnel	Activity: Council

Background

Nil

Issues

Nil

Options

Nil

Financial Considerations

Nil

Summary

Recruitment

Since the October Council Meeting **four** positions have been successfully filled:

- Plumber - Coolah
- Supervisor Urban Services – Coolah
- Supervisor Urban Services – Mendooran
- Supervisor Trades

There are currently **eleven** positions advertised externally

- Manager Water & Sewerage Services
- Manager Civil Projects
- Plumber – Dunedoo
- Finance Trainee
- Yuluwirri Trainee
- Visitors Information Officer (Part time)
- Mechanic – Coolah

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- Bank Officer – Dunedoo
- Teacher
- Community Services Co-ordinator (Coolah)
- Customer Service Officer (Centrelink)
- Child Carer (Part time)

The following position has closed and the selection process underway:

- Technical Officer – Asset & Design

Learning and Development

In early 2013 a new In-House Staff Development Programme is being trialled by Warrumbungle Shire Council. This programme will offer all staff opportunities to facilitate a workshop for colleagues in areas of their own expertise with help and assistance from the Learning and Development Coordinator.

Staff who are very well qualified in certain areas can be mentored to facilitate a specific workshop, passing on skills and knowledge to others and thus gaining experience in facilitation skills.

The Workshops will be offered every second Thursday from 1.00pm to 3.30pm in the new training room. Staff attending and completing the Workshops will receive a Statement of Attendance from the WSC.

Airways Training Services has again provided training for one of our aerodrome personnel in the Reporting & Works Safety Officer Course. This course is conducted in compliance with;

- The Civil Aviation Safety Authority CAAO 89C-1 *Training of Aerodrome Reporting Officers and Works Safety Officers*
- The Civil Aviation Safety Authority CAAP 890-1(2) *Publishing Aerodrome Information and Reporting Changes.*
- The requirements of the Civil Aviation Safety Authority Manual of Standards Part 139 (MOS139)
- The Relevant competencies defined in the National Aviation Training Package (AV108)

This two day course provides participants with an overview of the practical and legal responsibilities of an Aerodrome Reporting Officer.

Members of our Senior Management attended a Work Health and Safety: Due Diligence Obligations and Practical Solutions for General Managers and Senior Managers Course. The Course was conducted by the LGSA and held in Tamworth. The Workshop provided practical solutions to ensure compliance with the WHS legislation and to help reduce the number of worker compensation claims our organisation may have.

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Other training being undertaken currently or before the end of the year include:

- Restricted Electrical Work
- Fluoridation of Public Water Supplies
- Dam Safety Surveillance
- Stormwater Drainage – Condition Assessment & Asset Performance
- MS Project 2010
- HSR (Health Safety Representative)
- Time Management
- RMS - Red Card
- RMS - Blue Card
- EEO Committee Training
- Familiarisation in the Safe Use of Council's Sandbagging Equipment

RECOMMENDATION

For Council's information

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Item 10 Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

Division:	Executive Services
Management Area:	Governance
Author:	Manager Administration & Customer Service – Sally Morris
CSP Key Focus Area:	Local Governance and Finance
Priority / Strategy:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.

File Ref: **Function:** Governance **Activity:** Policy

Background

Under Section 252 of the Local Government Act, Council is required to review the policy relating to the Payment of Expenses and Provision of Facilities to Mayors and Councillors annually by 30th November.

Under Section 253 of the Local Government Act, provision is made that Council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the Council is of the opinion that the proposed amendment is not substantial.

Issues

The amendments to the policy relate to the limits identified in Clause 2.1 and Appendix A being the updating of expenses in line with the Australian Tax Office's Taxation Determination TD 2011/17. This Taxation Determination replaces the Determination (TD 2010/19) referred to in the previous Policy endorsed by Council on 24 November 2011.

Options

Under legislation, Council is required to adopt within 5 months after the end of each year, a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office

Financial Considerations

Provision is made within the budget relating to provision of expenses and facilities to Mayors and Councillors.

Summary

The review of the policy and updating of the references to the current Taxation Determination and insertion of updated Appendix A tables, allows clarity in calculation of provision of the expenses to be paid under this policy. The draft policy is included for review and consideration marked Attachment A.

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RECOMMENDATION

That Council endorses the November 2012 version of the Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors.

Attachment A

Strategic 1.1

Policy for the Payment of Expenses and the Provision of Facilities to Mayors and Councillors

(Pursuant to Sections 12, 23A, 252, 253 and 254 of the Local Government Act and Clauses 217 and 403 of the Local Government (General) Regulation 2005)

Part 1 - INTRODUCTION

Title and Commencement of the Policy

This Policy shall be cited as the Policy for the Payment of Expenses and Provision of Facilities to Councillors and is effective from 21 November 2012 and replaces the previous policy titled Policy for the Payment of Expenses and Provision of Facilities to Councillors adopted by Council on 24 November 2011.

Purpose of the Policy

The purpose of this Policy is to ensure that there is accountability and transparency in the reimbursement of expenses incurred or to be incurred by the Councillors. The Policy also ensures that the facilities provided to assist and support the Councillors to carry out their civic functions are reasonable.

Objectives and Coverage of the Policy

The objectives of this Policy are to:

- Provide a guide to councillors expenses and facilities
- Outline the process for paying expenses so that they can be properly recorded, reported and audited
- Comply with the guidelines issued by the Department of Local Government.

In this Policy, unless otherwise stated, the expression "Councillor" refers to all Councillors of Warrumbungle Shire Council including the Mayor and Deputy Mayor.

Basis of this Policy

The relevant legislative provisions for this policy are set out below.

In this legislation the expression "year" means the period from 1 July to the following 30 June.

Local Government Act 1993

252 Payment of expenses and provision of facilities

- (1) Within 5 months after the end of each year, a council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the deputy mayor (if there is one)

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and the other councillors in relation to discharging the functions of civic office.

- (2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the mayor or a councillor of a facility provided by the council to the mayor or councillor.
- (3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the mayor, the deputy mayor (if there is one) or a councillor otherwise than in accordance with a policy under this section.
- (4) A council may from time to time amend a policy under this section.
- (5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

253 Requirements before policy concerning expenses and facilities can be adopted or amended

- (1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.
- (2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.
- (3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.
- (4) Within 28 days after adopting a policy or making an amendment to a policy for which public notice is required to be given under this section, a council is to forward to the Director-General:
 - (a) a copy of the policy or amendment together with details of all submissions received in accordance with subsection (1), and
 - (b) a statement setting out, for each submission, the council's response to the submission and the reasons for the council's response, and
 - (c) a copy of the notice given under subsection (1).
- (5) A council must comply with this section when proposing to adopt a policy each year in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

Part 2 - PAYMENT OF EXPENSES

Allowances and expenses

Council does not provide general expense allowances to Councillors. Councillors are entitled to the expenses set out in this policy provided that they satisfy the stated requirements.

This Policy is intended to cover most situations where a Councillor reasonably incurs expenses in discharging the functions of civic office.

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The payment of expenses and reimbursement of expenses under this Policy shall only be in respect of costs directly associated with discharging the functions of civic office.

2.1 Establishment of Monetary Limits and Standards

This policy identifies and publishes monetary limits and standards applicable to the payment of various expenses to Councillors. This allows members of the public to know the expected cost of providing services to Councillors and to make comment during the public consultation phase of making or amending the policy. It also avoids the situation where Councillors incur expenditure that is unforeseen or considered unreasonable by other Councillors and the public.

Monetary limits prescribed in this Policy set out the maximum amount payable in respect of any expense or facility.

Where a Councillor incurs expenses in the course of discharging their civic office responsibilities, such expenses will be reimbursed. Typical examples of such expenses include:

- Course fees
- Fares / parking / tolls
- Accommodation
- Meals
- Incidentals, including telephone or facsimile charges, internet charges, laundry and dry cleaning etc while attending conferences, seminars etc

Wherever possible, every effort should be made to minimise the extent of such expenses to a reasonable level. Furthermore, in the majority of cases course/conference fees and accommodation will be pre-booked, negating the need for out-of pocket expenses to be incurred.

For accommodation or meals that Council has not prepaid, and for incidental expenses, Council will reimburse expenses incurred while at conference, seminars or official functions to the limits of the allowances set out in the Australian Tax Office's Taxation Determination TD 2011/17 or such determinations or policies of the Australian Tax Office that supersede it.

The limits will be applied as follows:

- Where Councillors' meals are not prepaid by Council or are not included in the seminar, conference, event or briefing fee, the monetary limits per day for meals are those set out under 'Food and Drink' in Table 3 paragraph 11 of TD 2011/17 (see Appendix A attached) or such determination or policies of the Australian Tax Office that supersede it. (As at October 2012 – Meal Allowance (per day) Breakfast \$30.30; Lunch \$42.95; Dinner \$60.20)
- Where Councillors incur incidental expenses, such as phone call and similar expenses, the monetary limits per day for those expenses are the rates set out under 'Incidentals' in Table 3 of paragraph 11 of TD 2011/17 or such determinations or policies of the Australian Tax Office that supersede it. (As at October 2012 – Incidental Expenses (per day) \$24.70)

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- Where Councillors' accommodation expenses are not prepaid by Council or are not included in the seminar, conference, event or briefing fee, the monetary limits per day for those expenses are those set out under 'Accommodation' in Tables 3 and 4 (see Appendix A attached) of paragraph 11 of TD 2011/17 or such determinations or policies of the Australian Tax Office that supersede it.

With the approval of the Mayor and General Manager, a Councillor may expend more than the individual monetary limits per day for meals and incidental expenses, provided that the overall monetary limit per day in that case will be the sum of all of the monetary limits per day for meals and incidental expenses.

On completion of a discretionary trip or attendance, Councillors should provide a written report to Council on the aspects of the attendance that are relevant to Council's business and/or the local community. A report is not required for the annual conference of the Local Government and Shires Associations.

Where applicable the standard of any equipment, facility or service to be provided shall be to the maximum standard prescribed in this Policy.

2.2 Requirement for receipts

Council will not reimburse any expenses unless a receipt or tax invoice is produced and the necessary claim forms completed.

2.3 Payment of Reimbursed claims

Councillors are to submit all claims for reimbursement, including all travel expenses, to the General Manager or delegate in a form and manner acceptable to the General Manager in the circumstances to enable full assessment of the claim on a monthly basis and these will be paid with their monthly allowance. Tax invoices and receipts are to be supplied to support claims. All payments to Councillors will be via direct deposit to their nominated bank account. Councillors are to seek reimbursement for their expenses within three (3) months of the expense being incurred.

Should a determination be made that a claim should not be paid, the General Manager shall explain such decision to the Councillor and should the Councillor still believe that the claim should be paid, in part or in full, it shall be considered that a dispute exists.

In the event of a dispute at any time regarding this Policy, the parties to the dispute shall provide a written report on the nature of the dispute. The General Manager shall submit such reports to the next meeting of Council to have the dispute determined by a resolution of Council having regard to this Policy, the Act and any other relevant law. The decision of Council shall be binding on all of the parties.

2.4 Accommodation and meal expenses

Councillors shall be accommodated in the hotel where the conference, seminar, or training course is being held or the nearest hotel to it that is of a similar standard, or as authorised by the host organiser where the conference is not located within the Sydney metropolitan area. Accommodation shall be provided at the rate of a double room.

Such attendance to be confirmed by Council with reimbursement of costs and expenses to be made upon the production of appropriate receipts and/or tax invoices and completion of the required claim forms. Alternatively, accommodation can be booked

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by Council order form and allowance for incidental expenses as provided under clause (2.5).

2.5 Incidental Expenses

Incidental expenses such as public transport fares, parking fees, phone/fax expenses and expenses incurred as the result of the purchase of refreshments during meetings related to council business or meals not included in the registration fees for conferences or similar functions, will be reimbursed by Council on production by the Councillor of the relevant receipts together with an approved claim form in accordance with Table 3 of paragraph 11 of TD 2011/17 (see clause 2.1).

Council will not meet any expenses for alcohol, cigarettes or personal requirements. Council will not fully fund any activity where the Councillor is not in attendance for at least 90% of the specified activity. Other than in the most exceptional circumstances, where Councillor's expenses have been met by Council but the Councillor does not attend at least 90% of the activity, that Councillor will be required to show cause why they should not reimburse Council for any costs incurred.

2.6 Payment of expenses for spouses, partners and accompanying persons

In this clause accompanying person means a person who has a close personal relationship with a Councillor and/or provides carer support to the Councillor.

Where the attendee is accompanied at a conference or seminar by his or her spouse or partner or accompanying person, the attendee will be required to meet all costs associated with their spouse or partner or accompanying person's travel expenses, additional accommodation expenses, tours and attendance unless otherwise resolved by Council.

Council will meet the reasonable costs of spouses and partners or an accompanying person for attendance at official council functions that are of a formal and ceremonial nature. Examples would be Australia Day award ceremonies, citizenship ceremonies and civic receptions. Such functions would be those that a Councillor's or General Manager's spouse, partner or accompanying person could be reasonably expected to attend.

By resolution of Council, costs and expenses incurred by the Mayor, Councillors (or General Manager or nominee) for other events or functions on behalf of their spouse, partner or accompanying person shall be reimbursed if the cost or expense relates specifically to the ticket, meal, travel and accommodation and/or direct cost of attending the function. A total pool of \$4,510 per year per term is available for this purpose.

2.7 Payments in advance

Councillors may request payment in advance in anticipation of expenses to be incurred in attending conferences, seminars and training away from home or for the cost of service associated with a civic duty. Councillors must fully reconcile all expenses against the cost of the advance.

Within one (1) week of incurring the cost and/or returning home the Councillor shall submit the details to the General Manager for verification and pay back to Council any unspent money. The level of the supporting documentation is to be commensurate with the nature of the expenditure. The maximum value of a cash advance is \$563.20.

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2.8 Approval arrangements

Approval for discretionary trips and attendance at conferences and the like should be where possible, approved by a full meeting of the Council. If this is not possible then the approval should be given jointly by the Mayor and the General Manager. If the Mayor requires approval to travel outside of council meetings it should be given jointly by the Deputy Mayor or another Councillor and the General Manager.

2.9 Attendance at seminars and conferences

Council will allocate up to \$24,000 per year (including GST) to fund attendance at conferences, investigatory delegations and similar events. However, Council may agree to allocate additional funds in specific cases where it decides that there is a benefit to council from the attendance.

The following seminars, conferences and meetings are endorsed for attendance by council representatives:

- C Division Conference (Any Councillors and General Manager)
- Annual conference of the Local Government and Shires Association / One Association - (Three (3) Councillors and General Manager)
- Roads Congress (Two (2) Councillors and General Manager)
- OROC meetings
- Country Mayor's Association meetings
- Australian Council of Local Government (Mayor)

After returning from the conference, Councillors or a member of council staff accompanying the councillor/s, should provide a written report to council on the aspects of the conference relevant to council business and/or the local community. No written report is required for the Annual Conferences of the Local Government and Shires Association.

Requests for attendance at other conferences or seminars should be lodged in writing outlining the benefits for Council.

Council will meet the costs of conference / seminar registration fees including the costs of related official lunches and dinners and associated tours where they are relevant to the business and interests of the Council. Council will also meet the reasonable cost of transportation and accommodation associated with attendance at the conference and Council shall meet the cost of breakfast, lunch and dinner for Councillors where any of the meals are not provided as part of the conference, seminar or training course.

2.10 Registration fees

Registration fees for attendance at Council approved conferences and seminars will be paid by Council. These fees will include the costs of related official lunches and dinners and associated tours where they are relevant to the business and interests of the council.

2.11 Travel Expenses

Council will meet all reasonable costs of transportation to and from conferences and seminars when they are not included in the conference fees. Councillors are entitled to use Taxis provided that the cost of a single trip does not exceed \$100 (including GST).

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All travel by councillors should be undertaken by utilising the most direct route and the most practicable and economical mode of transport subject to any personal medical considerations.

Travel arrangements can include the use of a private vehicle, public transport, taxis, or travel using a council vehicle. Costs associated with parking fees and road tolls will be refunded on production of a receipt. The driver is personally responsible for all traffic or parking fines incurred while travelling in private or council vehicles on council business.

Claims for travelling expenses under this Policy shall include details of:

- Date and place of departure
- Date and place of arrival
- Distance travelled
- Fares and parking fees paid
- Amount claimed as travelling allowances
- Total amount of claim

Travel in a Councillor's own vehicle to Council and Committee meetings, formal or social functions or activities or other meetings involving the community whilst representing Council where attendance is approved by the Mayor and/or General Manager is to be paid at the per kilometre rate payable for claims by staff in the Local Government (State) Award.

Where the approved meeting, function or activity is within the Warrumbungle Shire Council boundary, reimbursement shall be on the basis of the distance from the Councillor's principal place of residence (if it is within the Warrumbungle Shire Council boundary) to the venue or, if the Councillor resides outside the Warrumbungle Shire Council boundary, from the Warrumbungle Shire Council boundary to the venue.

Where the Councillor uses his/her own vehicle to travel to an approved function that is outside the Warrumbungle Shire Council boundary then council's reimbursement will be based on the total distance travelled from residence to venue and return if the Councillor resides within the Warrumbungle Shire Council boundary. If the Councillor does not reside within the Warrumbungle Shire Council boundary, then Council will reimburse the distance either:

- a) from the Councillor's residence to the venue, or
- b) from the Warrumbungle Shire Council boundary closest to the Councillor's residence to the venue, whichever is the lesser.

Claims for the above expenses require the submission of a claim form signed by the claimant detailing date, distance and reason for journey(s) with such claims to be submitted monthly.

Travel associated with authorised conferences, seminars and meetings may be undertaken by Council vehicle (where available) subject to prior approval by the General Manager, with fuel expenses etc. to be met by Council.

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Council will meet the cost of return economy air travel or equivalent payment for attendance at authorised conferences/seminars.

Elected members using private vehicles will be paid the kilometre rate to a maximum payment, which is not to exceed economy class air fares to and from the particular destination.

All travel by Councillors that involves an overnight stay of one or two nights must be authorised in advance by the Mayor and General Manager (or in the event that the Mayor requires approval to travel outside of council meetings approval should be given jointly by the deputy mayor or another councillor and the general Manager.)

All travel by Councillors that involves an overnight stay of more than two nights must be authorised in advance by the Council.

Where travel for Council business or approved activities outside of the local government area is to be undertaken – arrangements for both travel and accommodation must be made through the General Manager and will be by the most practical method.

Prior approval of travel should generally be required for interstate travel. The application for approval should include full details of the travel, including itinerary, costs and reasons for the travel.

Overseas travel on behalf of council must be approved by a meeting of the full council prior to a councillor undertaking the trip.

2.12 Attendance at dinners and other non-council functions

The costs of attendance by Councillors at dinners and other non-council functions which provide briefings to councillors from key members of the community, politicians and business will only be met by Council when the function is relevant to the council's interests and authorised by Council in advance.

No payment shall be made by Council for attendance by a councillor at any political fundraising event, for any donation to a political party or candidate's electoral fund, or for some other private benefit. Any expenses to be incurred that would be directed towards such events and activities will not be approved for payment.

2.13 Gifts

Where it is appropriate for councillors **to give** a gift or benefit, these gifts and benefits will be of token value and in accordance with council's Code of Conduct.

2.14 Training and Educational expenses

Council will only meet the costs of training or attendance at an educational course that is directly related to the Councillor's civic functions and responsibilities and is approved by Council prior to undertaking such training or attendance. Council will allocate up to \$ 1500 per year per councillor (including GST) to fund relevant training and educational courses and attendances at briefings.

2.15 Telephone and internet expenses

Except as otherwise set out in this policy, Council will not reimburse Councillors for telephone expenses incurred in using their private/mobile phones for Council business.

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Phones are available for Councillors' use at the Coolah and Coonabarabran offices of Council.

2.16 Mobile telephone

Council shall meet the cost of a mobile telephone for the Mayor, for which Council shall pay rental and 100% of metered calls charged against that service, to a limit of \$205 per month for Council business calls and \$20 per month for incidental personal calls, provided that the number is available to be given out for general public information.

2.17 Internet

Council shall meet the cost of providing and maintaining an internet connection at the residence of the Councillor by an allowance of \$50.00 per month to cover Councillors' costs of communication via computer OR provision of a facsimile machine.

2.18 Insurance Provisions

Council will maintain adequate insurance against public liability and professional indemnity for matters arising out of Councillors' performance of their civic duties and/or exercise of their council functions.

Council shall pay the insurance policy excess in respect of any claim made against a Councillor arising from Council business where any claim is accepted by Council's insurers, whether defended or not.

2.19 Legal Expenses and Obligations

Council shall, if requested, indemnify or reimburse the reasonable legal expenses to a maximum of \$200,000 of:

- a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act; or
- a Councillor defending an action in defamation provided the statements complained of were made in good faith in the course of exercising a function under the Act, provided that the outcome of the legal proceedings is favourable to the councillor; or
- a Councillor for proceedings before the Local Government Pecuniary Interest and Disciplinary Tribunal or an investigative body provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter before investigative or review body has proceeded past any initial assessment phase to a formal investigation or review. In the case of a conduct complaint made against a councillor, legal costs will only be made available where a matter has been referred by the General Manager to a conduct reviewer/conduct review committee to make formal enquiries into that matter in accordance with the procedures in the Code of Conduct. In the case of a pecuniary interest or misbehaviour matter legal costs will only be made available where a formal investigation has been commenced by the Division of Local Government. Legal costs must only be provided where the investigative or review body makes a finding that is not substantially unfavourable to the councillor. This can include circumstances in which a matter does not proceed to a finding.

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act shall be distinguished from expenses

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incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly by using knowledge of a proposed rezoning for private gain is not covered by this provision.

Council shall not meet the costs for any legal assistance in respect of legal proceedings initiated by a Councillor in any circumstances.

Council must not meet the legal costs of a councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation.

Council shall not meet the costs of any enquiry, investigation or hearing initiated at the request of, or to any legal proceedings taken by, Council itself.

2.20 Special requirements of Councillors – Care and Other Related Expenses

Council shall meet reasonable expenses associated with any special requirements of a Councillor, such as disability and access needs, in order to discharge the functions of civic office.

Council will meet reasonable costs of facilitating access to council premises, functions and activities where, by reason of disability, care-giver role or other special need, a councillor would not otherwise have equity of access with other councillors. Such support will allow the fullest participation reasonably possible. Council will reimburse the reasonable cost of care arrangements, including childcare expenses and the care of elderly, disabled and/or sick immediate family members of councillors to allow councillors to undertake their council business obligations.

The total amount paid to a Councillor under this provision shall not exceed \$800 per year of term.

Part 3 – PROVISION OF FACILITIES

Councillors shall not generally obtain private benefit from the provision of equipment and facilities. However, incidental personal use of Council equipment and facilities may occur from time to time without requiring reimbursement of the cost by a Councillor. No entitlement under this Policy shall be treated as being a private benefit that requires a reduction in the Mayoral fee or the Councillors fee.

Unless otherwise authorised in this Policy, if a Councilor does obtain a private benefit for the use of a facility provided by Council the Councilor shall be invoiced for the amount of the private benefit with repayment to be in accordance with Council's normal terms. The value of the private benefit shall be determined by Council in non-confidential session of a Council meeting.

Equipment, facilities and services provided under this Policy shall not be used to produce election material or for any other political purposes.

3.1 Mayoral Expenses, Facilities, Equipment and Services

The Mayor will be entitled to receive the following benefits:-

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- a) Provision of a Council vehicle for appropriate use by the Mayor to carry out his duties as Mayor. Council to meet all costs associated with the provision of the vehicle. The Mayor will have no right of private use of this vehicle.
- b) Secretarial services relating to the discharge of his/her civic functions, including use of official stationery, writing pads, pens, diaries, folders and postage of official correspondence.
- c) Administrative assistance associated with civic functions, meetings and the like.
- d) Office refreshments
- e) Supply of Name Badges, Business Cards, Diaries and Attaché Case.

3.2 Elected Members – Facilities, Equipment and Services

The Councillors including the Deputy Mayor are entitled to receive the following benefits:-

- a) Use of Council Chambers, telephone and limited hospitality facilities (tea and coffee) for Council business or functions or community consultation.
- b) Secretarial services relating to the discharge of his/her civic functions, including use of official stationery where authorised by Mayor or General Manager.
- c) Postage of official correspondence dealing with Council business.
- d) Access to facsimile and photocopying facilities for Council related business.
- e) Transport to official functions when deputising for the Mayor. (ie) Use of Mayoral vehicle if required.
- f) Supply of Name Badges and Note Books.

3.3 Bluetts Handbook

Provide all Councillors with a copy after their election.

3.4 Policies

Provide all Councillors with a full and up to date copy of policies and manuals.

Part 4 – OTHER MATTERS

4.1 Acquisition and return of equipment and facilities by Councillors

At the completion of their term of office, during extended leave of absence or cessation of civic duties, Councillors are to return equipment and other facilities to the General Manager.

At the cessation of their duties, the option to purchase at a fair market price or written down value of equipment previously allocated to Councillors will be subject to determination by Council.

4.2 Status of the Policy

This is the fourth version of the Policy. This Policy replaces the previous version of the Policy adopted by Council on 24 November 2011 Minute No. 181/1112.

The Policy shall only be amended at a subsequent meeting of Council, subject to compliance with the Act.

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Appendix A

Table 3: Employee's annual salary – \$179,351 and above				
Place	Accomm. \$	Food and drink \$ B'fast 30.30 Lunch 42.95 Dinner 60.20	Incidentals \$	Total \$
Adelaide	209	133.45	24.70	367.15
Brisbane	236	133.45	24.70	394.15
Canberra	230	133.45	24.70	388.15
Darwin	278	133.45	24.70	436.15
Hobart	195	133.45	24.70	353.15
Melbourne	265	133.45	24.70	423.15
Perth	275	133.45	24.70	433.15
Sydney	265	133.45	24.70	423.15
Country centres	\$190, or the relevant amount in Table 4 if higher	133.45	24.70	Variable – see Table 4 if applicable

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Country centre	\$	Country centre	\$
Ballarat (VIC)	127.00	Kalgoorlie (WA)	169.50
Bendigo (VIC)	122.00	Karratha (WA)	285.00
Broome (WA)	222.50	Katherine (NT)	120.50
Bunbury (WA)	129.00	Kununurra (WA)	182.00
Burnie (TAS)	125.00	Launceston (TAS)	126.50
Cairns (QLD)	127.00	Mackay (QLD)	153.00
Camarvon (WA)	151.00	Maitland (NSW)	131.50
Christmas Island (WA)	150.00	Mount Isa (QLD)	158.50
Dalby (QLD)	133.50	Newcastle (NSW)	142.50
Dampier (WA)	174.50	Newman (WA)	195.00
Derby (WA)	181.50	Norfolk Island	189.50
Devonport (TAS)	128.50	Port Hedland (WA)	270.00
Echuca (VIC)	122.50	Port Pirie (SA)	135.00
Exmouth (WA)	194.00	Thursday Island (QLD)	180.00
Geelong (VIC)	131.00	Townsville (QLD)	134.50
Geraldton (WA)	146.00	Weipa (QLD)	138.00
Gladstone (QLD)	138.50	Wilpena-Pound (SA)	144.00
Gold Coast (QLD)	170.00	Wollongong (NSW)	128.00
Halls Creek (WA)	195.00	Wonthaggi (VIC)	122.00
Horn Island (QLD)	169.00	Yulara (NT)	340.00
Jabiru (NT)	198.00		

POLICY DOCUMENT CONTROL:

Policy		Resolution	Date
Payment of Expenses Policy	Endorsed	233	16 June 2005
Payment of Expenses Policy	Amendment	49	18 August 2005
Payment of Expenses Policy	Amendment	393	18 May 2006
Payment of Expenses Policy	New Policy endorsed	199	17 December 2009
Payment of Expenses Policy	Revised Version	123	21 October 2010
Payment of Expenses Policy	Revised Version	181/1112	24 November 2011
Payment of Expenses Policy	Revised Version – 4	****/1213	21 November 2012

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Item 11 Annual Report 2012

Division:	Executive Services	
Management Area:	General Manager	
Author:	Manager Administration & Customer Service – Sally Morris	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.	
File Ref:	Function: Corporate Management	Activity: Annual Reports

Background

Within 5 months after the end of each year, Council must prepare an annual report for that year reporting a comparison of actual performance against projected performance of its principal activities measured in accordance with the management plan.

This review of Council's performance covers the period 1 July 2011 to 30 June 2012.

Issues

With the introduction of Integrated Planning and Reporting legislation and the endorsement by Council in April 2012 of the Community Strategic Plan, Council will, in the future, be reporting on its achievements in implementing its Delivery Program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed as per s428 of the Local Government Act (1993).

A copy of Council's Annual Report must be posted on the Council's website and provided to the Minister for Local Government via the Division of Local Government (DLG) and include the annual State of the Environment Report.

Options

Council must provide the endorsed Annual Report to the Minister by 30 November 2012.

Financial Considerations

Nil

Summary

The 2011/2012 Annual Report has been prepared and is submitted for council's information, provided under separate cover (Enclosure 1).

RECOMMENDATION

That Council note the contents of the 2011/2012 Annual Report and that it is submitted with the State of the Environment Report to the Minister for Local Government.

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Item 12 Acting General Manager Appointment

Division:	Executive Services	
Management Area:	Management & Leadership	
Author:	Executive Assistant – Melissa Bennett	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	G4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan	
File Ref:	Function: Corporate Management	Activity: Organisational Structure

Background

General Manager Steve Loane is on sudden leave of absence due to unforeseen circumstances. This leave commenced on 22 October 2012.

Issues

Nil

Options

Nil

Financial Considerations

Nil

Summary

It is proposed that Tony Meppem, Director Environmental and Community Services assume the role of Acting General Manager for the period from the 26 October 2012 until the December Council meeting or upon the return of the General Manager Mr Steve Loane whichever occurs first. It will be necessary for the powers provided to the General Manager to be delegated to the position of Acting General Manager.

RECOMMENDATION

1. That Council resolve to delegate the powers of the General Manager to the position of Acting General Manager where necessary during times of absence of the General Manager.
2. That Tony Meppem be appointed to the position of Acting General Manager for Warrumbungle Shire Council from 26 October 2012 until the return of the General Manager Mr Loane or the December 2012 Council meeting whichever comes first.
3. That in future the General Manager will directly appoint the person within the organisation to act in the position of Acting General Manager to assume the delegations of General Manager.

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Item 13 Authority of Delegation

Division:	Executive Services	
Management Area:	Management & Leadership	
Author:	Executive Assistant – Melissa Bennett	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan	
File Ref:	Function: Corporate Management	Activity: Organisational Structure

Background

In accordance with the Section 377 of the Local Government Act 1993, the Council at its meeting 21 April 2011 resolved (Minute No. 348) to delegate the functions of the General Manager to Mr Steve Loane.

Council at present have delegated the functions of the General Manager to an individual person. With this in mind, when the General Manager appoints a staff member to relieve as Acting General Manager a report is to be presented to Council to authorise.

Issues

Nil

Options

Nil

Financial Considerations

Nil

Summary

It is a requirement that Council review all its delegations during the first 12 months of each term of office (section 380). Delegations within Council are currently delegated to the name of the person rather than the position.

To assist with the review of all delegations it would be of benefit for delegations to be applied to positions within Council rather than the incumbent of the position. This would ensure an efficient workflow of issuing delegations taking into consideration the growth of the organisation.

RECOMMENDATION

That Council delegate the functions of the General Manager to the position rather than the name of the incumbent **FURTHERMORE** that sub delegations be applied to a position rather than the individual person.

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Item 14 Request for Leave of Absence – Councillor Denis Todd

Division:	Executive Services
Management Area:	Governance
Author:	Executive Assistant – Melissa Bennett
CSP Key Focus Area:	Local Governance and Finance
Priority / Strategy:	GF6.2 Support and encourage Councillors in fulfilling their roles as community leaders and in being accessible and actively involved in representing the shire
File Ref:	Function: Corporate Management (Doc ID 3238) Activity: General Correspondence

Background

In reference to the Local Government (Meeting Procedures) Regulations 2005 – Reg 39;

39. Leave of absence

- (1) A councillor, or the mayor on behalf of a councillor, may request leave of absence in respect of one or more meetings.
- (2) A council may decide to grant a request for leave of absence.
- (3) Leave must not be granted retrospectively.
- (4) The purpose of the leave and the period involved are to be recorded in the minutes.

Issues

Nil

Options

Nil

Financial Considerations

Nil

Summary

Councillor Todd has provided written notification requesting a Leave of absence from the Ordinary December 2012 Council meeting and also advises that he will not be available as an alternative for the next Castlereagh/Macquarie County Council meeting to be held on 19 December 2012.

RECOMMENDATION

That Council accepts the written notification from Councillor Todd and grants a Leave of Absence, for medical reasons, from the Ordinary December 2012 Council meeting **FURTHERMORE** acknowledge that Councillor Todd is not available as an alternative for the Castlereagh / Macquarie County Council meeting to be held on 19 December 2012.

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Item 15 Cobbora Coal Mine

Division:	Environmental and Community Services
Management Area:	Regulatory Services
Author:	Acting General Manager - Tony Meppem
CSP Key Focus Area:	Natural Environment
Priority / Strategy:	NE2 Activities involving the extraction of natural resources from our Council area, including coal and coal seam gas, should have minimal negative impacts on our natural environment
File Ref:	Function: Land use and Planning Activity: Planning

Background

Cobbora Holding Company P/L has submitted a state significant coal mine to be located approximately 22km southwest of Dunedoo within the Warrumbungle Shire Council area. The proposal is to remove approximately 20Mtpa of coal per annum for a period of twenty one years to create the fifth largest coal mine in NSW. The proponent is a wholly owned company of the NSW State Government and is developing the project to provide a reliable supply of coal to the NSW electricity generators to help reduce increased electricity costs.

The proponents have conducted information nights in Dunedoo in May 2012 where there expert consultants were available to answer concerns from residents and more recently attended the Driving Dunedoo forum on Monday 12 November 2012.

The project has been deemed state significant development and as such will be determined by the Planning Assessment Commission PAC (an independent three person panel selected by the government). The Environmental Assessment is currently on public exhibition with submissions due no later than the 16 November 2012. Council staff will have submitted a submission on Council's behalf after consultation with the mayor due to no Council meeting being available prior to submissions closing. A copy of the submission will be supplied to Council at the meeting.

The PAC will be holding a public hearing at the Dunedoo Hall from 9.30am on Tuesday the 11 December 2012 and persons wishing to address the PAC must register there interest by the 6 December 2012. Council's General Manager and Mayor will be making an address to the PAC on Council's behalf.

Issue

The following matters were suggested as areas of concern regarding the project at the Driving Dunedoo forum by the Acting General Manager.

1. Increased transport of wide loads to the mine location from existing mine locations in the Mudgee and Hunter areas will necessitate the load traversing the Dunedoo main street which is also the Golden Highway through the town.

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The existing heavy vehicle bypass deviates from the highway near the Silos about halfway along the main street and as such the concern is that this factor has not been adequately considered and will have a detrimental effect upon what is a busy service centre on the highway. Further work needs to be done to ensure wide loads are able to get through Dunedoo effectively and without inconvenience to residents. This work may involve works on the bypass.

2. Council has concerns that the increased population expected for Dunedoo as a result of the mine will put unfunded strains on the medical services currently operating in town. The town has two doctors servicing the district which are not full time equivalents and an MPS hospital building and the large construction workforce and operational workforce will put strains upon those services given that Dunedoo will be the nearest facilities available.
3. Council's water supply would require a new bore to increase supply for the expected increased population and Council will expect the proponents to fund this work to help cater for demand.
4. Council also has a Sewerage Treatment Plant that is currently just meeting the capacity needs of the existing population and an increase in population above 10% of the current town population will necessitate increased capacity at the plant which council will expect the proponents to enter into an agreement with Council to fund the works.
5. Council has the Siding Spring Observatory located at Coonabarabran. The observatory is a major research facility and is a significant tourist drawcard to our Shire. The astronomers at the observatory and Council both have concerns about the possible effects of excess lighting and dust on the dark sky. The EA states that a lighting management plan will be developed in accordance with councils lighting DCP. No details are provided and Council would ask that it be consulted about the contents of the plan before approval.
6. Childcare services in Dunedoo are currently at capacity with the local preschool centre currently undergoing renovation and expansion. Council believes that the mine will increase demand for childcare and consider that this issue has not been adequately addressed.
7. The Cobbora to Mendooran road is currently unsealed for approximately 15km and it provides a direct link to the largest town in the shire being Coonabarabran. This area has a suitable supply of unemployed labour which should be targeted by the mine as part of the local workforce they intend to up skill rather than the larger centres of Mudgee or Dubbo which have higher employment percentages. To ensure ease of access it is Council's opinion that this road should be progressively sealed in a partnership between Council and the proponents.
8. Council has received considerable concern from the residents of Dunedoo regarding the potential health impacts of coal dust given the close proximity to the mine. It is noted that the proponent has conducted dust monitoring on the mine site for two years however the residents of Dunedoo consider this

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baseline data should have been carried out within the township and that a monitoring site needs to be installed within Dunedoo with the monitoring program administered by Council at the full cost of the mine operators to ensure transparency.

9. Council is also concern that there is little detail regarding the land to be used for environmental offsets and its effects on lowering the rating base of the Shire if granted to the state government. Council considers it unfair to impose the burden of raising additional rates to the existing residents of the shire given rate pegging limits abilities to recoup lost rate income. Council would expect the mine operators to enter into an agreement to continue to make a financial contribution to Council equivalent to the rates that would have been raised upon the offset lands for the life of the mine.
10. Council also has concerns that the economic and social impacts upon the community of the lost agricultural production resulting from the properties purchased by the proponents to buffer the mine.
11. The existing sports facilities of Dunedoo are requiring improvement with Council currently planning refurbishment of Robertson Oval being the main league and summer sports complex. Whilst Council is satisfied that the facilities are sufficient for the current population the increased population will necessitate increased amenities and playing surface areas of what Council had planned before the mine was proposed. Financial assistance will be expected from the mine operators for the increased project scale.

Options

The only option open to Council is to stress upon the PAC that it expects the detrimental effects of the mine to be adequately offset by the mine owners irrespective of who they are.

Financial Considerations

So far the preparation of the submission on the Environmental assessment report has been carried out in house at no additional cost to Council however, this means that detailed environmental scrutiny has not been carried out by Council.

Summary

The Cobbora Coal Project will have significant positive economic effects upon the Dunedoo district in particular; however, this positive effect will be offset by significant social and environmental impacts that will require mitigation measures to be implemented. It is highly unlikely that this project will be refused given the pressing need for a cheaper source of coal for the states electricity so Council needs to be proactive in mitigating negative impacts and positioning Dunedoo to benefit from the mine.

RECOMMENDATION

That Council note the report and determine its position in relation to the presentation to the Planning Assessment Commission regarding the Cobbora Coal Project at its hearing on 11 December 2012.

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Item 16 Procedure Relating To Traffic Issues

Division:	Executive Services	
Management Area:	Governance	
Author:	Acting General Manager - Tony Meppem	
CSP Key Focus Area:	Public Infrastructure	
Priority / Strategy:	P13.1 All levels of government work together to ensure our road network is safe and functional	
File Ref:	Function:	Activity: Local Traffic Committee

Background

Council from time to time submits road safety issues to its Local Traffic Committee (LTC) for recommendations. There has been some confusion regarding the procedures in relation to matters referred to the committee in instances when the committee does not agree with Council's view. This report seeks to clarify the situation for Council.

Issues

The Roads and Maritime Services is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. Traffic is controlled by the installation of prescribed traffic control devices, such as regulatory signs, or traffic control facilities, such as medians.

The RMS has delegated certain aspects of the control of traffic on regional and local roads to the Councils of Local Government areas and these delegations come with certain conditions which included but are not limited to:

- Are only permitted to authorise the implementation of certain traffic control facilities/prescribed traffic control devices on roads and road related areas within their area of operations. Council cannot exercise a function on a State Road as defined in the RMS document Schedule of Classified Roads and State and Regional Roads.
- May only authorise prescribed traffic control devices as nominated in the RMS's online Traffic Signs Database indicated as "Delegated to Council for Authorisation – Yes".
- Must obtain the advice of the NSW Police and the RMS prior to exercising their delegated powers.
- Must establish a Local Traffic Committee (LTC).

Effects of advice from traffic committee on Council

The local traffic committee has no decision-making powers. The LTC is primarily a technical review committee which is required to advise the council on matters referred to it by Council. The LTC considers the technical merits of the proposal and ensures that the proposal meets current technical guidelines. Council's are required to refer all traffic related matters to the LTC prior to exercising its delegations.

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Once a matter is referred to the LTC there are several possible outcomes regarding support for projects as detailed below:

- (i) In cases where the LTC advice is unanimous, and the Council intends to follow that advice, Council may authorise the implementation of the facility or device without further notifying the RMS or the NSW Police.
- (ii) If the elected Council wishes to exercise a delegated function when the LTC advice is not unanimous, or the elected Council wishes to act contrary to unanimous LTC advice, then Council must notify in writing, both the NSW Police and the RMS representatives on the LTC.

In effect should Council be in disagreement with either the RMS or NSW Police on traffic issues it must notify those bodies of Council's intention to approve a proposal contrary to that advice to allow either body to appeal to the Regional Traffic Committee. Council then must refrain from taking any action for 14 days so that the NSW Police or the RMS is given an opportunity to appeal to the Chairperson, Regional Traffic Committee should they wish.

In the case of an appeal, the decision of the Chairperson, Regional Traffic Committee is binding and final.

Regional Traffic Committee

The RTC operates across the state. Meetings are generally held in the offices of the local Council.

The purpose of the RTC is to deal with appeals from the RMS or the NSW Police members of the LTC on matters delegated to Councils.

The members of the RTC are:

- Independent Chairperson (appointed by the RMS with concurrence from the LGSA)
- LGSA nominee (usually a Local Government Engineer from the region)
- RMS representative (usually the Regional Traffic Manager)

Options

Information only

Financial Considerations

Nil

Summary

It is important that Council is fully aware of the circumstances under which it can make decisions regarding traffic related matters as decisions that are made outside of the delegation from RMS would leave Council exposed legally due to that decision being made outside the law.

RECOMMENDATION

That Council note the procedural matters relating to traffic management within the Shire.

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Item 17 Details of 2012-13 Financial Assistance Grant Calculations

Division:	Executive Services	
Management Area:	Management & Leadership	
Author:	Director Corporate Services – Rebecca Ryan	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF1 Council is experiencing increasing demands arising from cost shifting and withdrawal of services from state and federal government and rising community expectations for services and facilities,	
File Ref:	Function: Financial Management	Activity: Financial Assistance

Background

The NSW Local Government Grants Commission has a policy of providing information to councils about the way it calculates financial assistance grants. A detailed summary of the 2012-13 grant calculations for Warrumbungle Shire Council has been received with a request this information is tabled at the Council meeting.

A copy of the letter is provided to Council under separate cover (Enclosure 2).

Issues

Appendix A: Disability Calculations Summary - 2012-13, shows the measures used in the calculation of grants for your council. This information should be examined if council is considering making a special submission.

Appendix B: Explanation of Calculation Summaries, explains how the revenue and expenditure allowances are calculated and used in the grant determination process.

Appendix C: Details of Disability Factors, provides background information relating to what each expenditure disability factor recognises, the measures used, their source, the standards (State average) and weightings.

Options

Special submissions are invited from Council in relation to the distribution of financial assistance grants for 2013-14. However, council is not required to make a submission.

Financial Considerations

The methodology and disability indexes are factors in the calculation of the Financial Assistance Grants provided by the NSW Local Government Grants Commission.

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Summary

The purpose of a submission is to give Council the opportunity to present information on the financial impact of inherent expenditure disabilities beyond its control that are not generally recognised in the current methodology. This allows the commission to adequately consider all legitimate factors that affect council's capacity to deliver services.

Appendix D: Guidelines for Special Submissions, contains guidelines for preparing submissions. Submissions should be e-mailed to the Commission at grants@dlg.nsw.gov.au by 30 November 2012.

RECOMMENDATION

That Council accept the NSW Local Government Grants Commission details of the 2012-2013 Financial Assistance Grants Calculations.

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Item 18 Binnaway Sewerage Scheme Proposal

Division:	Technical Services
Management Area:	Warrumbungle Water and Sewerage
Author:	Acting General Manager - Tony Meppem
CSP Key Focus Area:	Natural Environment
Priority / Strategy:	NE4 The management of our natural environment is based on a regional approach and interagency cooperation.
File Ref:	Function: Sewerage and Drainage Activity: Binnaway

Background

Council has previously resolved to allocate \$50,000 in this year's operational plan to progress the concept planning for a sewerage service at Binnaway in response to the issue being raised by the Binnaway community at many town committee meetings.

At the Council meeting held on the 18 October 2012 Council was presented with a report from the Director of Technical Services regarding the likely costs associated with the establishment of a sewerage scheme for Binnaway which resulted in a resolution to conduct a public meeting with interested residents of Binnaway to discuss the willingness of residents to meet the expected high cost of provision of a sewer service.

Council used the opportunity provided by the Binnaway town committee meeting held on the evening of the 5 November 2012 to raise the matter with those residents present. The residents present advised that they considered that there were not sufficient residents present to speak on behalf of all residents in relation to willingness to meet significant rate increases to fund a sewerage scheme and that it was considered more appropriate for Council to conduct a survey of Binnaway rate payers likely to be effected by the increased charge.

Issues

The previous report on preliminary costing of the scheme identified that the likely cost per resident of a scheme for approximately 250 connections would amount to somewhere between \$1,440-1,730/yr for 30 years (excluding user charges) without any subsidy from the NSW Government through its Country Towns Water Supply and Sewerage Subsidy Scheme. Should a 50% subsidy become available for the scheme the likely cost to residents could be expected to be halved.

Discussion at the meeting noted that in recent years Council had merged its sewer and water funds into one fund for each utility service for the whole shire and that in the opinion of the residents it would be reasonable for all members of the fund to assist in contributing to the cost of installation of the scheme to assist in reducing the cost to residents of installation and thus make the scheme more viable. There was also some confusion as to Council's current position in relation to the addition charges being levied to the users of the Mendooran water supply to recoup the costs of installation of that town's water treatment plant.

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At a budget workshop held on the 21 April 2011 Council gave consideration to a report suggesting the adoption of uniform pricing for water and sewerage with the result that Council generally agreed with the principle of uniform pricing as a preferred strategy. Several options were presented with different pricing strategies for water and sewerage across the shire. In relation to water pricing the option accepted and resolved by Council in minute 401 at the meeting held on the 16 June 2011 was for the access charges for all water supplies except Mendooran to be set at \$345 while the Mendooran charge would be \$816. There was nothing resolved regarding the gradual assimilation of the higher water access charge at Mendooran to match the other water supplies. The only reference to such a concept appears in a report by the Acting Director of Corporate Services to a special meeting held on the 10 May 2011 in which he summarises the outcomes of the budget workshop on the 21 of April 2011 with *“It was generally agreed that the annual connection charge for Mendooran water would have to continue at present levels because of the borrowings associated with the recent augmentation. This would probably continue in place for some years”*.

To enable Council staff to prepare the survey for the residents regarding the options available to fund the proposed sewerage scheme it would be necessary for Council to determine if it is open to the concept of all users of the sewerage fund (ie residents of Baradine, Coolah, Coonabarabran and Dunedoo) being required to assist in funding a new sewerage scheme at Binnaway through the payment of higher access charges across all residents.

Options

In funding the likely cost of installation of a sewerage scheme at Binnaway or any other town or village Council has the following options:

1. The users gaining the benefit of the works being proposed are required to fund the entire cost of capital works through the imposition of higher access charges for extended periods.
2. The users gaining the benefit of the works being proposed are subsidised by the other fund users by increased access charges across the whole fund (all towns) thereby raising the cost to some users with the effect of lowering the cost to the user gaining the benefit.
3. Having a percentage shared across the whole fund and a percentage of cost absorbed in higher charges by the user gaining the benefit of the work.

Financial Considerations

Nil at this stage.

Summary

Council is not being asked to make decisions regarding the actual costs involved at this point in the development of a Binnaway Sewerage project. Guidance is required on Council's position regarding the principles involved in funding future major capital works in the areas of water and sewerage services throughout the shire to enable Council staff to present all possible options and pricing in future communications with the residents of the Shire.

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In formulating its position Council needs to be aware that it should not only consider the Binnaway proposal but be mindful that the position determined should be used in setting pricing in future operating plans for funding all water and sewerage services within the Shire.

Particular attention needs to be given to the future pricing of the Mendooran water supply when determining Council's position as well to provide guidance to staff in developing pricing for future years.

RECOMMENDATION

1. That in relation to the potential funding of the Binnaway Sewerage project Council agrees to the principle that not more than 25% of any scheme establishment capital works costs could be funded by increased access charges across all users of the Sewerage Fund.
2. In relation to the funding of the previous water treatment plant capital works at Mendooran Council agree in principle that the users of that water supply continue to fully fund the costs of repayment of the loan.
3. That Council conduct a survey of the owners of all current rateable properties within the town of Binnaway with the aim of determining the majority opinion of residents toward the desire for installation of a sewerage scheme given the available funding options.

WARRUMBUNGLA SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 19 Brick Bats and Bouquets

Division:	Executive Services	
Management Area:	Management & Leadership	
Author:	Executive Assistant – Melissa Bennett	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF7.1 Council undertakes periodic performance reviews to ensure the effective and efficient management of its assets, finances and workforce	
File Ref:	Function: Corporate Management	Activity: General Correspondence

Background

Nil

Issues

Nil

Options

Nil

Financial Considerations

Nil

Summary

Over the last month Council have been receiving letters of appreciation. Attached are copies of letters in their entirety.

RECOMMENDATION

For Councils information.

WARRUMBUNGLE SHIRE COUNCIL

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Attachment 1

Wheogo,
Dunedoo, N.S.W. 2844

11th October, 2012

General Manager,
Warrumbungle Shire Council,
P.O. Box 191,
Coonabarabran, N.S.W. 2357

RECEIVED
17 OCT 2012

BY:.....

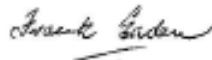
Dear Steve,

I would like to very sincerely thank Council for the wonderful work done on the Digilah Road. To form up, drain and seal the section of gravel road north of the H.F.Ewin bridge to join the already sealed section has made an enormous improvement.

From all of us that use the road and many others, thank you.

Please also thank the work force who have done a great job.

Yours faithfully,



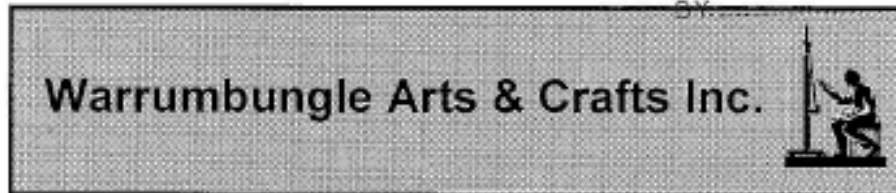
Frank Gaden.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Attachment 2

RECEIVED
19 OCT 2012



Mt Ulamambri,
17300 Oxley Hwy.,
Coonabarabran,
NSW 2357,
17 Oct 2012

Mr S Loane
The General Manager
Warrumbungle Shire Council
John Street
Coonabarabran,
NSW 2357

WAACI Art and Craft Exhibition.

Dear Steve,

On behalf of our association we would like to thank you for opening the Exhibition and especially your support in assisting us to keep this Exhibition running.

I would ask that you convey to the council aldermen our sincere thanks and appreciation for their continued support for our Exhibition and that we trust this support will ensure the Exhibition becomes more popular in the future.

Regards,



Barbara Brocksema (President)

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Attachment 3

Roger C.A. Motton, AM

Phone: (067) 422227
(02) 929 7715
Fax: (067) 423049

Kurrumbul
P.O. Box 100
Gunnedah 2380

*On behalf of the family, I
want to thank you most
sincerely for the beautiful
flowers.*

*We were very touched as
Dad really found his "political
feet" at Cooma Shire and it
is so special that you will
remember him all these years
further on.*

*Thankyou again
Kind regards*

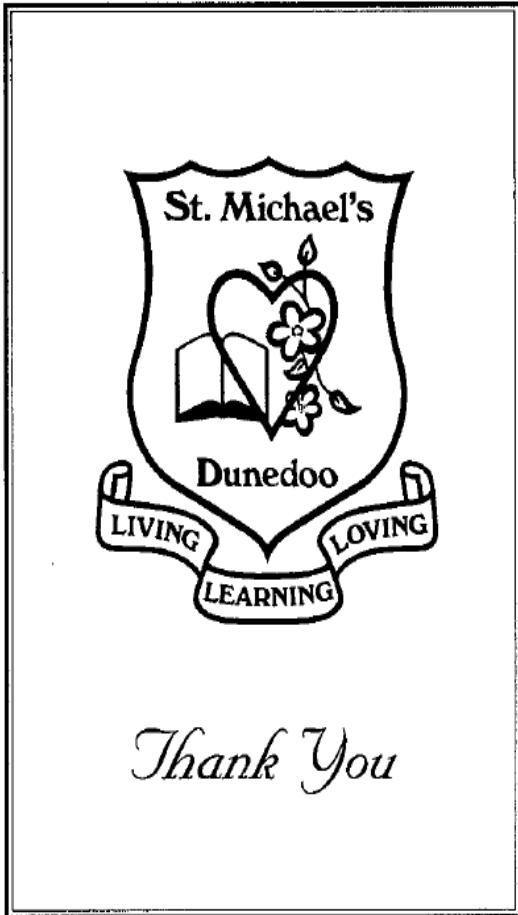
Renée Hoche

RECEIVED
21 NOV 2012

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Attachment 4



To Warrumbungle Shire Council,

Thank you for your contribution towards our End of Year Graduation Mass & Prize Giving. Your contribution is much appreciated.

Your sincerely,

Sr Margaret Flood
Principal

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 20 Funding Agreement LIRS Round 1 Bridge Replacement Project

Division:	Corporate Services	
Management Area:	Financial Services	
Author:	Director Corporate Services – Rebecca Ryan	
CSP Key Focus Area:	Public Infrastructure and Services	
Priority / Strategy:	P13 Road Networks in the shire need to be safe, well maintained and adequately funded.	
File Ref:	Function: Roads	Activity: Construction - Bridges

Background

Council received a report in relation to the replacement of Timber Bridges on Local Roads in June 2011, and resolved to undertake a rolling works program over a six (6) year period to replace the remaining 12 timber bridges in order of priority and fund the program from loan borrowings (**Resolution No 412/1011**).

In May 2012, Council lodged and was successful in an application for funding to accelerate the first stage of this asset replacement program under the NSW Government Local Infrastructure Renewal Scheme (LIRS). This project will see the completion of Baby Creek, Tongy, Bugaldie Creek and Grandchester Bridges by 30 June 2013.

LIRS is an initiative of the NSW State Government and is being administered by the Division of Local Government (DLG). This scheme provides an interest subsidy of 4% of the interest cost of a loan to bring forward infrastructure investment backlogs. Council received notification late August, that the project was approved subject to a satisfactory independent financial assessment and benchmarking exercise to be undertaken by NSW Treasury (TCorp) and funded by the DLG.

A letter of offer and Funding Agreement has been received for the Replacement of four (4) Wooden Bridges Project at a total project value of \$2.3M, and requires the affixing of Council Seal and signing by the Mayor and General Manager.

As per Local Government Regulations (2005) (s400 part 4) *'the seal of a Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed'*.

Therefore a Council resolution is required to affix the Council seal authorising the Mayor and General Manager to execute the LIRS Funding Agreement.

Issues

The TCorp report was finalised and whilst it acknowledges Council to be in a weak financial position, it has recommended that Council receive the LIRS funding. The following key points of the TCorp assessment are as follows;

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

- Council has sufficient capacity to repay the \$2.3m borrowings as indicated by the DSCR and Interest Cover Ratio above the benchmark for all 10 years
- Council has a low level of borrowings at \$1.9m on a consolidated basis in 2011, only 0.5% of net assets
- Through the completion of the IP&R documents, Council has demonstrated that they have a clear understanding of the issues that they face with Council building on the recommendations of the Promoting Better Practice Program completed by DLG in November 2010

There are a series of recommendations that will be presented to Council when the final report is received, anticipated to be by the end of February 2013.

Options

Bank quotations for fixed interest rate, principal and interest payable, in arrears loan were sought and applications progressed for the LIRS submission. A Letter of Offer for \$2.3M has been received from the National Australia Bank for a 10 year term fixed rate loan and the indicative rate for this loan has been reviewed as at November 2012 at 5.80%.

Council has previously approved the General Manager to sign the bank Letter of Offer (**Resolution No 16/1213**) which will be executed following signing of the LIRS Funding Agreement.

Financial Considerations

LIRS subsidy claims for reimbursements of the 4% interest subsidy payments on the loan will be paid by the DLG on a 6-monthly basis in June and November each year, subject to the receipt of the required documentation as per the funding agreement. The interest subsidy is paid on a reimbursement basis.

Council's Operational Plan (2012-2013), Delivery Program (2012-2016) and Long Term Financial Plan (2012-2022) all identify the Timber Bridge asset replacement program. The first Quarterly Budget Review Statement (QBRS) for period ending 30 September 2012, has included bringing forward the capital works with LIRS 4% funding interest subsidy.

Summary

Baby Creek Bridge is virtually complete with final sealing to be undertaken by Council's Road Operations crews. The design and construction tender for Tongy and Bugaldie Creek closed on Friday 2 November 2012 and is the subject of a separate report to Council (Item No 21).

RECOMMENDATION

That Council authorise the Mayor and General Manager to sign and affix the Council Seal to the NSW Division of Local Government Local Infrastructure Renewal Scheme 4% Interest Subsidy Funding Agreement for the 2012-2013 Replacement of 4 (four) timber bridge replacement project at a total project value of \$2.3M.

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Item 21 LIRS Round 2 Bridge Replacements and New Bridge Project

Division:	Corporate Services	
Management Area:	Financial Services	
Author:	Director Corporate Services – Rebecca Ryan	
CSP Key Focus Area:	Public Infrastructure and Services	
Priority / Strategy:	P13 Road networks in the shire need to be safe, well maintained and adequately funded.	
File Ref:	Function: Roads	Activity: Construction - Bridges

Background

The NSW Government in its 2011-2012 budget provided a total of \$70M over five years for the implementation of the local infrastructure backlog policy through the Local Infrastructure Renewal Scheme (LIRS), which provides an interest subsidy to fund council infrastructure backlog borrowing.

Round 1 of LIRS saw a variety of projects approved, ranging from buildings and road renewals, bridge replacements and swimming pool rejuvenation to major airport reconstruction works. Overall, the scheme recommended 84 projects put forward by 64 Councils and adding up to a total cost of \$439 million to go ahead subject to TCorp approval. Warrumbungle Shire Council was one of these successful submissions, for a total project value of \$2.3M being Stage 1 of the Timber Bridge Replacement Program.

Another \$63.5 million is now available to support both backlog infrastructure projects as well as projects enabling infrastructure for new housing development in a second and final round of LIRS. This second round of the scheme will provide a 3% interest subsidy on loans taken out to undertake these projects. The online application process opened on 1 November 2012 and closes on 31 December 2012. It is intended that decisions on applications will be made by mid May 2013.

It is proposed that Council lodge a submission to fast track and complete the timber bridges program, being the replacement of eight (8) timber bridges and include the installation of a new bridge at Mow Creek, on MR 396 Warrumbungle Way.

The proposed budget for the Stage 2 Timber Bridge Replacement and New Bridge Program is as follows:

WARRUMBUNGLE SHIRE COUNCIL

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<u>Bridge Name</u>	<u>Replacement Cost \$</u>
Aerodrome Bridge Baradine	200,000
Baradine Creek Bridge	1,480,000
Ross Crossing	400,000
Montague Bridge	230,000
Warkton Bridge	120,000
Coonagooney Bridge	200,000
Kenebri Bridge	500,000
Black Gully Bridge	200,000
Mow Creek Crossing	1,000,000
TOTAL	\$ 4,330,000

Issues

Once again the financial sustainability of Council will be assessed, however for this second round Council may be required to meet the cost of this additional assessment.

Mow Creek, on MR 396 on Warrumbungle Way is a Regional Road, subject to Block Grant Funding.

The program may be staged however, the maximum length of loan term is ten (10) years and the project commencement date must be within 12 months of signing a funding agreement. Realistically then, Council would schedule this infrastructure upgrade over a two (2) year term to commence in the 2013/2014 financial year.

Options

Council may vary the project scope, the number of bridges and/or the inclusion of the new bridge at Mow Creek.

Financial Considerations

There are a number of financial considerations that will be required in the 2013/2014 budget and beyond. A ten (10) year loan for \$4.33M, principal and interest payable in arrears will be required and LIRS subsidy claims for reimbursements of the 3% interest subsidy payments on the loan will be paid by the DLG on a reimbursement basis.

Council's Delivery Program (2012-2016) and Long Term Financial Plan (2012-2022) all identify the Timber Bridge asset replacement program, however will require review to reflect the acceleration of asset renewal and the inclusion of a new bridge at the Mow Creek crossing.

Summary

The replacement of timber bridges and upgrade of the current crossing at Mow Creek with a new bridge is legitimate infrastructure backlog works that directly meets the service needs of important freight links to transport agricultural goods in and out of the Warrumbungle Shire Council area. This project is of regional significance for improving the safety, reliability and condition of these road infrastructure assets and the LIRS program shares the cost between local and state governments.

WARRUMBUNGL SHIRE COUNCIL

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RECOMMENDATION

That Council lodge an application under the second round of the NSW Division of Local Government Local Infrastructure Renewal Scheme (LIRS) for the completion of the Timber Bridge Replacement and New Bridge Program at a total project cost of \$4.33M; being Aerodrome Bridge Baradine, Baradine Creek Bridge, Ross Crossing, Montague Bridge, Warkton Bridge, Coonagooney Bridge, Kenebri Bridge and Black Gully Bridge and Mow Creek.

WARRUMBUNGLA SHIRE COUNCIL

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Item 22 Quarterly Budget Review Statement for the Quarter Ending 30 September 2012

Division:	Corporate Services
Management Area:	Finance
Author:	Chief Financial Officer – Stefan Murru
CSP Key Focus Area:	Local Governance and Finance
Priority / Strategy:	GF4 Council Governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan.
File Ref:	Function: Financial Management Activity: Budget

Background

The Quarterly Budget Review Statement (QBR) presents a summary of Council's financial position at the end of each quarter. It is the mechanism whereby Councillors and the community are informed of progress against the management plan.

In December 2010 the NSW Division of Local Government developed a set of minimum requirements for reporting the financial position of Council, to facilitate explanations and major variations and recommend changes to the budget for Council approval. The reports also enable the Responsible Accounting Officer (RAO) to indicate if Council will be in a satisfactory financial position at the end of the financial year.

The minimum requirements for QBR are included in the Code of Accounting Practice and Financial Reporting and form part of the legislative framework in accordance with clause 203 (3) of the Regulations.

The new reporting format came into effect on 1 July 2011. The QBR is composed of, but not limited to, the following budget review (BR) components:

- A statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBR (**QBR: Part 2**);
- Budget Review Income and Expenses Statement in one of the following formats (**QBR: Parts 3, 5 & 6**):
 - consolidated
 - by fund (e.g. General Fund; Water Fund; Sewer Fund)
 - by function, activity, program etc to align with the management plan / operational plan;
- Budget Review Capital Budget (**QBR: Parts 7 & 8**);
- Budget Review Cash and Investments position (**QBR: Part 10**);
- Budget Review Key Performance Indicators (**QBR: Part 11**);
- Budget Review Contracts and Other Expenses (**QBR: Part 12**);

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The following important financial information has also been provided in addition to the information required as part of the QBRs reporting framework:

- Balance Sheet as at 30 September 2012 (**QBRs: Part 9**);
- A Summary of Results that links the function view of Council's activities back to Council's income statement and cashflow statement (**QBRs: Part 4**).

A copy of Council's first quarterly period QBRs as at 30 September is provided under separate cover as an Enclosure (Enclosure 3) to the November 2012 business paper.

Issues

Significant points to note from Council's September quarter QBRs include:

- Council's YTD surplus/ (deficit) from Council's income statement is a surplus of \$4.597m due to rates revenue being recognised on the 1 July 2012 when rates are levied.
- Council is currently forecasting an accrual deficit (per Council's income statement) of (\$2.374m).
- Council has currently spent \$2.27m of its proposed \$16.5m (13.73%) capital program, although several large capital projects that Council forecasts to complete this year have not commenced.
- Council's cash balance is currently forecast to decrease from \$15.331m as at 30 September 2012 to \$11.704m at 30 June 2013, leaving Council with unrestricted cash assets of \$5.67m as at 30 June 2013.
- Council's cash surplus/ (deficit) which includes capital expenditure and loan movements, but excludes other balance sheet movements and depreciation is forecast to be \$7.25m at year end. This figure includes supplementary votes submitted for approval below, and the majority of this deficit relates to Council's revoted capital works which represents works budgeted for in prior years but postponed due to natural disasters.

The QBRs is Council's opportunity to explain major variations and recommend changes to Council's original budget for Council approval. Explanations for major variations are reported within the QBRs, and Council has also included in the QBRs supplementary votes for approval totalling \$837k:

- Suggested recurrent expenditure increases of \$237k (predominantly relating to a disaster recovery solution \$145k);
- Suggested capital expenditure increases of \$1.082m (\$800k of which relates to the acceleration of the LIRS program which is loan funded);
- Reductions in revenue of \$155k (predominantly due to reduced FAGs grant entitlements of \$134k and reduction in forecast flood levee grant \$25k).

Options

Council has three options in regard to the supplementary votes suggested in the September QBRs:

1. Approve the supplementary votes per the recommendations of the Finance and Projects Committee;
2. Review the suggested supplementary votes and decline some of the supplementary votes to reduce Council's forecast cash deficit;
3. Approve the suggested supplementary votes but either postpone selected current year capital projects to 2013/14 or reduce recurrent expenditure budgets to compensate for the increased cost of these supplementary votes.

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Financial Considerations

Council's original cash deficit for the 2012/13 financial year per Council's operational plan was \$822k. Council subsequently revoked \$5.658m worth of capital expenditure budgeted for in prior years that was delayed due to flood damage into the 2012/13 financial year and also approved several supplementary votes for expenditure in the first two months of the year.

Prior to the September QBRS Council's projected cash deficit was \$6.415m. Assuming Council's \$837k of supplementary vote requests above are approved, Council's final cash deficit will increase to \$7.252m and Council's cash balance will decrease from \$15.331m as at 30 September 2012 to \$11.704m at 30 June 2013.

Summary

Council's Finance and Projects Committee have reviewed the QBRS in detail and recommended the supplementary votes for this period be approved.

Statement by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for Warrumbungle Shire Council for the quarter ended 30 September 2012 indicates that Council's projected financial position as at 30 June 2013 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____
Responsible Accounting Officer, Warrumbungle Shire Council Date: 09 November 2012

RECOMMENDATION

That Council accept the Quarterly Budget Review Statement for the quarter ending 30 September 2012, and approve the requested supplementary votes for a total value of \$837K.

WARRUMBUNGLE SHIRE COUNCIL

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Item 23 Donations to Community Groups for the Development of Council Assets

Division:	Executive Services	
Management Area:	Governance	
Author:	Director Corporate Services – Rebecca Ryan	
CSP Key Focus Area:	Community and Culture	
Priority / Strategy:	CC4 Public involvement in community activities including volunteerism needs to be increased	
File Ref:	Function: Financial Management	Activity: Financial Assistance

Background

Council has a Financial Assistance to Others Policy (the Policy) that facilitates how Council may provide financial assistance or donations to community groups and individuals to encourage their development and growth within the shire. A 2005 Donations Policy was revised and the current Financial Assistance to Others Policy was adopted in February 2012.

The Policy provides a framework for the support of community groups, organisations and individuals that contribute to the social, economic and / or environmental fabric of Warrumbungle Shire. From this a transparent process of application, assessment and determination of financial assistance has been developed. The policy also ensures that financial assistance provided by Council complies with requirements of Section 356 of the Local Government Act 1993.

A total of \$57,048 was budgeted for donations in the 12/13 Operational Plan and this amount was allocated as follows:

Donation Type	Budget	YTD
1. Rates/Charges	\$15,148	\$17,031
2. Donations	\$16,450	\$16,450
3. Legal Costs other Councils	\$450	NIL
4. Development Application Fees (s5.4.3)	\$5,000	NIL
5. Donations Other	\$20,000	\$8,722
Total:	\$57,048	\$42,203

The Rate/Charges (item 1) allocation is fully expended. The Donations (item 2) as listed in the 2012/2013 Operational Plan (pages 10, 11, 12) are either paid or committed; and there has been no request from the Local Government and Shires Association for any contribution for legal expenses from other Councils (item 3) for a number of years.

The Donations Other budget (item 5) has had \$8,722 allocated to community groups as per Council Resolution No 51/1213 (August 2012) leaving a balance of \$11,278.

WARRUMBUNGLE SHIRE COUNCIL

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Issues

Section 5.4.3 “Development Applications” of the Policy states that ‘Council donate the equivalent amount of the development application fee only levied on works to be undertaken by community groups on Council-owned facilities with such funds to be provided from Donation – Other budget.’ This may be interpreted differently depending on the meaning and emphasis of the words ‘*fee*’ and ‘*only*’.

Council was receiving a number of requests each year for donation relating to development application costs and therefore determined to include this section to enable community organisations undertaking improvement works on Council assets to be recompensed for the cost of submitting the development application. Council was of the opinion that since the project was being externally funded, a Council owned asset was being improved and its value increased, at no cost to Council, and therefore the payment by Council of the development application costs was merited.

The cost of a development application includes:

- Development Application Fee;
- Administration Fee;
- Site Inspections;
- State Government Levies – PlanFIRST and Long Service Levy; and
- Section 94A Levy.

These costs are either non Council charged statutory expenses that Council forwards onto another government agency, or in the case of the Section 94A levy amount, held in trust for community/asset renewal projects.

Options

Current applications received by Council include an application from the Dunedoo Preschool Incorporated, and the Binnaway Progress Association.

The request from Dunedoo Preschool Incorporated relates to the \$480k building extension which is funded by the Preschool and the NSW Government. This has attracted development application costs in total of \$9,283 including the following:

Item	Cost
Administration Fee	\$40
Development Application Fee	\$1,620
Construction Certificate	\$440
Inspections	\$396
Long Service Levy and PlanFIRST levies	\$1,987
Section 94A Levy	\$4,800
Total:	\$9,283

The original intent of the Policy was to donate the total development application cost levied on Council owned facilities. However, depending on the interpretation of the Policy, Dunedoo Preschool is either:

1. Eligible to have Council refund the total \$9,283 (for all development application costs); or
2. If the policy is read with the emphasis on the Development Application Fee only, eligible only for a donation for the actual Development Application Fee of \$1,620.

WARRUMBUNGLE SHIRE COUNCIL

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The other application on hand from Binnaway Caravan Park involves development application fees for expansion to the Primitive Camping Grounds, totalling \$140; of which \$100 is the Development Application Fee and \$40 is the Administration Fee.

Financial Considerations

Round Two (2) of Councils Financial Assistance Grants of \$500 maximum will be advertised in the New Year, in preparation for a report to the February 2013 Council meeting.

Given the requests for the development application costs donation are above the current allocation (\$5,000) it is proposed that Council adjust the Donations Budget as follows;

Donation Type	Revised Budget
Rates/Charges	\$17,031
Donations	\$16,450
Legal Costs other Councils	NIL
Development Application Fees (s5.4.3)	\$9,423
Donations Other	\$14,144
Total:	\$57,048

This would leave \$5,422 for Council to distribute at the February 2013 Council meeting, or in effect a total of ten (10) x \$500 projects.

A donation for development application fees for community organisations come from the Donations budget and do not reduce the balance of trust funds from the PlanFIRST, Long Service Levy, Administration or Section 94A levies. Therefore, the Policy does not impact on any income for Environmental or Corporate Services, nor compromise Council's reporting of Levy income raised and paid to other government agencies.

Summary

Council's customers assume that "to request a donation for the refund of development application charges" means the refund of the total development application costs. They do not distinguish between the Development Application Fee and the total development application costs.

Previous donations for development application costs in total have been made to Coolah Preschool, Coonabarabran Tennis Club, Coonabarabran Youth Club and Yuluwirri Kids since this policy was effected in March 2010.

RECOMMENDATION

That Council approve the following wording in the Financial Assistance to Others Policy item No 5.4.3 Development Applications to read '*That Council donate the equivalent amount of the development application costs in total only levied on works to be undertaken by community groups on Council-owned facilities with such funds to be provided from the Donation – Other budget*', **FURTHERMORE** that the Donations budget allocation for Development Application Fees be increased to \$9,423 and Round Two (2) of the Financial Assistance Grants total to be reduced to \$5,422.

WARRUMBUNGLE SHIRE COUNCIL

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Item 24 Bank Reconciliation for month ending 31 October 2012

Division:	Corporate Services	
Management Area:	Financial Services	
Author:	Senior Finance Officer – Lisa Grammer	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan	
File Ref:	Function: Financial Management	Activity: Reporting and Investments

Background

The following report provided to Council is a summary of Council's monthly bank reconciliation.

Issues

Reconciliations are being completed monthly and balanced, payments and receipts reconcile to monthly bank statement. They are completed by Senior Finance Officer and signed off by Chief Financial Officer then referred to Director Corporate Services for final review as part of normal monthly checklist procedures.

Outstanding deposits refer to cash amounts recorded in the Council's General Ledger that have not yet been deposited at the bank. eg. Direct debit authority receipted in cashbook but not deposited in the physical bank account until the next day.

Unpresented cheques refer to cheques that have still not been cashed by the cheque recipient but are recorded as being paid in Council's General Ledger.

Options

N/A

Financial Considerations

Nil

WARRUMBUNGLE SHIRE COUNCIL

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Summary

Balance per General Ledger – 31 October 2012

Bank	Account Number	Balance
General Fund	5410-3000-0001	1,417,060.50
Trust Fund	9000-3000-0000	158,847.71
Investments - General	5220-3001-3001	4,739,622.68
Investments - General	5220-3001-5001	2,520,000.00
Investments Movement - General	5220-3003-0000	13,126.71
Investments - Water Fund	7085-3001-0001	2,920,253.54
Investments Sewerage Fund	8085-3001-0001	2,646,619.75
Total per General Ledger		14,415,530.89

Balance as per Bank Account – 31 October 2012

Bank	Balance
<u>General</u>	
Commonwealth	1,611,566.23
Westpac	12,178.93
NAB	73,048.27
Total - General	1,696,793.43
<u>Trust</u>	
Commonwealth	164,914.51
Total - Trust	164,914.51
<u>Investments</u>	
Securities	6,000,000.00
IBD	6,839,622.68
Total Investments	12,839,622.68

WARRUMBUNGL SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Total All Bank Accounts	14,701,330.62
<i>Add:</i>	
Outstanding Deposits - General	73,743.98
Outstanding Deposits - Trust	340.00
<i>Less:</i>	
Unpresented cheques - General	353,476.91
Unpresented cheques - Trust	6,406.80
Balance adjusted for outstanding deposits & Unpresented cheques (Final Bank Balance)	14,415,530.89
Variance between Final Bank Balance and General Ledger	-

RECOMMENDATION

That Council accept the Bank Reconciliation Report for the month ending 31 October 2012.

WARRUMBUNGLE SHIRE COUNCIL

Ordinary Meeting – 21 November 2012

Item 25 Investments & Term Deposits

Division:	Corporate Services	
Management Area:	Financial Services	
Author:	Senior Finance Officer – Lisa Grammer	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan	
File Ref:	Function: Financial Management	Activity: Reporting and Investments

Background

As required by Clause 212 of the Local Government (General) Regulation 2005, the details of all monies invested by Council under Section 625 of the Local Government Act 1993 must be reported to Council at each monthly ordinary meeting.

Council's investment performance for the month:

Council currently benchmarks its investment performance against the 3 month Bank Bill Swap Reference Rate (BBSW) as per Council's investment policy. The October BBSW 3 month rate was 3.18%. Council's term deposits returned an average rate of 4.79% for the month of October, outperforming Council's benchmark.

During the month of October two of Council's Term Deposits totalling \$2m fell due, earning Council \$25,055 in interest revenue (over the life of the deposits). Council invested \$500k with NAB At Call account and invested \$1.5m into the ANZ At Call account at a rate of 4.75%.

Over the month a net balance of \$439,622 was transferred back into Council's operating account to meet daily operating expenses.

All of Council's investment securities are not currently paying coupons although several investments are expected to be redeemed at higher than original purchase price. Council's investment securities underperformed against Council's benchmark. However, it should be noted that the value (based on Indicative Bid) for Council's investment securities increased by \$22,250 during the month of September.

Issues

Reconciliations are being completed monthly and balanced, payments and receipts reconcile to monthly investment statements and investment interest is recorded. They are completed by Senior Finance Officer and signed off by Chief Financial Officer then referred to Director Corporate Services for final review as part of Monthly checklist procedures.

WARRUMBUNGL SHIRE COUNCIL

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Options

N/A

Financial Considerations

ANZ CPPI - Asprit I	Zero coupon investment backed by ANZ. Bid is below fair value and will mature on 23 November 2012. Likely to pay a small amount above 100.
Dandelion Westpac	AA- rated investment that no longer pays coupons despite 7 weeks to maturity. Bid price well below fair value. Low Risk.
ANZ CPPI Asprit II	Zero coupon investment backed by ANZ. Bid is below fair value, despite 5 months to maturity. Likely to pay a small amount above 100.
Averon CPP Ltd Aver	Ultimate credit risk rests with General Electric Capital Corp Australia, rated AA+/A1 by S&P/Moodys (AA+ principle only).
FIIG All Seasons CPPI	Council is essentially holding a Swedish Export Bond rated AA+. Will pay \$4 above par at maturity. Bid price well short of fair value.
Octagon Ltd Linked	Backed by International Bank for Reconstruction & Development rated AAA. Few concerns if any. Bid well below fair value. Low risk.

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Summary

Investment Securities

Council currently holds the following investment securities:

Bank	Purchase Price	Indicative Bid	Valuation based on indicative bid as at 31 October 2012	ISIN Number	Lodgement date	Maturity Date	Rating	Coupon Payments
ANZ CPPI - Asprit I	500,000	97.00%	485,000	CPPISAMAF01	30.09.2009	23.11.2012	AA-	0%
Dandelion Westpac	1,000,000	96.00%	960,000	AUFN0004693	19.12.2007	21.12.2012	AA-	0%
ANZ CPPI Asprit II	800,000	95.50%	764,000	CPPISAMAF02	30.09.2009	30.03.2013	AA-	0%
Averon CPP Ltd Aver	700,000	92.00%	644,000	AU300AVER012	30.09.2009	20.06.2013	AA+	0%
FIIG All Seasons CPPI Note	1,500,000	91.00%	1,365,000	AU300SEKA021	29.08.2008	29.08.2014	AA+	0%
Octagon Ltd Linked	1,500,000	84.00%	1,260,000	XS023170158	25.10.2005	30.10.2015	AAA	0%
Total:	6,000,000		5,478,000					

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Term Deposits

Council currently holds the following Term Deposits:

Bank	Current Investment	Opening Balance	Buy/(Sell)	October Interest Earned/ Accrued	Accrued Interest Adjustment	Closing Balance	Lodgement date	Maturity Date	Rating	Current Yield
NAB Cash Maximiser	893,490.00	1,094,452	-204,522	3,561		893,491	At Call	At Call	AA-	4.19%
ANZ At Call	3,946,132	4,147,879	-235,100	20,437		3,933,216	At Call	At Call		4.75%
Bank West	-	1,012,329	-1,012,603	274		-	2/07/2012	2/10/2012	AA-	5.00%
Suncorp Bank	-	1,021,650	-1,012,452	-	-9,198	-	19/07/2012	18/10/2012	A+	5.02%
Suncorp Metway	1,000,000	1,006,147	-	4,235		1,010,382	16/08/2012	14/11/2012	A+	5.00%
NAB	1,000,000	1,003,711	-	4,260		1,007,971	3/09/2012	3/12/2012	AA-	5.03%
Total:	6,839,622	9,286,168	-2,464,677	32,767	-9,198	6,845,060				4.79%

Certification of Responsible Accounting Officer

I hereby certify that the investments listed in the report above have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investments Policy.

Responsible Accounting Officer

RECOMMENDATION

That Council accept the Investments Report for the month ending 31 October 2012.

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Item 26 Rates Report for Month ending 31 October 2012

Division:	Corporate Services	
Management Area:	Financial Services	
Author:	Senior Finance Officer – Lisa Grammer	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4 Council governance and organisational structure reflects the vision, directions and priorities outlined in the Community Strategic Plan	
File Ref:	Function: Financial Management	Activity: Reporting and Investments

Background

Council levies rates and annual charges on an annual basis commencing in the month of July. Council closely monitors the repayment of these rates and annual charges and measures its debt recovery performance for rates and annual charges through the use of the Rates and Annual Charges ratio Outstanding.

The Division of Local Government (DLG) recommends (via their accepted benchmark) a ratio of less than 5% for Urban and Coastal Councils and less than 10% for Rural Councils. Council's outstanding ratio as at 30 June 2012 was 13.62% which although above the DLG recommended benchmark is an improvement on last year's ratio of 15.13%.

Some factors that affect this indicator should be considered when assessing Warrumbungle Shire Council's performance against this indicator such as the socioeconomic characteristics of the area, environmental factors such as the recent drought, and previous changes to Council's Rating Policy.

Issues

The outstanding rates and annual charges ratio as at 31 October 2012 is 14.25%. This figure is higher than the 10% benchmark proposed by the DLG.

Options

N/A For Council Information

Financial Considerations

A high arrears balance affects Councils cash flow, and represents monies outstanding that Council could be gaining a return on if invested in a term deposit.

Summary

Council's rates and annual charges performance for the month of October is detailed in the following table:

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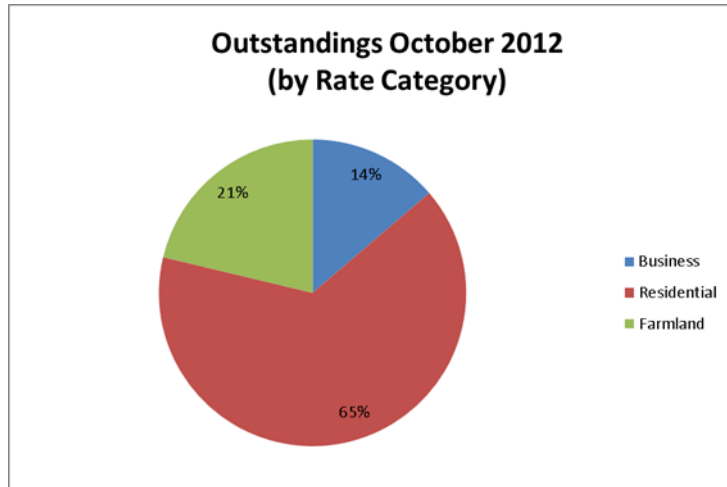
Rate/Charge Type	Rate Arrears 2011/2012	2012/2013 Levy	Pensioner Write Off	Abandoned	Rates Arrears And Net Levy	Total Payments To Date	Total Outstanding 2012/2013	Collection % 2012/2013	Total Arrears as at EOM	Outstanding Rates and Annual Charges %
General	614,759	6,917,028	161,759	2,939	7,367,089	2,547,684	4,819,405	35%	629,589	9%
Water	187,948	1,285,527	71,649	185	1,401,641	519,488	882,153	37%	197,853	15%
Sewerage	379,939	1,164,494	54,674	2,047	1,487,712	417,146	1,070,566	28%	231,669	20%
Garbage	156,589	1,563,591	105,103	1,281	1,613,797	629,860	983,937	39%	164,421	11%
TOTAL RATES AND CHARGES	1,339,235	10,930,641	393,186	6,452	11,870,238	4,114,177	7,756,061	35%	1,223,531	11%
Water Consumption	411,225	1,052,343	-	18	1,463,550	338,356	1,125,194	23%	304,319	29%
Sewer Consumption	70,499	117,859	-	17	188,341	58,932	129,409	31%	30,227	26%
TOTAL WATER SUPPLY SERVICES	481,724	1,170,202	-	35	1,651,891	397,288	1,254,603	24%	334,546	29%
Legal Fees	155,412	33,314		18	188,708	39,886	148,821	21%	177,842	
Interest	228,554	46,452			275,006		275,006			
GRAND TOTAL	2,204,925	12,180,608	393,186	6,505	13,985,843	4,551,352	9,434,491		1,735,919	14.25%

- Interest charges in the 'Total Arrears' column are classified under the relevant charge type above, as opposed to being recorded separately per the 'Total Outstanding' column.
- The outstanding figures for sewer consumption, water consumption and sewerage rates and charges need to be viewed in total as Council's finance systems is currently grouping a majority of the arrears amounts for these items under sewer consumption. Total arrears at End of Month include interest in arrears under the relevant Rate/Charge Type and is not separately disclosed as interest.

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Analysis by Council staff has indicated that a majority of the rates and annual charges outstanding amount 65% relates to residential properties, while 21% relates to farmland and 14% to business. See graph to the right, and table of outstanding balances by rate group and rate/charge type below for further details.



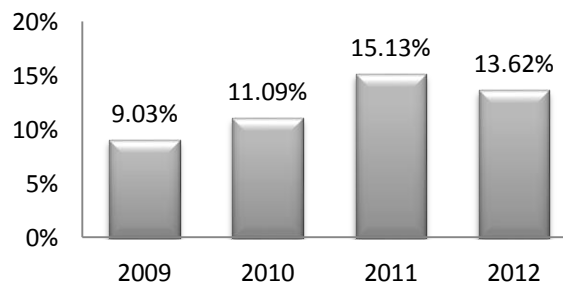
Of the amount outstanding, Council currently has a total of 307 assessments with a total of \$653k outstanding under an arrangement to pay the outstanding rates and annual charges on a weekly, fortnightly or monthly basis.

Rates Type	Rates levy			Water levy			Legal	Grand Total
	General	Domestic Waste	Water Access	Sewer Access	Water Usage	Sewer Usage		
Business	53,996	20,129	16,608	41,430	66,089	30,240	9,654	238,145
Residential	253,970	138,413	181,158	190,239	237,673	-13	127,341	1,128,781
Farmland	282	327,220	87	-	557	-	40,848	368,993
Total	308,248	485,762	197,853	231,669	304,319	30,227	177,842	1,735,919

Collection of outstanding rates commences with an overdue letter which is received from Council giving 14 days to pay or contact Council requesting an arrangement, if no payment or contact is made a letter of demand is sent out by Council's Debt Recovery Agency giving 7 days to make a payment or contact Council requesting an arrangement.

Council currently have outstanding rates totalling \$44,718 proceeding to Judgement and outstanding rates totalling \$78,894 proceeding to Writ of Execution. There are currently three cases where the rate payer has put in a defence with regards to outstanding rates.

Council's historical debt recovery performance as measured by the rates and charges outstanding ratio is detailed in the graph below.



RECOMMENDATION

For Council's information.

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Item 27 Maintenance 4 Irwin Street

Division:	Corporate Services	
Management Area:	Property and Risk	
Author:	Manager Property and Risk – Jennifer Parker	
CSP Key Focus Area:	Community and Culture	
Priority / Strategy:	CC1 Opportunities and support mechanisms should be developed to ensure that communities across the shire attract and retain young people and families.	
File Ref:	Function: Council Asset	Activity: Usage and Sale

Background

Council owns housing in Coolah that it utilises for staff accommodation. The properties are a strategy implemented as an incentive to bring qualified staff to work for Council. 4 Irwin Street is one of the oldest existing residential premises that Council owns, being built in 1976. The Manager Civil Works or Southern Plumber are the positions that have in the past used this premises.

The house is a timber framed fibro clad building, with three bedrooms, open living dining area, separate back office and a double garage. Fixtures and fittings in this building have over the years been repaired and replaced as required which is to be expected with a house of this age. The interior of the property is clean and tidy and has been re-painted and had the carpet replaced this year. The kitchen was refitted a couple of years ago.

The house is in needs some remedial work done prior to being made available for rental. The most pressing jobs include fixing the existing front fencing, addressing security issues with locks, update oven and installation of reverse cycle air conditioning/heating.

Issues

The budget for the premises for this year is \$9,246 which covers general maintenance, rates and insurance. Fencing repairs and security could be covered under general maintenance yet the budget has no room to fit an air conditioner which will cost between \$3,150 and \$4,400 installed and a new stove at \$650.

The house has always had an issue with its heating and cooling. In the past the building had a central oil heating system that was removed some years ago. Though heaters had been bought for the premises more recently they are no longer at the residence. The building would benefit from an effective split system air conditioner to deal with both the summer and winter extremes of weather in Coolah. It should be noted that it is the only house in Councils portfolio that does not have a reverse cycle air conditioning unit.

The current stove/oven is old and unserviceable.

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The house is at the moment untenanted and has been vacant for over two (2) months. In February 2013 the position of Plumber will be taking up residence with his family. It would be appropriate to have the air conditioner installed by then as it is the hottest time of the year.

Options

Council should consider if the expense is appropriate. However, with the premises being used as an enticement to bring qualified staff to the shire, the lack of appropriate heating and cooling does not put it in the best light for this purpose.

The position of Plumber has been difficult to fill and it would be remiss of Council's responsibility as a landlord to providing this accommodation without fixing these issues. There is a lack of appropriate rental accommodation in both Coolah and Dunedoo.

Financial Considerations

The property will bring in \$140 per week rental. The rent is based on local advice from property professionals. It is proposed that this property will have a rent increase in line with CPI every year but will bring \$7,800 rental income in its first full year of tenancy.

Should Council decide in the future to sell 4 Irwin Street, in the long term these upgrades and improvements will increase the properties asset value.

Summary

The Council property used as an incentive for staff recruitment at 4 Irwin Street, Coolah is in need of a reverse cycle air conditioner and stove/oven amongst other general maintenance to prepare it for tenancy in February. An amount of \$5,000 would cover installation of both by a qualified supplier. The budget in the 12/13 Operational Plan will not cover the cost of these repairs so a supplementary vote is necessary to get the extra work done.

RECOMMENDATION

That Council approves the supplementary vote for \$5,000 for 4 Irwin Street to undertake some immediate R&M works which includes the installation of air conditioning/heating and stove.

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Item 28 Kenebri Sports Ground

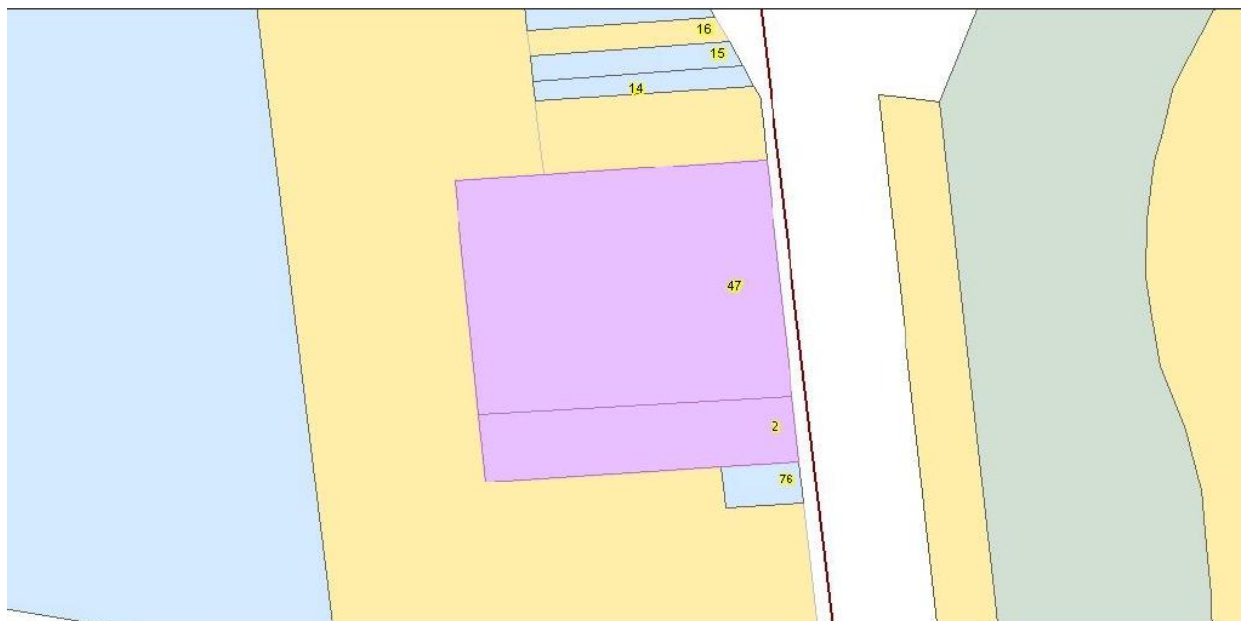
Division:	Corporate Services	
Management Area:	Property and Risk	
Author:	Manager Property and Risk – Jennifer Parker	
CSP Key Focus Area:	Local Economy	
Priority / Strategy:	LE1 Agricultural activities need to be recognised and supported as a foundation of our local economy	
File Ref:	Function: Council Asset	Activity: Usage and Sale

Background

Council is in receipt of a letter from two separate members of the public in regards to the Kenebri Sports Ground. First is a request to agist horses on the property and the second a request to purchase the property.

Issues

The property is made up of two parcels, Lot 2 and 47, Deposit Plan 750294. The original use of Lot 47 was for Public Recreation and Public Hall and was gazetted vested in Council interest in May 1976. Lot 2 was originally the school and gazetted to be vested in Council's interest, in 1978. Council is recognised at the owner on the Certificate of Title of this land and have classification as Community Land.



Main Road Kenebri

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Council has no management plan for these lots and they are fenced off from the road. The old school building, shelter and toilets are in a state of disrepair as shown by photos provided under separate cover (Enclosure 4). There is also old playground equipment that is noncompliant with current standards. The fencing around the oval needs work and is best described as unworkable. On a risk level both lots are not safe for public use.

The NSW LG Act (1993) Division 2 s35-47e sets out Council's responsibilities in relation to Community Land and in particular the requirement for the land to be used and managed in accordance with the plan of management applying to the land, any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land and the Act (1993).

Recently Council's Ranger has investigated two (2) separate instances of illegal use of the land. In both cases verbal cautions to the owners of stock were made and the horses were subsequently removed. The property does not have any stock on it at present.

Options

As the plots are Community Land they are not available for sale. However, the property can be used for the agistment of stock as per LG Regulations (2005) 116 s(1)p(h). It may also be written into a grazing lease that maintenance of the property, fencing and areas of obvious risk to animals and the public be the responsibility of the lessor.

With the option of leasing the land Council should advertise for interest in removing the building and play equipment.

Council also has the option to leave the property to go to fallow.

Financial Considerations

The property has no plan of management, contrary to the Act (1993) and Council receives no financial benefit from this land. If the property was included to the schedule of Council controlled grazing leases that are being advertised in the next month, a small financial benefit would be received from agistment fees and the tenant maintaining the land. The council would benefit with little cost and a potential profit.

The cost of removing structures, that may include Asbestos and non compliant playground equipment has not been investigated to date.

Summary

The property of Lot 2 and 47, Deposit Plan 750294, is Community Land vested in Council's interest. A request has been received to agist on the land and Council has the opportunity to add this property to its portfolio of grazing leases that are coming up for renewal at the end of this year.

RECOMMENDATION

That Council approve to include Kenebri Sports Ground, Lots 2 & 47 Deposit Plan 750294 in the portfolio of lands available as a grazing leases **FURTHERMORE** that Council advertises for expression of interest in removing the failing structures and playground equipment.

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Item 29 Yaminbah Fire Shed

Division:	Technical Services
Management Area:	Asset and Design
Author:	Emergency Services Coordinator - Phil Southwell
CSP Key Focus Area:	Public Infrastructure and Services
Priority / Strategy:	P12 The long-term wellbeing of our communities is dependant on the ongoing provision of high quality services in health and aged care, education, policing and public safety, child, youth and family support, environmental protection and land management.

File Ref: **Function:** Emergency Services **Activity:** Service Provision

Background

Council received a report in April 2012, in regards to the location and construction of a new Fire Shed within the Yaminbah Rural Fire Brigade. Council resolved to purchase an area of land from a private landholder that faces Quaker Tommy Road. **(Resolution No 349/1112).**

Harry Eastburn died fighting a bushfire in the Pilliga Nature Reserve, Baradine on 6 March 1986. Mr H Eastburn was operating a D7 Caterpillar dozer in the Baradine area on the 5 and 6 March 1986 and on this occasion his bulldozer went over a ledge. The exact time of the accident is unknown. He left a widow and two children. Mr Eastburn was a member of the Yaminbah Bush Fire Brigade.

Issues

It has been proposed that upon completion of the new RFS Shed that it be named in memory of Mr Harry Eastburn, who was killed whilst fire fighting for the National Park & Wildlife Service.

Options

The NSW Rural Fire Service has no objections to this request.

Financial Considerations

A small plaque and opening ceremony Small Cost of a plaque / Opening Ceremony.

Summary

There is no foreseen local objection to this request.

RECOMMENDATION

That Council name the new NSW RFS Shed on Quaker Tommy Road, Coonabarabran for the Yaminbah Rural Fire Brigade in memory of Mr Harry Eastburn.

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Item 30 2012 /13 Technical Services Works Program – Road Operations

Division:	Technical Services	
Management Area:	Road Operations	
Author:	Director Technical Services – Kevin Tighe	
CSP Key Focus Area:	Public Infrastructure & Services	
Priority / Strategy:	P13 Road networks throughout the Shire need to be safe, well maintained and adequately funded.	
File Ref:	Function: Roads	Activity: Capital Works Programme

Background

The Road Operations monthly report for the period ending 31 October 2012 is presented in attachment 1.0. The report focuses on Capital Expenditure projects; however it also includes a schedule of maintenance on unsealed roads.

Issues

Nil

Options

Council has discretion in relation to the capital works program and the works program in general. However, any changes must include consideration of funding sources, time requirements for pre construction activities, and impact on staff resources.

Financial Considerations

Nil

RECOMMENDATION

1. That works program presented in attachment 1.0 for the Road Operations section is noted for information only.

Attachment 1.0 – 2012/13 Works Program for Road Operations – Status Report for Period ending 31 October 2012

Task Name	Start	Finish	Cost	YTD Cost	% Work Complete
Design Projects Management	Wed 12/12/12	Fri 1/03/13	\$28,000.00	\$0.00	0%
Road Operations	Mon 2/07/12	Tue 30/07/13	\$8,079,667.84	\$0.00	34%
Local Rural Roads	Mon 29/10/12	Tue 30/07/13	\$1,545,632.00	\$0.00	21%
Bridges	Mon 29/10/12	Tue 30/07/13	\$1,545,632.00	\$0.00	21%
Bugaldie Creek Bridge - Goorianawa Road	Mon 10/06/13	Mon 24/06/13	\$1,545,632.00	\$0.00	10%
Baby Creek Bridge	Mon 29/10/12	Thu 8/11/12	\$0.00	\$579,560.00	80%
Tongy Bridge - Talbragar River	Tue 16/07/13	Tue 30/07/13	\$0.00	\$0.00	0%
Grandchester Bridge	Tue 11/06/13	Tue 25/06/13	\$0.00	\$0.00	0%
Sealed Roads	Mon 2/07/12	Fri 11/01/13	\$600,000.00	\$0.00	43%
Wool Road Rehabilitation	Tue 6/11/12	Fri 11/01/13	\$100,000.00	\$600.00	10%
Coolah Creek Road Rehabilitation	Mon 22/10/12	Tue 6/11/12	\$90,000.00	\$54,461.00	75%
Spring Ridge Rd Culvert Extensions	Mon 2/07/12	Mon 2/07/12	\$0.00	\$532.00	0%

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Task Name	Start	Finish	Cost	YTD Cost	% Work Complete
Spring Ridge Rd Widening	Mon 2/07/12	Mon 2/07/12	\$0.00	\$0.00	0%
Reseals	Mon 2/07/12	Mon 2/07/12	\$410,000.00	\$0.00	0%
Unsealed Roads	Mon 2/07/12	Wed 29/05/13	\$2,933,800.96	\$0.00	50%
Kurrajong Rd	Mon 4/02/13	Tue 5/03/13	\$200,000.00	\$0.00	0%
Digilah Rd	Mon 20/08/12	Wed 3/10/12	\$207,193.00	\$205,119.00	100%
Piambra Rd	Tue 20/11/12	Wed 19/12/12	\$194,720.00	\$11,153.00	10%
Lawson Park Rd	Wed 3/04/13	Fri 3/05/13	\$150,000.00	\$0.00	0%
Gentle Annie Rd	Fri 7/09/12	Fri 16/11/12	\$375,011.00	\$294,046.00	70%
Gentle Annie Rd - causeway	Tue 11/09/12	Fri 26/10/12	\$0.00	\$0.00	100%
Bingie Grumble Rd	Wed 24/10/12	Wed 2/01/13	\$75,029.00	\$48,843.00	90%
Napier Lane	Tue 26/03/13	Fri 19/04/13	\$150,000.00	\$0.00	0%
Morrisseys Rd	Mon 5/11/12	Mon 26/11/12	\$75,000.00	\$0.00	0%
Gravel Road Resheeting	Tue 24/07/12	Wed 29/05/13	\$750,000.00	\$0.00	47%
Borah Creek Rd	Tue 7/08/12	Fri 17/08/12	\$95,000.00	\$77,482.00	100%
Rayack Road	Mon 20/08/12	Fri 24/08/12	\$25,000.00	\$21,976.00	100%
Mancers Rd	Wed 2/01/13	Wed 16/01/13	\$95,000.00	\$0.00	0%
Pibbon Rd	Wed 29/08/12	Wed 12/09/12	\$95,000.00	\$79,027.00	100%
Gumnut Rd	Tue 24/07/12	Wed 25/07/12	\$25,000.00	\$5,134.00	100%
Napier Lane	Tue 23/04/13	Wed 15/05/13	\$135,000.00	\$48,882.00	50%
Laheys Creek	Mon 13/05/13	Thu 23/05/13	\$80,000.00	\$0.00	0%
Brooklyn Rd	Fri 24/05/13	Wed 29/05/13	\$40,000.00	\$0.00	0%
Dennykymine Rd	Wed 21/11/12	Wed 5/12/12	\$100,000.00	\$2,622.00	5%
Yarrow Rd	Fri 1/02/13	Fri 8/02/13	\$60,000.00	\$0.00	0%
Tandara Estate	Tue 7/08/12	Wed 8/08/12	\$0.00	\$22,384.00	100%
Moorefield Rd	Wed 10/10/12	Thu 1/11/12	\$0.00	\$21,654.00	100%
Causeways & Culverts	Tue 4/12/12	Wed 23/01/13	\$68,177.00	\$0.00	0%
Dandry Road	Tue 4/12/12	Fri 7/12/12	\$277.00	\$0.00	0%
Intersection of Lockerbie Rd & Digilah Rd.	Mon 7/01/13	Wed 9/01/13	\$37,300.00	\$0.00	0%
Premer Estate Rd - causeway (Namoi CMA)	Mon 21/01/13	Wed 23/01/13	\$30,600.00	\$0.00	0%
Road Safety Blackspots	Tue 26/03/13	Tue 26/03/13	\$45,000.00	\$0.00	0%
Mt Hope Rd - realignment	Tue 26/03/13	Tue 26/03/13	\$45,000.00	\$0.00	0%
Flood Damage Repair Projects	Mon 2/07/12	Mon 18/03/13	\$643,671.00	\$0.00	53%
Wyuna Rd (Garrawilla Creek)	Wed 2/01/13	Wed 16/01/13	\$643,671.00	\$243,883.00	35%
Box Ridge Rd (Yallagal Creek)	Fri 17/08/12	Fri 7/09/12	\$0.00	\$0.00	50%
Warkton Rd (Saigus Gully)	Mon 2/07/12	Mon 2/07/12	\$0.00	\$0.00	100%
River Rd (Golf Club Creek)	Wed 12/09/12	Tue 18/09/12	\$0.00	\$0.00	100%
Chinamans Gully - MR129	Fri 21/09/12	Wed 3/10/12	\$0.00	\$0.00	100%
Caledonia Rd (Teridgerie Creek)	Mon 2/07/12	Mon 2/07/12	\$0.00	\$0.00	100%
Bungabah Rd (Bungabah Creek)	Mon 17/09/12	Mon 17/09/12	\$0.00	\$0.00	100%
Gentle Annie Rd (Sand Creek)	Mon 15/10/12	Tue 30/10/12	\$0.00	\$0.00	50%
Neible Siding Rd (Binnia Creek)	Mon 5/11/12	Fri 16/11/12	\$0.00	\$0.00	0%
Orana Rd (Coolaburragundy River)	Mon 18/03/13	Mon 18/03/13	\$0.00	\$0.00	0%
Teridgerie Creek Cwy - rock at base of flume	Tue 2/10/12	Thu 4/10/12	\$0.00	\$0.00	100%
Regional Roads	Mon 2/07/12	Tue 9/04/13	\$1,835,462.08	\$0.00	0%
Bridges	Tue 9/04/13	Tue 9/04/13	\$1,200,000.00	\$0.00	0%
Saltwater Creek No 2	Tue 9/04/13	Tue 9/04/13	\$1,200,000.00	\$0.00	0%
Sealed Roads	Mon 2/07/12	Fri 25/01/13	\$635,462.00	\$0.00	0%
Shoulder widening MR7519 (Forest Rd)	Tue 15/01/13	Fri 25/01/13	\$167,240.00	\$0.00	0%
Deadmans Gully Rehabilitation	Thu 1/11/12	Tue 20/11/12	\$48,222.00	\$34,828.00	0%
Reseals	Mon 2/07/12	Mon 2/07/12	\$420,000.00	\$0.00	0%
Town Streets Coonabarabran	Mon 2/07/12	Tue 30/04/13	\$390,391.00	\$0.00	2%
Old Common Road	Tue 30/10/12	Tue 15/01/13	\$30,000.00	\$15,270.00	10%
Extension of K&G - Belar Street	Tue 9/04/13	Tue 9/04/13	\$25,600.00	\$0.00	0%
Extension of K&G - Barker Street	Mon 2/07/12	Mon 2/07/12	-\$1,760.00	\$1,257.23	100%

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Task Name	Start	Finish	Cost	YTD Cost	% Work Complete
Footpath construction - Edwards St - near baths	Mon 29/10/12	Fri 16/11/12	\$67,584.00	\$0.00	0%
Footpath rehabilitation - Cassilis Street (between John & Charles)	Mon 15/04/13	Tue 30/04/13	\$20,000.00	\$0.00	0%
Culvert Extension in Dalgarno Street - adjacent Morrisseys Tyre	Mon 4/03/13	Fri 5/04/13	\$153,967.00	\$0.00	0%
Seats - CBD area	Wed 21/11/12	Thu 22/11/12	\$15,000.00	\$0.00	0%
Footpath and K&G new Admin Building	Tue 4/12/12	Thu 20/12/12	\$0.00	\$0.00	0%
Reseals	Mon 2/07/12	Mon 2/07/12	\$80,000.00	\$0.00	0%
Town Streets Binnaway	Mon 2/07/12	Tue 4/06/13	\$69,500.00	\$0.00	0%
Renshaw Street Dip - traffic calming devices / road approaches	Tue 4/06/13	Tue 4/06/13	\$18,900.00	\$0.00	0%
Renshaw St K&G (Irons st to Cisco St -140m)	Wed 3/04/13	Wed 17/04/13	\$35,600.00	\$0.00	0%
Reseals	Mon 2/07/12	Mon 2/07/12	\$15,000.00	\$0.00	0%
Town Streets Baradine	Mon 2/07/12	Tue 21/05/13	\$91,800.00	\$0.00	0%
Kerb & Guttering Castlereagh St, between Narren & Darling	Fri 11/01/13	Fri 25/01/13	\$57,000.00	\$0.00	0%
Street light	Mon 4/03/13	Mon 4/03/13	\$8,000.00	\$0.00	0%
Footpath rehabilitation - various	Tue 7/05/13	Tue 21/05/13	\$10,000.00	\$0.00	0%
Reseals	Mon 2/07/12	Mon 2/07/12	\$16,800.00	\$0.00	0%
Town Streets Coolah	Mon 2/07/12	Fri 15/03/13	\$292,581.00	\$0.00	15%
Binnia Street Upgrade - Kerb blisters	Thu 21/02/13	Fri 15/03/13	\$92,581.00	\$0.00	0%
Cycleway	Tue 4/12/12	Thu 3/01/13	\$60,000.00	\$0.00	0%
Booyamurra Street Drainage	Tue 8/01/13	Thu 31/01/13	\$30,000.00	\$0.00	0%
Footpath - Campbell St, Binnia St to Cunningham	Tue 16/10/12	Wed 31/10/12	\$85,000.00	\$27,480.00	80%
Reseal program	Mon 2/07/12	Mon 2/07/12	\$25,000.00	\$0.00	0%
Town Streets Mendooran	Mon 2/07/12	Tue 21/05/13	\$130,000.00	\$0.00	47%
Benewa Street sealing	Mon 8/10/12	Tue 16/10/12	\$40,000.00	\$32,497.00	90%
Abbott Street sealing	Wed 17/10/12	Fri 26/10/12	\$40,000.00	\$12,724.00	90%
Traffic calming devices - Bandulla Street, blisters	Tue 12/03/13	Tue 12/03/13	\$25,000.00	\$0.00	0%
Footpath Rehabilitation - various sections	Tue 7/05/13	Tue 21/05/13	\$10,000.00	\$0.00	0%
Reseal program	Mon 2/07/12	Mon 2/07/12	\$15,000.00	\$0.00	0%
Town Streets Dunedoo	Mon 2/07/12	Fri 26/04/13	\$190,500.00	\$0.00	0%
K&G, Talbragar St (Bandulla to Caigan, south side)	Mon 4/02/13	Mon 18/02/13	\$50,000.00	\$0.00	0%
Dish drain, Tucklan St at Bandulla, north side	Tue 26/02/13	Mon 4/03/13	\$18,000.00	\$0.00	0%
Wallaroo Street construction & sealing	Thu 21/03/13	Fri 26/04/13	\$100,000.00	\$0.00	0%
Reseal program	Mon 2/07/12	Mon 2/07/12	\$22,500.00	\$0.00	0%
Road Contracts	Mon 11/06/12	Thu 17/04/14	\$0.00	\$0.00	27%
Funded Works	Mon 11/06/12	Thu 17/04/14	\$0.00	\$0.00	27%
HW17 - Newell Highway	Fri 20/07/12	Thu 26/09/13	\$0.00	\$0.00	30%
HW17 - Heavy Patching (Segments 200, 195) - WP.098.052	Fri 20/07/12	Thu 26/09/13	\$0.00	\$0.00	26%
RMS Approval of Work Proposal	Fri 20/07/12	Tue 18/09/12	\$0.00	\$0.00	68%
Preconstruction Activities	Tue 27/11/12	Thu 27/06/13	\$0.00	\$0.00	0%
TCP, SZA Approval	Thu 27/06/13	Thu 11/07/13	\$0.00	\$0.00	0%
Construction - Heavy Patching HW17	Thu 5/09/13	Thu 19/09/13	\$0.00	\$0.00	0%
Primer Seal	Thu 19/09/13	Thu 26/09/13	\$0.00	\$0.00	0%
HW17 - Reseals (14/7mm PMB-S45R) - WP.098.042	Fri 20/07/12	Tue 27/08/13	\$0.00	\$0.00	34%
HW18 - Castlereagh Highway	Mon 11/06/12	Thu 17/04/14	\$0.00	\$0.00	33%
HW27 - Golden Highway	Fri 20/07/12	Thu 10/04/14	\$0.00	\$0.00	22%
MR334 - Coonabarabran Road	Fri 20/07/12	Thu 6/03/14	\$0.00	\$0.00	15%
Urban Services	Sun 1/07/12	Mon 2/07/12	\$388,411.00	\$0.00	0%
Water & Sewerage	Fri 29/06/12	Mon 2/07/12	\$1,394,675.04	\$0.00	0%

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Task Name	Start	Finish	Cost	YTD Cost	% Work Complete
Depots	Mon 2/07/12	Mon 2/07/12	\$33,500.00	\$0.00	0%
Workshop	Mon 2/07/12	Mon 2/07/12	\$12,000.00	\$0.00	0%
Plant Purchases	Mon 2/07/12	Mon 2/07/12	\$1,592,000.00	\$0.00	0%
Road Maintenance	Mon 2/07/12	Wed 9/01/13	\$427,380.00	\$0.00	74%
Orana Rd (9km)**	Wed 15/08/12	Wed 22/08/12	\$9,180.00	\$29,201.00	100%
Narangarie Rd (5km)***	Fri 31/08/12	Wed 5/09/12	\$5,100.00	\$21,744.00	100%
Bong Bong Rd (6km)***	Wed 29/08/12	Mon 3/09/12	\$6,120.00	\$13,278.00	100%
Queensborough Rd (10km)***	Mon 24/09/12	Fri 28/09/12	\$10,200.00	\$7,723.00	100%
Pindari Rd (1km)***	Fri 28/09/12	Fri 28/09/12	\$2,550.00	\$1,019.00	100%
MR396 (Maintenance)	Tue 2/10/12	Thu 4/10/12	\$0.00	\$0.00	100%
MR618 (Maintenance)	Thu 4/10/12	Fri 5/10/12	\$0.00	\$0.00	100%
Flag Rockedgiel Rd (13km)*	Fri 5/10/12	Thu 11/10/12	\$13,260.00	\$5,806.00	100%
Abecketts Rd (5km)**	Thu 11/10/12	Mon 15/10/12	\$5,100.00	\$3,594.00	100%
Beni Crossing Rd (8km)*	Mon 15/10/12	Tue 23/10/12	\$8,160.00	\$14,030.00	85%
Caigan Rd (9km)*	Tue 23/10/12	Wed 24/10/12	\$9,180.00	\$0.00	0%
Cobborah Rd (15km)*	Wed 24/10/12	Mon 5/11/12	\$15,300.00	\$0.00	0%
Baradine Aerodrome Rd (3.5km)***	Mon 2/07/12	Mon 2/07/12	\$3,570.00	\$2,337.00	100%
Baradine Cemetery Rd (0.5km)**	Mon 2/07/12	Mon 2/07/12	\$510.00	\$1,250.00	100%
Carmel Ln (6.5km)*	Thu 2/08/12	Tue 14/08/12	\$6,630.00	\$25,047.00	100%
Dinby Rd (4km)*	Wed 15/08/12	Thu 23/08/12	\$4,080.00	\$10,385.00	100%
Wangmanns Rd (4km)**	Thu 23/08/12	Tue 28/08/12	\$4,080.00	\$6,152.00	100%
Newbank Rd (8km)*	Tue 28/08/12	Thu 30/08/12	\$8,160.00	\$9,910.00	100%
Masmans Rd (3km)***	Thu 30/08/12	Mon 3/09/12	\$3,060.00	\$5,317.00	100%
Eckroyds Rd (2km)***	Tue 4/09/12	Wed 5/09/12	\$2,040.00	\$7,944.00	100%
MR55 Shoulders & Reseals	Fri 14/09/12	Wed 9/01/13	\$0.00	\$0.00	90%
Mt Nombi Rd (7km)*	Thu 9/08/12	Wed 15/08/12	\$7,140.00	\$10,183.00	100%
Wyuna Rd (34km)*	Tue 14/08/12	Fri 31/08/12	\$34,680.00	\$32,511.00	100%
Vaughans Rd (1km)***	Fri 5/10/12	Fri 5/10/12	\$1,020.00	\$517.00	100%
Glendowda Rd (7km)***	Fri 5/10/12	Tue 9/10/12	\$7,140.00	\$504.00	100%
Mt Erin Rd (2.5km)***	Fri 31/08/12	Mon 3/09/12	\$2,550.00	\$1,856.00	100%
Mitchell Springs Rd (22km)*	Fri 31/08/12	Wed 19/09/12	\$22,440.00	\$24,226.00	100%
Sansons Ln (3km)*	Thu 20/09/12	Tue 25/09/12	\$3,060.00	\$4,173.00	100%
River Rd (5km)*	Wed 26/09/12	Tue 2/10/12	\$5,100.00	\$4,185.00	100%
Morrisseys Rd (6km)*	Wed 3/10/12	Wed 10/10/12	\$6,120.00	\$9,172.00	100%
Yearinan Rd (8km)**	Wed 10/10/12	Mon 15/10/12	\$8,160.00	\$7,574.00	100%
Bugaldie Town Streets	Mon 15/10/12	Mon 15/10/12	\$2,040.00	\$2,692.00	100%
Yaminbah Rd (14.5km)**	Tue 16/10/12	Mon 29/10/12	\$14,790.00	\$6,183.00	100%
Borah Creek Rd (12km)**	Thu 8/11/12	Fri 16/11/12	\$12,240.00	\$0.00	0%
Rayak Rd (2.5km)***	Mon 2/07/12	Mon 2/07/12	\$2,550.00	\$0.00	0%
Cumberdeen Rd (15km)**	Mon 2/07/12	Mon 2/07/12	\$15,300.00	\$0.00	0%
Mancers Ln (13km)**	Wed 4/07/12	Wed 11/07/12	\$13,260.00	\$14,029.00	100%
Brooks Rd (30km)*	Wed 18/07/12	Tue 7/08/12	\$30,600.00	\$33,296.00	100%
Nalders Rd (2km)***	Wed 5/09/12	Thu 6/09/12	\$2,040.00	\$2,132.00	100%
Maranoa Rd (5km)**	Thu 6/09/12	Fri 7/09/12	\$5,100.00	\$8,266.00	100%
Box Ridge Rd (30km)*	Tue 4/09/12	Wed 26/09/12	\$30,600.00	\$42,217.00	100%
Leaders Rd (19km)**	Thu 27/09/12	Tue 16/10/12	\$19,380.00	\$17,075.00	85%
Wingabutta Rd (10km)**	Tue 16/10/12	Thu 25/10/12	\$10,200.00	\$0.00	0%
Bourke and Halls Rd (10km)***	Thu 25/10/12	Thu 8/11/12	\$10,200.00	\$0.00	0%
Burma Rd (6km)***	Thu 8/11/12	Tue 13/11/12	\$6,120.00	\$0.00	0%
Boogadah Rd (4km)***	Tue 13/11/12	Thu 15/11/12	\$4,080.00	\$0.00	0%
Myall Plains Rd (12km)***	Thu 15/11/12	Mon 26/11/12	\$12,240.00	\$0.00	0%
Nashs Rd (5km)**	Mon 26/11/12	Wed 28/11/12	\$5,100.00	\$0.00	0%
Gowang Rd (4km)**	Wed 28/11/12	Fri 30/11/12	\$4,080.00	\$0.00	0%
TV Rd (7km)**	Fri 30/11/12	Fri 7/12/12	\$7,140.00	\$0.00	0%
Hickeys Rd (6.5km)**	Fri 7/12/12	Thu 13/12/12	\$6,630.00	\$0.00	0%

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Item 31 Proposal to Extend Coonabarabran Cycleway South along Newell Highway

Division:	Technical Services	
Management Area:	Road Operations	
Author:	Director of Technical Services - Kevin Tighe	
CSP Key Focus Area:	Public Infrastructure and Services	
Priority / Strategy:	P13 Road networks throughout the shire need to be safe, well-maintained and adequately funded	
File Ref:	Function: Roads	Activity: Construction

Background

At the meeting on the 18 October 2012, Council requested a report on the feasibility of constructing a shared footpath cycleway on the southern approach to Coonabarabran. The request followed a presentation from the owner of the Caravan Park on the southern end of town for a cycleway to meet the demand from residents and visitors for such a facility.

Council is aware that funding is available from the State Government for cycleway facilities and that shortly Roads & Maritime Services will invite project submissions for funding in the 2013/14 financial year.

Council is now being asked to consider the merits of constructing a cycleway on the southern approach to Coonabarabran and to consider making a resolution in relation to lodging a funding submission.

Issues

Council will be aware that funding has been received in 2012/13 for the next stage of the Coolah cycleway and that there will be approximately 750m of the overall project remaining. Council may continue to lodge funding submissions for the Coolah project as well as the potential project in Coonabarabran; however it is unlikely that both projects will receive funding in the same year.

Funding for cycleways is contingent upon a Bike Plan being in place. A Bike Plan was prepared for Coonabarabran in 2005 and the proposed route along the Newell Highway to the Caravan Park is partially covered by the Plan. That is, the proposed route is an extension to the existing Plan.

The length of the proposed cycleway is approximately 500 metres and will commence just north of Kirban Street where an existing concrete footpath that links with the High School, is in place. The proposed extension will also link in with the cycleway through bushland on the eastern side of the School.

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Options

Council has discretion in relation to this matter. It is understood that formal invitations for funding submissions will be made within a week by RMS with a closure date of the 31 December 2012.

Financial Considerations

The cost of constructing a cycleway from Kirban Street to the Caravan Park alongside the Newell Highway is estimated to be \$120,000. Advice from RMS is that funding for off road cycleways is on a 50/50 basis, that is, Council would be required to allocate \$60,000 towards the project.

RECOMMENDATION

1. That application is made to RMS for funding under the 2013/14 cycleway program to construct 500 metres of concrete off road cycleway between Kirban Street and the Caravan Park on the Newell Highway at a total cost of \$120,000.
2. That a capital expenditure allocation of \$120,000 is included in the 2013/14 budget considerations for construction of a cycleway in Coonabarabran, with a revenue allocation of \$60,000.

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Item 32 Water Charge Request for Write Off Assessment No 01487

Division:	Technical Services	
Management Area:	Warrumbungle Water	
Author:	Water Debtors Officer - Rachael Carlyle	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF5 Council is severely burdened by the increasing costs of service provision & asset management and its reliance on grants and other funding, together with a limited rate base, rate capping and restricted capacity to source income from other areas.	
File Ref:	Function: Water Supply	Activity: Fees and Charges

Background

A request has been received from the owner of Assessment number 01487, who claims a faulty water meter caused by lightning strike has affected the water consumption.

The property of 28-32 Chappell Avenue, Coonabarabran, has a normal average water consumption of 46kl per quarter from the period 2006-2012, excluding the March 2012 reading. The average water bill for this residence for the past six (6) years is \$66.24.

The March 2012 Water Levy reading for the property was 344Kl, resulting in a water bill of \$599.61.

In April, the water meter was sent away for Volumetric testing and the report identified the meter to be reading from 0.39% to 1.28% high (in favour of Council) depending on the flow rate. The meter was also replaced at this time.

The allowable limit for errors on volumetric testing is $\pm 5\%$, so given a flow rate of 10 litres per minute this would result in an error in favour of the rate payer of 1%. A credit of \$3.44 was given for 1% of the consumption for the March reading.

Issues

Due to the water meter being reported faulty, the rate payer has not accepted the 1% credit and has requested that the water charge be written off.

There is no Council policy regarding faulty Water Meters.

The faulty water meter appears to be the only determining factor in the higher than normal consumption.

Options

Council may accede to the request and write off the amount of \$429.12; which is the difference between the average bill for the past six (6) years and the high reading as a good will gesture in favour of the rate payer as the water meter was indeed faulty.

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On the basis that the water meter was faulty within an allowable limit, Council may refuse the request to write off the amount of \$429.12.

Financial Considerations

Should Council accede to the request this will result in a reduction of water revenue by \$429.12.

Summary

Since the water meter was replaced, meter readings have resumed to normal (average) levels. The rate payer has paid the account in full, however has requested that Council consider this matter.

RECOMMENDATION

That Council approve the write off of \$429.12 to the Water Charge Assessment No 01487 due to a faulty water meter at the March 2012 meter reading.

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Item 33 Water Charge Request for Write Off Assessment No 00822-1

Division:	Technical Services	
Management Area:	Warrumbungle Water	
Author:	Water Debtors Officer – Rachael Carlyle	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4 Council Governance and organisational structure reflects the vision, directions and priorities outlined in the community Strategic Plan.	
File Ref:	Function: Water Supply	Activity: Fees and Charges

Background

Council has received a request to write off an excess water account for a property at Binnaway, being Assessment No 00822-1. This is a main street business, the water connection is used for staff toilet/kitchen facilities.

In late May, Council employees working nearby the property noticed a leak and notified the owner. The leak was repaired immediately; however as a result of the leak the property had consumption of 1,772KI for the September 2012 water levy and consequently a water bill for \$2,835.20.

There was no reading for the June 2012 water levy. Council's water meter reading contractor missed this meter and staff failed to identify this property as a missed reading for return and checking.

Therefore there is no good evidence available as to how long this leak was causing a problem.

Issues

The rate payer is requesting some leniency on the water bill as it is a large amount, and no water levy was issued in June 2012.

Total usage for the period Jan 2010 - Jan 2011 was 12KI and for period Jan 2011 - Feb 2012 was 13KI. The average consumption for a quarterly period is only 3KI. Previous water bills were less than \$10 per quarter.

The consumption for the water levy account issued September 2012 was 1,772KI, being for water consumption period of 179 days which is two (2) periods or an average 886KI per quarterly period.

Options

Council may accede to the request to write off the full amount of \$2,835.20 or the difference between this and the average of \$10 being \$2,825 as a good will gesture in favour of the rate payer because the water meter was not read for the June 2012 Levy.

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Council could reject the proposal to write off the \$2,835.20 on the basis that leaking water pipes on the property are the responsibility of the owner.

Financial Considerations

Should Council accede to the request, this will create a reduction of water revenue by \$2,835.20

Summary

The leak may have been noticed earlier if a reading had been done for the June 2012 Levy and it is unfortunate that this was missed. A procedure has now been implemented whereby missed readings are identified and checked against a master file, so they can be read before the issue of the Water Notices for that quarter.

RECOMMENDATION

That Council not accede to the request from the property at Assessment No 00822.1 to write off the water consumption levied from the September 2012 quarter, due to water leak on the property, however as per policy Council agree to offer a payment arrangement by regular instalments.

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Item 34 Plan Making Delegations

Division:	Environmental and Community Services	
Management Area:	Planning	
Author:	Manager Regulatory Services - Michael Marks	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF5.2 Council recognise the importance of its role as a steward of the natural, built, economic and social environment	
File Ref:	Function: Strategic Planning	Activity: Delegations

Background

Local Environmental Plans (LEPs) are legal instruments which impose standards to control development and allow for future strategic planning of local areas. LEPs are made under Part 3 of the Environmental Planning and Assessment Act (EP&A Act) and the power to make LEPs was previously only with the Minister for Planning.

This year the NSW Government issued a draft policy statement relating to the making of LEPs and the returning of local plan making decisions to Councils and their communities. In April 2012 the NSW Government called for public submissions on the draft policy and as a result two changes have been put into place.

The changes have been made to the plan making process under Part 3 of the EP&A Act and include; delegating the power to make some LEPs back to Councils and allowing for independent reviews of some Council and departmental decisions in the plan making process. These changes came into effect on 2 November 2012.

Issues

The Minister has delegated the following plan making powers back to Councils:

- to make – and determine not to make – an LEP under section 59(2), and (3) of the EP&A Act
- to defer inclusion of certain matters in an LEP under section 59(3) and
- to identify which matters must be considered and which stages of the plan-making process must be carried out again prior to resubmission (section 59(4)) if the council defers the proposal or if a matter is deferred from the LEP.

To be able to exercise these plan making powers Council must accept the delegations and Council can sub-delegate the function to an officer within Council.

Financial Considerations

Nil

Options

Council may accept or decline the plan making delegations.

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Summary

The power to make Local Environmental Plans resided with the Minister for Planning. After a review of the plan making system under Part 3 of the Environmental Planning and Assessment Act the Minister has delegated some plan making powers back to Councils. In order to exercise the plan making powers Council must formally accept the delegations and notify the Department of Planning and Infrastructure.

RECOMMENDATION

That Council give approval for the General Manager to accept the delegations under Section 59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans.

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Item 35 Illegal Waste Dumping

Division:	Environmental and Community Services
Management Area:	Warrumbungle Waste
Author:	Manager Regulatory Services – Michael Marks
CSP Key Focus Area:	Public Infrastructure and Services
Priority / Strategy:	PI7 Council needs to develop new and improved methods of managing local waste and recycling services.
File Ref:	Function: Regulatory Compliance Activity: Illegal Waste Dumping

Background

Council often receives complaints about illegal dumping of waste throughout the Local Government Area. Illegal dumping includes waste materials that have been dumped, tipped or otherwise deposited onto land where no licence or approval exists to accept such waste. Illegal dumping varies from small bags of rubbish in an urban environment to larger scale dumping of waste materials in isolated areas, such as bushland.

All illegal waste dumping complaints are investigated by Council staff and where appropriate persons who have dumped materials are prosecuted to discourage further dumping activities.

Issues

The illegal dumping of waste is unsightly and can cause environmental harm. Dumping of waste outside an approved landfill site is regulated by the Protection of the Environment Operations Act 1997 and associated Regulations. Illegal dumping is an offence under the Act and Council is able to issue Penalty Infringement Notices (PINs) for offences or take further prosecution action through the Court system.

In order to prosecute people for illegal dumping Council needs to have sufficient evidence to prove who has dumped the material. In some cases the required level of evidence is unable to be gathered.

Recent Action

Council staff were recently successful in issuing a PIN for illegal waste dumping and having the site of the dumping cleaned by the offender. The facts of the incident are as follows;

- Council received a complaint of waste being dumped outside of an approved waste facility.
- Council staff attended site and found approximately one cubic metre of household waste.
- Evidence was recovered from the waste which identified the possible offender.

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- A formal interview was undertaken by Council staff with the possible offender who admitted to dumping the waste.
- A verbal clean-up direction was given to the offender and the person was advised that action would be taken in regard to the dumping of waste.
- The offenders circumstances were taken into consideration and Council staff decided that the issuing of a \$750 PIN was the most appropriate action to take.
- Council staff re-inspected the site five days later which showed that all waste had been removed to the approved waste facility.

RECOMMENDATION

That Council endorse the actions of Council Staff in the recent prosecution by Council staff of a person found to have dumped waste illegally.

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Item 36 Joint Regional Planning Panel

Division:	Environmental and Community Services	
Management Area:	Regulatory Services	
Author:	Manager Regulatory Services – Michael Marks	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF5.2 Council recognise the importance of its role as a steward of the natural, built, economic and social environment.	
File Ref:	Function: Regulatory Services	Activity: Town Planning

Background

In 2009 the State Government established Joint Regional Planning Panels (Regional Panels) whose principal function is to determine development applications for matters which are considered regionally significant.

Warrumbungle Shire Council is part of the Western Regional Panel which encompasses 43 Councils in the region. The Western Regional Panel was established on 1 September 2009.

The Regional Panel is made up of five members, consisting of one chair who is appointed by the Minister for Planning and Infrastructure (the Minister) with concurrence from the Local Government and Shires association, two members are appointed by the Minister and two members are appointed by Council. The two Council appointed members sit on the Regional Panel when considering matters within the Warrumbungle Shire Local Government Area or where Council has an interest in a development matter.

Matters which are considered regionally significant include general development with a capital investment value over 20 million dollars and other development types such as Crown and Council related development with a capital investment value over 5 million dollars. The Regional Panel does not determine development applications which are considered State Significant.

The list of regionally significant development types for which the Regional Panel may act as the consent authority are listed in Schedule 4A of the Environmental Planning and Assessment Act 1979.

Issues

Council is required to nominate two people to represent it on the Western Regional Panel. One of the members nominated by Council must have expertise in at least one of the following areas; planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

The term of appointment to the Regional Panel is three years and the nominations must be reviewed or changed at this time.

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Options

Council is required to nominate two people to represent it on the Western Regional Panel

Financial Considerations

Nil

Summary

The Joint Regional Planning Panels were established by the NSW Government to determine development applications which are considered regionally significant. Warrumbungle Shire Council is included as part of the Western Regional Panel.

It is important that Council be represented on the Regional Panel as required for matters that are within the Council area or affect the Council. To be represented Council needs to nominate two people to represent it on the Regional Panel and one of the nominations needs to be a person with expertise in one of the identified fields.

RECOMMENDATION

That Council nominate the following two members to be Warrumbungle Shire Council's representatives on the Western Joint Regional Planning Panel as required; Mayor Peter Shinton and Director Technical Services Kevin Tighe.

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Item 37 Request for Refund of Waste Collection Charges

Division:	Environmental and Community Services	
Management Area:	Warrumbungle Waste	
Author:	Acting General Manager - Tony Meppem	
CSP Key Focus Area:	Public Infrastructure and Services	
Priority / Strategy:	P18 Council needs to develop new and improved methods of managing local waste and recycling services	
File Ref:	Function: Waste Management	Activity: Fees and Charges

Background

Council has received an email from the owner of assessment number 12300.1 requesting a refund of garbage collection services. The email advises Council that the waste collection service does not pass the gate of the property and that they segregate their rubbish and take it to the landfill for disposal.

Issues

In the past Council has been identifying areas where a garbage rate is to be charged based on declaring a scavenging area. This has resulted in some places that are not able to be serviced with domestic waste collection services being required to pay a yearly charge for a service that they may not actually be capable of receiving.

Section 504 (2) of the Local Government Act 1993 details how a charge for domestic waste management can be levied. The cost of providing domestic waste management services must be obtained from the making and levying of annual charges or the imposition of charges for actual use of the service or both. In creating its DWM charges Council has historically charged people a base rate (\$300.00 in 2011/12) where a property has the collection service available and it is not used and a usage charge (\$348.50 in 2011/12) where the collection service is used.

Under Council's current charging methods it may not legally be able to levy a charge if it is not physically possible to service the rate payers property.

Options

The ratepayer has drawn this matter to Council's attention in the current year and it is appropriate to refund the years domestic waste management charges totalling \$325.00 to assessment 12300.1 given the service does not pass the gate of the property and no practical access to the service on the Warrumbungle Way is possible.

Financial Considerations

The decision to refund will increase expenditure in the waste management budget area of \$325.00 above the budgeted amount for 2012/13.

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Summary

The manner in which council charges for its waste management business requires a comprehensive review as a number of equity issues result from the current system of raising charges. The review of the charges and how best to apportion them will form part of the waste management strategy flagged in the July 2012 council meeting. In this instance the service is not able to be accessed by the rate payer.

RECOMMENDATION

That Council amend the current rate bill and future rate bills to reflect that the owners of assessment 12300.1 do not have access to the waste collection service.

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Item 38 Swimming Pool Legislation

Division:	Environmental and Community Services	
Management Area:	Health and Building	
Author:	Manager Regulatory Services - Michael Marks	
CSP Key Focus Area:	Local Governance and Finance	
Priority / Strategy:	GF4.1 Ensure that Council's governance, practices, policies and procedures respond effectively to the long-term goals of the Community Strategic Plan.	
File Ref:	Function: Legislation	Activity: Statutory Requirement

Background

Drowning in backyard swimming pools is the leading cause of death for children under the age of five in NSW. Swimming pools in NSW are regulated under the Swimming Pools Act 1992 and associated Regulation, the requirements of which are enforced by Councils. The legislation includes the requirements for child resistant barriers around swimming pools to prevent access by young children.

In 2012 a comprehensive review of the existing Swimming Pools Act 1992 was finalised and resulted in the adoption of the Swimming Pools (Amendment) Act 2012. The aim of the review was to increase the safety of very young children around backyard swimming pools and reducing associated drowning and near-drowning incidents.

The Amendment Act has included a number of new requirements for both pool owners and Councils and commenced on 29 October 2012. A summary of the changes is outlined in a circular issued by the Division of Local Government, 12-40 dated 2 November 2012.

Issues

A number of changes will be made to the existing Swimming Pools Act by the Amendment Act affecting both the Council and the community.

For Council there will be a requirement to;

- Develop and implement a swimming pool barrier inspection program in consultation with the community
- Report annually on the number of pool inspections undertaken and the level of compliance with the requirements
- Inspect pools associated with tourist and visitor accommodation and multi-occupancy developments at three year intervals
- At the request of a pool owner, inspect pools prior to sale or lease
- Issue compliance certificates after an inspection which finds a pool barrier compliant with the requirements of the legislation. Compliance certificates are valid for three years.

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For swimming pool owners there will be a requirement to;

- Register their swimming pools on an online register to be provided by the NSW State Government.
- Self-assess, and state in the register that, to the best of their knowledge, their swimming pool complies with the applicable standard when registering their pool.
- Provide a valid swimming pool compliance certificate before being able to sell or lease a property with a pool.

Options

Council must implement the new legislation insofar as it applies to Council. Although the Amendment Act has been adopted and is in force it includes a staged implementation process as follows;

- The development and implementation by the State Government of an online state-wide Swimming Pools Register by 29 April 2013.
- The development and implementation of a swimming pool barrier inspection program by Council in consultation with the community by 29 October 2013.
- The registration of pools by pool owners on the online Swimming Pools Register by 29 October 2013.
- Mandatory inspections by Council of tourist, visitor and multi-occupancy developments, and pools associated with property sale and lease by 29 April 2014.

Financial Considerations

The extra functions required to be carried out to implement the Amendment Act will be done by existing staff in the Environmental Section of Council. It is not considered that the additional function will have a negative financial implication for Council.

Council will be able to charge fees prescribed by the Regulations for the registering of pools with Council and for the inspection of pools to determine compliance with the legislation. The current proposed fee for inspections is \$150 for the first inspection and \$100 for every inspection thereafter.

Summary

The legislation regulating swimming pools in NSW has been amended by the Swimming Pools (Amendment) Act which commenced on 29 October 2012. The Amendment Act will introduce changes to the current Swimming Pools Act in a staged approach. These changes will affect the community and Council and are being introduced to further prevent drowning and near drowning incidents for very young children. The changes will increase Council's current role and functions in relation to regulating swimming pools within the Council area.

RECOMMENDATION

That Council be aware of the introduction of the Swimming Pools (Amendment) Act 2012 and the extra requirements made on swimming pool owners and Council.

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Item 39 Development Applications

Division: Environmental and Community Services

Management Area: Town Planning

Author: Environmental & Community Services Administration Officer – Trudy Draper

CSP Key Focus Area: Rural and Urban Development

Priority / Strategy: RU4 The attractiveness appearance and amenity of our towns and villages need to be improved

File Ref: **Function:** Development and Building Control **Activity:** Statistics

Development Applications

(i) Approved – October 2012

Complying Development (Set Criteria) Development Application (Specialised Conditions)	Date Approved	Applicant's Name	Location	Town	Type Of Development
DA 21/1213	23 October 2012	Stewart Rodgers	75 Nandi Hills Estate Road	Coonabarabran	Subdivision
DA 22/1213	8 October 2012	Barry Hunter	143 Bungabah Road	Binnaway	Erection of dwelling
DA 24/1213	17 October 2012	W Mills	895 Quaker Tommy Road	Coonabarabran	Change of use of shed
DA 25/1213	29 October 2012	Des Mansfield	29 Wallaroo Street	Dunedoo	Erection of garage
DA 26/1213	18 September 2012	T Jackson	10 Eden Street	Coonabarabran	Erection of a carport

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ii) Applications Received – October 2012

CD OR DA	DATE RECEIVED	APPLICANT'S NAME	LOCATION	TOWN	TYPE OF DEVELOPMENT	STATUS
DA 22/1213	3/10/2012	Barry Hunter	143 Bungabah Road	Binnaway	Erection of a Dwelling	Awaiting information from the applicant
DA 23/1213	3/10/2012	Stewart Surveys	Garawilla East	Mullaley	Subdivision	Approved 6/11/12
DA 24/1213	9/10/2012	William Mills	895 Quaker Tommy Road	Coonabarabran	Change of use of shed	Approved
DA 25/1213	11/10/2012	Des Mansfield	29 Wallaroo Street	Dunedoo	Erection of a garage	DA approved
DA 26/1213	15/10/2012	Trevor Jackson	10 Eden Street	Coonabarabran	Erection of a Carport	Approved
CD 27/1213	15/10/2012	Carolyn Eves	27 White Street	Coonabarabran	Erection of a Shed	CD withdrawn – pending DA application
DA 28/1213	16/10/2012	Scott Tanner	3894 Castlereagh Highway	Dunedoo	Memorial Garden	Approved 1/11/12
DA 29/1213	18/10/2012	William Baker	82-84 Wellington Street	Baradine	Erection of a Carport	Being processed
DA 30/1213	29/10/2012	K Milling	177 Warden Road	Leadville	Boundary Adjustment	Referred to RFS
CD 31/1213	30/10/2012	S Ballantyne (Keeble)	1 Dalgarno Street	Coonabarabran	Additions to dwelling	Being processed
DA 32/1213	31/10/2012	Victoria Pisaturo	Yarrow Road	Mendooran	Farmstay - tourist accommodation	Being processed
DA 33/1213	31/10/2012	Anne Mathews	Warrumbungle Way	Coonabarabran	Farmstay - tourist accommodation	Being processed

RECOMMENDATION

That Council note the Applications Received for the month of October 2012, the Applications Held Pending as at 31 October 2012 and their status, and of those approved during October 2012, under Delegated Authority.

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Item 40 Baby Creek Bridge Naming

Division:	Environmental Services
Management Area:	Town Planning
Author:	Town Planner - Emily Doolan
CSP Key Focus Area:	Rural and Urban Development
Priority / Strategy:	RU4.1 Work with local communities to implement improvement plans that address the attractiveness, appearance and amenity of our towns and town entrances.
File Ref:	Function: Town Planning Activity: Road Naming

Background

A request from the local community has been received requesting that the new bridge over Baby Creek at Ulamambri be renamed the Bob Salisbury Bridge. A petition was submitted with the request to Council identifying 58 members of the community in support of the proposed name.

For over 100 years there has been a person named Bob Salisbury in the village of Ulamambri. The first arrived there from Coolah in 1903 and resided there before the village was surveyed. He died and was buried in Coonabarabran in 1929. The second Bob Salisbury spent his life there and raised a family of ten children. He died in 1989 and is buried in Coonabarabran. His son Bob resides in Ulamambri as of this day. Research in a book written about Coonabarabran reveals that Baby Creek was originally named after a Mrs Salisbury went into labour in the creek and gave birth to a daughter.

Issues

The Geographical Names Board of New South Wales has a set of principles for determining place names. These guidelines were endorsed by the Geographical Names Board of New South Wales (GNB) on 17 October 1996.

- 1. A name suggested for any place that owes its origin to the peculiarity of the topographic feature designated such as shape, vegetation, animal life etc., may be accepted but, in doing so, care should be exercised in avoiding duplication of names already used for other features. The GNB prefers to avoid the repetition of commonly used names. Sugar Loaf, Sandy, Back, Bald, Deep, Long, Kangaroo, Reedy, Rocky, Spring and Stony are examples of such names.*
- 2. Easily pronounced names should, as far as possible, be used.*
- 3. Names of Aboriginal origin or with a historical background are preferred.*
- 4. Names acknowledging the multicultural nature of our society are encouraged.*

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5. *The changing of long established placenames is generally not preferred, except where necessary to avoid ambiguity or duplication.*
6. *If considered appropriate, placenames may perpetuate the names of eminent persons, particularly those of early explorers, settlers and naturalists.*
7. *Names of persons should normally only be given posthumously but the GNB, at its discretion, may approve a feature name which honours a living person. Such a person's contribution to the local community should have been of outstanding benefit to the community. Ownership of the land is not sufficient reason for the application of the owner's name to a geographical feature. The GNB will not approve the naming of a feature after a person still holding public office.*
8. *The GNB may approve a first or given name as part of a geographical name only where it is necessary to appropriately honour the person referred to or where it is necessary to avoid ambiguity.*
9. *Long and clumsily constructed names and names composed of two or more words should be avoided.*
10. *The multiplication of names for different parts of the same topographical feature such as a stream or mountain range will be avoided whenever possible and the one name applied to a stream or mountain range throughout its entire length.*
11. *The naming of forks, arms and branches of a river as North Branch and South Branch is not favoured. Generally, it is preferable to assign independent names to river branches.*
12. *The use of cardinal points of the compass as a prefix or suffix to an existing name is not favoured. However, well established names which carry such a prefix or suffix may be approved.*
13. *Where names have been changed or corrupted by long established local usage, it is not usually advisable to attempt to restore the original form; that spelling which is sanctioned by general usage should be adopted.*
14. *When a choice is offered between two or more names for the same place, locality or feature, all sanctioned by local usage, the GNB may adopt one of such names as is considered appropriate in accordance with the rules outlined above.*
15. *The possessive form should be avoided whenever possible without destroying the sound of the name or changing its descriptive application e.g. Howes Valley should be written without the apostrophe.*

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16. *The use of hyphens in connecting parts of names should, as far as possible be avoided.*

17. *Names considered offensive or likely to give offence will not be approved.*

As outlined names of persons should normally only be given posthumously. Council will need to consult with the GNB to determine if they concur with the proposed name as there may be some concerns regarding the Bob Salisbury who still resides in Ulamambri.

Options

Council should consult with the Geographical Names Board regarding the proposed name, if they are not satisfied Council will need to call for submissions of suggested names.

RECOMMENDATION

Council write to the Geographical Names Board requesting permission to name the bridge over Baby Creek Road at Ulamambri 'Bob Salisbury Bridge'.

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Item 41 Regional State of Environment Report 2012

Division:	Environmental and Community Services
Management Area:	Environmental
Author:	Manager Communications and IT - Chris White
CSP Key Focus Area:	Natural Environment
Priority / Strategy:	NE1 The long-term impacts of climate change on our region should be monitored and strategies developed to minimise their negative effects
File Ref:	Function: Environmental Management Reporting Activity: Report

Background

Local Councils are required to produce a State of the Environment (SoE) Report on an annual basis in accordance with the Local Government Act 1993, with a comprehensive SoE Report every four (4) years. The SoE forms part of the IP&R reporting requirements on natural resource and environmental management. The Central West Catchment Management Authority (CWCMA) SoE 2012 report is in a Comprehensive format, which describes regional trends and activities undertaken by Councils in relation to environmental indicators across the Central West of NSW. The report focuses on trends within the categories of air, water, biodiversity, human settlement, waste and environmental sustainability.

Issues

The SoE 2012 Comprehensive Report complies with the IP&R framework, and aligns with Council's Community Strategic Plan for the Natural Environment. This includes long term impacts of climate change, bushland and forestry, water resources, weed and pest management and mining activities. The SoE report also supports CSP goals in Community and Culture for nurturing a vibrant art and cultural life across the shire, encouraging volunteerism and improving awareness of aboriginal heritage. The regional SoE reporting approach encourages collaboration across LGAs and facilitates an improved understanding of the environmental trends and activities across the central west region.

Options

The SoE report is a legislative requirement for Council to prepare in line with IP&R requirements. In the past, the SoE report has been an annual document with every fourth year a Comprehensive Report. However, the SoE reporting requirement will change to a four year report under the IP&R reporting framework.

Financial Considerations

Council contributes an annual subscription of \$4125 per annum (current for 2012/13) to the CWCMA Salinity and Water Quality Alliance, which includes the regional SoE report and staff training in environmental management.

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Enclosure – The Introduction of the CWCMA SoE2012 Report is attached (Enclosure 5). The Full CWCMA SoE 2012 Report is available by downloading from the WSC website.

Summary

Two case studies from the communities of Mendooran and Coonabarabran are featured in the SoE report. The Mechanics Institute at Mendooran supports cultural heritage, the arts and community volunteerism (page 70). Coonabarabran High School students building bird nesting boxes for installation in the tree canopy of the Castlereagh River within Nelson Park supports environmental management of the riparian zone and Council's collaboration with Youth in the community (page 60).

Trend data is reported on a range of indicators, but of note are Council's flood damage and remediation expenditure on roads (page 20), waste management including changing trends in recycling (page 82), sustainability initiatives including climate change policy and home energy efficiencies (page 90) and town water consumption (page 37).

Copies of the 2012 SoE report will be available in town libraries, Council offices and able to be downloaded from Council's website.

RECOMMENDATION

That Council adopt the Regional State of the Environment 2012 Report.

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Item 42 Orana Arts Board Meeting Report

Division:	Environmental and Community Services
Management Area:	Community Services
Author:	Councillor Anne-Louise Capel
CSP Key Focus Area:	Community and Culture
Priority / Strategy:	CC3 The vibrant arts and cultural life of the shire needs to be promoted and supported as an essential aspect of community well-being
File Ref: Function:	Corporate Management
Activity:	Committee Meetings - External

Background

Cr Capel attended the Orana Arts Board Meeting on 5 October 2012 together with new Councillors Reynolds (Dubbo) and Horan (Gilgandra) and provided the following report for Council's information.

Issues

The items that were discussed at the meeting are as follows;

- The Regional Arts Development Officer (RADO) was endorsed as the Orana Arts representative on the Dubbo Public Arts Committee.
- Country Arts Support Program (CASP) Grants to be assessed early in the week after board meeting.
- The needs of communities have changed and the addition of Mid-Western Regional Council to Orana Arts has prompted the request by the RADO to review Orana Arts and the delivery of services. RADO is to present to the board a list of possible auditors to undertake an independent review of Orana Arts.
- Chair Cr Les Lambert was endorsed as Orana Arts representative on the City of Dubbo Hall Of Fame and Jen Sherring as the alternate.
- Creative X-Change and Short+Sweet (S+S) was very successful events. Confirmation has been made by S+S Sydney for the future funding of S+S Mudgee and Fast+Fresh in both Dubbo and Mudgee. Board endorsed the executive decision to grant the Australian Theatre for Young People (ATYP) scholarship award to Luke Standish. Luke won Best Actor during the S+S festival.
- A discussion on the Regional Arts Promotions Officers (RAPO) media promotions and breakdown during the last few months was had. Cr Capel commented that the Coolah community radio, 3 Rivers would provide an opportunity for media resource by Orana Arts.

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Options

Nil

Financial Considerations

Council budget allocation for Orana Arts contribution is based on a pro-rata population and in the 2012/2013 Operational Plan is \$9,263.

Summary

The issues and discussion of the Orana Arts Board Meeting are presented for Council's information.

RECOMMENDATION

For Council's information

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Item 43 Castlereagh Family Day Care Policies

Division:	Environmental and Community Services	
Management Area:	Castlereagh Family Day Care	
Author:	Coordinator Family Day Care - Meredith Shannon	
CSP Key Focus Area:	Community and Culture	
Priority / Strategy:	CC1.1 Opportunities and support mechanisms should be developed to ensure that communities across the shire attract and retain young people and families.	
File Ref:	Function: Community Services	Activity: Service Provision FDC

Background

Castlereagh Family Day Care (FDC) are currently reviewing their policies and procedures as part of their quality improvement plan and to ensure they are all in line with and meeting new regulations which came into effect January 2012.

Issues

N/A

Options

N/A

Financial Considerations

N/A

Summary

Following review of Castlereagh Family Day Care Policies and Procedures, amended policies are submitted for Council's review and endorsement.

A copy of the policies has been forwarded to Councillors under separate cover (Enclosure 6).

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RECOMMENDATION

That Council endorse Family Day Care Policy and Procedures being:

1. Access Policy
2. Advertising Policy
3. Child Enrolment and Orientation Policy
4. Code of Conduct Policy
5. Collaborative Partnerships with Families Policy
6. Confidentiality of Records Policy
7. Determining Responsible Person Policy
8. Ethical Conduct Policy
9. Fee Policy
10. Governance and Management of the Service Policy
11. Managing Records Policy
12. Professional Development Policy
13. Registration of Educators and Staff Policy
14. Registration of Family Day Care Educator Assistants Policy
15. Support Visits by Co-ordination Unit Staff Policy
16. The Participation of Volunteers and students on Practicum Policy
17. The Roles of Educator's Families and Other Household Members Policy
18. Acceptance and refusal of authorisation Policy
19. Child Protection Policy (Keep them Safe)
20. Educational Program and Practice Policy
21. Inclusion and Diversity Policy
22. Interactions with Children Policy
23. Positive Guidance of Children's Behaviour Policy
24. Administration of First Aid Policy
25. Administration of Medication Policy
26. Children's Health Policy
27. Dealing with Infectious Diseases Policy
28. Incident, Injury, Trauma and Illness Policy
29. Medical conditions Policy including asthma, diabetes, anaphylaxis
30. Nappy Changing and Toileting Policy
31. Nutrition, food and beverages, dietary requirements Policy
32. Sun Protection Policy
33. Tobacco, drug and alcohol free environment Policy
34. Assessment of Family Day Care Residences and approved venues Policy
35. Delivery and collection of children from the service Policy
36. Excursions Policy
37. Fire Equipment Policy
38. Pet and other animals Policy
39. Sleep and Rest Policy
40. Storage of Dangerous Substances and Dangerous Equipment Policy
41. Supervision Policy
42. Transport Policy
43. Water Policy
44. Workplace Health and Safety Policy
45. Customer Service and Satisfaction Policy
46. Grievance Handling Policy
47. Non Compliance Policy

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Item 44 After School and Vacation Care Policies

Division:	Environmental and Community Services
Management Area:	Family Support Services
Author:	Manager Family Support Services - Jane Nelson-Hauer
CSP Key Focus Area:	Community and Culture
Priority / Strategy:	RO1 Opportunities and support mechanisms should be developed to ensure that communities across the shire attract and retain young people and families
File Ref:	Function: Family Support Services Activity: Coonabarabran After School and Vacation Care

Background

Coonabarabran After School and Vacation Care began in February 2012. Operating on school days (there is no current provision for Vacation Care) from 3.15 - 5.30pm at St. Lawrence's School; It caters for the after school care requirements for children attending primary school whose parents are working. It is managed by Warrumbungle Shire Council and comes under the Department of Education and Communities, Early Childhood Directorate. As a licensed service it must meet the requirements of the Children (Education and Care Services) National Law 2010 Law and the Education and Care Services National Regulations 2011.

Issues

The Law and regulations require that the service has a Philosophy and certain set policies in place.

Other policies may be added to assist in the effective management of the service.

Options

Attached for consideration by Council are the Philosophy and Policies:

Relating to facilities and equipment:

1. Security
2. Building Equipment repairs and maintenance
3. Storage
4. Heating, Ventilation and lighting
5. Pest Control
6. Indoor environment

Relating to Staff

1. Determining Responsible person
2. Staff Selection
3. Conditions of employment
4. Staff Orientation
5. Staff Professionalism

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6. Inservice training and development
7. Staff review and appraisal
8. Grievance procedures
9. Disciplinary Action
10. Relief Staff
11. Volunteers/
12. Students/Visitors
13. Staff/Child Ratios
14. Communication
15. Interactions with Children

Financial Considerations

There is no cost to Council as the service is funded externally through DEEWR

Summary

Coonabarabran After School and Vacation Care, a copy of the policies has been forwarded to Councillors under separate cover (Enclosure 7 & 8).

RECOMMENDATION

That Council endorse the 21 policies being;

Relating to facilities and equipment:

1. Security
2. Building Equipment repairs and maintenance
3. Storage
4. Heating, Ventilation and lighting
5. Pest Control
6. Indoor environment

Relating to Staff

1. Determining Responsible person
2. Staff Selection
3. Conditions of employment
4. Staff Orientation
5. Staff Professionalism
6. Inservice training and development
7. Staff review and appraisal
8. Grievance procedures
9. Disciplinary Action
10. Relief Staff
11. Volunteers/
12. Students/Visitors
13. Staff/Child Ratios
14. Communication
15. Interactions with Children

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Item 45 Binnaway Macquarie Regional Library

Division:	Environmental and Community Services	
Management Area:	Library Services	
Author:	Manger Community Care - Fiona Luckhurst	
CSP Key Focus Area:	Community and Culture	
Priority / Strategy:	CC3.1 Work with local communities to develop a program of arts and cultural activities and events.	
File Ref:	Function: Community Services	Activity: Macquarie Regional Library

Background

Macquarie Regional Library (MRL) continues to provide library service points in the six townships across the Shire. At the time of amalgamation it was agreed to maintain the six library service points and further, that the viability of maintaining the six points be assessed in line with the annual review of all service points within the MRL service.

In May, 2009 Council resolved to agree in principal to resolve the inequitable nature of the shires library service by closing both Mendooran and Binnaway Library Service Points, with hours to be transferred to Dunedoo and Coonabarabran, gaining consensus with each community as to alternative solutions in order to retain a library service of some kind (Resolution 412). No alternative solution was found, and Council resolved in April 2010 to continue to work with MRL and the community to promote the library and develop alternative service delivery models and review services (Resolution 362).

Issues

Binnaway library is funded to open four hours per week and provides a limited service. The library assistant who worked at both Binnaway and Coonabarabran library has now resigned. Due to the resignation of this staff member, Binnaway library has been open two hours per week since mid October.

The number of services provided over the past four years from Binnaway library service point has declined as indicated below.

Binnaway	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013 YTD
Issues	1795	2495	1926	1370	421
Visits	353 (Jan to June)	875	734	569	132
Reference Enquiries	20 (Jan to June)	100	114	63	17
Number of MRL borrowers residing in Binnaway			109*	115*	

*Note: Binnaway borrowers also utilise Coonabarabran and other libraries

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The cost of providing library services in Binnaway in 2011/2012 was \$23,021. This includes the MRL contribution, salaries and wages and building costs. This MRL contribution is based on a per capita cost.

Options

The 2005 State Library of NSW Public Library Service assessment of library services in the Warrumbungle Shire indicated that an option was “a reduction in service points to provide a stronger library service from a central location”.

The MRL Director recommends that Binnaway Library Service point be closed and the four hours be allocated to Coonabarabran library providing for the branch to open Monday afternoons from 1pm - 5.30 pm. Resources, furniture and fittings from Binnaway library could be utilised in other Warrumbungle Shire Council library points.

Alternative service provision - MRL is unable to provide a mobile library service to Binnaway. Book Depositories (managed by volunteers) are not recommended by State Library NSW. Twice per year preschool story time at Binnaway could still be provided by MRL for the preschool as per current arrangement. Warrumbungle Community Care is able to transport books to frail aged and clients with a disability in Binnaway through their Social Support program. Members of MRL are able to access e-audio books on line and able to use any of the MRL libraries. Warrumbungle Community Care provides a bus to Coonabarabran and Dubbo from Binnaway fortnightly for seniors to access services. E-books can also be downloaded from the State Library.

Recruitment of a four hour per week library assistant position in Binnaway is necessary to keep the service point open. It is not viable to utilise library staff employed in Coonabarabran to staff Binnaway service point as salary for travel time and a vehicle would need to be provided.

Financial Considerations

The cost for library services would remain the same if Binnaway service point hours were maintained or transferred to Coonabarabran library. Cost savings to Council of approximately \$8,000 per annum may be gained if the service point was to close and the hours not reallocated.

Summary

The utilisation of Binnaway service point continues to decline. Alternative service delivery options are limited. Three options include:

1. close the Binnaway Library Service point and allocate the four hours to Coonabarabran library;
2. close the Binnaway service point and not reallocate the hours;
3. attempt to recruit a Library Assistant for four hours per week in Binnaway and keep the Library Service point open.

RECOMMENDATION

That the Binnaway library service point be closed and the hours be re-allocated to Coonabarabran library **FURTHERMORE** alternatives such as on line services and services for seniors and people with a disability in Binnaway be promoted.