

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 14<sup>TH</sup>  
APRIL, 2010 COMMENCING AT 9.07 A.M.**

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**PRESENT:** Cr Tim Horan, Mayor, in the Chair, with Crs. J. Canham, T. Cullen, B. O'Brien, D. Schieb and A. Karanouh.  
Also present were the General Manager, Mr. John Griffiths, the Director of Corporate Services, Mr. Warren, the Manager – Services, Mrs Atkins and Mrs Moorhouse.

Council's Solicitor, Mr. David Ryan, from the firm Waterford Ryan, was present at the meeting until the morning tea adjournment.

**2.0 ACKNOWLEDGE ORIGINAL OWNERS OF THE LAND**

Prior to beginning the meeting, the Mayor acknowledged the original owners of the land, both past and present.

**4.0 APOLOGY**

**8407 RESOLVED** on the motion of Crs. Canham and Cullen that an apology for non attendance be accepted from Cr Webb who was attending a medical appointment.

The Mayor acknowledged that the Manager – Services was on leave, however she offered to attend the meeting following termination of the Director of Engineering Services' employment.

**PUBLIC QUESTION TIME**

**(a) Investigation by ICAC – Mr Don Gamage**

The Mayor spoke about the recent visit to Council's Office by two ICAC officers who are conducting an ongoing investigation into actions of former Director of Engineering Services, Mr. Don Gamage. Cr Horan stated that those investigations had nothing whatsoever to do with Coonamble Shire Council. He informed the meeting that Mr. Gamage served notice on the General Manager yesterday that he would be presenting information to the meeting. The Mayor said he would not agree to the meeting going into Closed Session for the address.

Cr. Karanouh put on record the fact that Mr Gamage tried to speak with him concerning his dismissal from Council and allegations he (Gamage) wished to make against management staff. Cr. Karanouh said he could not help him and suggested that Mr Gamage direct his concerns to ICAC.

The Mayor informed the meeting that there would be a Public Hearing in Sydney on 31 May concerning the ICAC Investigation and said the General Manager was informed that he would be required at that Hearing.

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The General Manager said that he was obliged, under confidentiality provisions by ICAC, not to divulge certain information, concerning the investigation. Mr. Griffiths did, however, state he wanted to bring to Council's attention the issues Mr Gamage wished to discuss at the meeting today. Mr. Griffiths said he has nothing to hide and wanted Council to be aware of the allegations.

**5.0 DELEGATIONS**

**(a) Larry & Ann Rindfleish – Purchase of Land at “The Meglo”**

At this juncture, 9.16 a.m., Mr and Mrs Rindfleish attended the meeting to answer questions about their proposed business expansion and purchase of land at “The Meglo”. Mrs Rindfleish gave a brief outline of their intentions, acknowledging the availability of land in the new industrial estate however she said that the blocks would be too small for future business expansion.

Mr & Mrs Rindfleish said they have spoken with the RTA concerning requirements for a heavy vehicle inspection station, pointing out the shed they plan to erect would be big enough to include this facility. Mr. Rindfleish said the RTA would not give a guarantee that it would utilize the facility if it was provided and said it would be an expensive exercise if that was the outcome.

Councillors pointed out that present arrangements for truck owners to have inspections carried out is not satisfactory, with locals having to travel to either Dubbo or Coonabarabran for the purpose.

Mr & Mrs Rindfleish left the meeting at 9.28 a.m. Mr. Gamage was present at that time.

**(b) Don Gamage**

The Mayor advised that the meeting was Open Council – Mr Gamage requested that it be moved to Closed Session – the Mayor refused. Mr Gamage said he preferred to give a written submission to the Mayor & Councillors and terminated his address. He left the meeting at 10.30 a. m.

The Mayor asked the General Manager to read the allegations made by Mr. Gamage – Council's legal adviser, Mr. Ryan, concurred. In going through the issues, it was acknowledged that each one had been brought to Council's attention at the time of occurrence.

One of the allegations was concerning the Murrurundi incident and the General Manager said there was never any suggestion of fraud and no investigation by ICAC.

At this juncture, Mr. Ryan indicated that issues relating to Mr Gamage's dismissal should be discussed in Closed Session.

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Cr. Cullen enquired what action should now be taken – the Mayor said there is a need for Council to be transparent in all its dealings. The General Manager suggested that the relevant issues should be referred to the Code of Conduct Review Panel for a report. When that report is received Council should consider its content and refer it to the Department of Local Government and, if fraudulent actions are identified, then to ICAC.

At this juncture, 9.50 a.m., the Mayor agreed to move into Closed Session to discuss Mr Gamage's dismissal.

**CLOSED SESSION**

**8408 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council resolve to Closed Session in accordance with Section 10A of the Local Government Act 1993, section 2(a) "*personnel matters concerning particular individuals (other than councillors)*".

**8409 RESOLVED** on the motion of Crs O'Brien and Cullen that the press and public be excluded from the meeting.

**RESUME OPEN MEETING**

**8410 RESOLVED** on the motion of Crs. Canham and O'Brien that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATIONS OF CLOSED SESSION**

Council noted that no recommendations were made to Council from Closed Session.

At this juncture, 10.30 a.m., Council adjourned for morning tea and resumed at 11.04 a.m. Council's EDM was at the meeting to present the report.

**15.0 REPORT BY ECONOMIC DEVELOPMENT MANAGER**

**8411 RESOLVED** on the motion of Crs. O'Brien and Canham that the report by the Economic Development Manager be received and dealt with.

The following issues were mentioned:

- Funding approved for the industrial estate land. Council has requested a quote from Country Energy for electricity supply. Prospective purchasers waiting on Council to set a price – this cannot be done until capital costs are known, however the matter can now be expedited.
- Horticultural project MPREC – CEO has advised the matter is with Waterford Ryan – hopefully work will commence shortly.
- Farmers Meeting regarding upgrade of the railway line – Bowling Club 6 pm – Thursday 15 April – reminded Councillors to attend.

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- Spoke about the Indoor Arena – trying to form a partnership – UNSW School of Civil & Environmental Engineering, together with Multiplex, have confirmed an initial interest in a design/build project.
- Bore Baths – new proponent – indicated interest in investing in bore baths on private land.

**8412 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council authorise that the \$5,000 set aside for Riverwalk Stage 2 (artwork), be re-allocated from Job No 1060-850 (Riverwalk) to Job No. 1060-200 (Bore Baths Business Plan) to complete the Feasibility Assessment and Business Case.

**8413 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the report by the Economic Development Officer be adopted.

**CLOSED SESSION**

**8414 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council resolve to Closed Session in accordance with Section 10A of the Local Government Act 1993 section 2(c) "*information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposed to conduct) business*".

**8415 RESOLVED** on the motion of Crs. Cullen and Karanouh that the press and public be excluded from the meeting.

At this juncture, 11.20 a.m., Cr Schieb left the meeting.

**RESUME OPEN MEETING**

**8416 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATION OF CLOSED SESSION**

**8417 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council adopt the recommendation from Closed Session, as follows:

**20.1 POSSIBLE OPPORTUNITY FOR COONAMBLE REGIONAL LIVESTOCK MARKET**

**THE COMMITTEE RECOMMENDS** that staff be authorised to approach private consortiums with a view to expanding the saleyards complex.

At this juncture, 11.29 a.m., the Economic Development Manager left the Meeting.

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**6.0 DECLARATIONS OF INTEREST**

The following two declarations were received:

- Cr Horan Item No. 11.4 – Coonamble Aboriginal Medical Service. CEO of that organization.  
Mr Warren Item No. 19.1 – Performance Appraisal.

**7.0 CONFIRMATION OF THE MINUTES**

**8418 RESOLVED** on the motion of Crs. Canham and Karanouh that the minutes of the Ordinary Meeting of Coonamble Shire Council held 10 March 2010 be confirmed.

**BUSINESS ARISING FROM MINUTES**

- (a) Mowing Highway – The General Manager said that last meeting Cr Schieb referred to only one tractor working on this job. He reported that the other Council tractor (a John Deere) has been broken down for 6 – 7 weeks and is being repaired under warranty. Mr.Griffiths said that Gilgandra Shire was engaged to carry out some mowing work.
- (b) Rotary Club of Coonamble – Cr Karanouh asked if the required additional information has yet been received. The General Manager stated that the development application has been returned to the Club. He said that it must be resubmitted and explained that Council can only hold these matters in abeyance for a certain time before closing the file.

At this juncture, 11.40 a.m., Cr. Schieb returned to the meeting.

- (c) Alleged Incident – Fall near Youth Club premises – the General Manager advised that Council, without accepting liability, settled a claim for damages in this incident. Cr. Canham asked whether the audit on Council's footpaths has been commenced – the General Manager said not at this stage.

**8.0 RESOLUTION BOOK UPDATE**

**8419 RESOLVED** on the motion of Crs Canham and O'Brien that the Resolution Book Update be received and dealt with.

- (a) Ginty Estate (Minute No. 8287) – The Director of Corporate Services said that he has concept plans which he was going to distribute during General Business. Mr Warren said the plans were just to give Councillors an idea of options available and stages for these options to be undertaken.

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- (b) Coonamble Pool (Minute No. 8385) – The General Manager explained that this item was to be the subject of a report by the Director of Engineering Services. Mr. Griffiths said the information would be forthcoming as soon as possible.
- (c) Water Treatment Plan (Minute No. 8386) – The Director of Corporate Services said Council has no funds to proceed with this work and indicated it will not be budgeted for until 2011/2012 or later. Mr. Warren said this matter would be further discussed later in the day when Council is considering the budget. Council noted that an amount of \$2.5m is needed and no funding will be forthcoming unless Council is prepared to wait in turn – at which time it is estimated that the cost will have escalated. The General Manager said the Department has indicated it will assist with preparation of the tender specification.
- (d) Warrena Creek Weir Project (Minute No. 8230) – The General Manager advised that Mr. Brian Burge, Council's Project Engineer, has taken over management of this project.

**9.0 MAYOR'S ACTIVITY REPORT**

The Mayor gave an overview of his activities throughout the month, which included the following:

- Senior Citizen of the Year Award at Gulargambone – Cr Horan congratulated the organizers on a very enjoyable morning tea at which the award was presented to Mr Norman Ryan.
- Relay for Life – Cr Horan said this was a great fundraising event and a wonderful experience for the community – he said that over 700 people registered as participants and he understood about \$65,000 was raised for this very important work.

**8420 RESOLVED** on the motion of Crs. Canham and Schieb that Council write to the Organising Committee congratulating members on their wonderful achievement and commend them on their efforts.

- Abattoir – Cr Horan referred to an inspection carried out at the former Castlereagh Regional Abattoir with Mr. Spencer and the licensing authority representatives. He said things are looking positive towards a sale in the near future.

**8421 RESOLVED** on the motion of Crs. Horan and O'Brien that the Mayor's Report be adopted.

**10.0 CORRESPONDENCE**

**8422 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the Correspondence be received and dealt with.

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**Section A – For Consideration by Council:**

**10.1 MOORAMBILLA FESTIVAL D5-6 (32216)**

Stating the theme for the Festival is *Coming Home* and suggesting that the main street be lit with white fairy lights to form a corridor of light around to St Brigid's Church. Asking Council to investigate the possibility of placing ropes of light, or fairy lights in the trees in the shopping area, which could be used throughout the year to promote events or as a feature and tourist attraction. Stating that ideally the lights would be solar powered and perhaps Coonamble could become known as a "Lights to the Outback" town.

The General Manager advised this matter has been referred to the Overseer – Utilities for a cost estimate which is expected to run to around \$10,000. Mr Griffiths said that should Council wish to proceed it will need to identify from where the funding is to be obtained.

**8423 RESOLVED** on the motion of Crs. Schieb and Cullen that Council get a quote for festive lighting to be installed across the main CBD area and, if/when installed, the lighting be permanent.

**10.2 SHIRES ASSOCIATION OF NEW SOUTH WALES S3**

Advising that the 2010 Shires Association of NSW Annual Conference will be held from 31 May to 2 June, with the theme *Building A Brighter Future*. Advising that "early bird" registration (prior to 27/4/10) is \$585 (ex GST) per person, with accommodation being additional.

Council noted that it has an informal policy allowing attendance by the Mayor, General Manager and two Councillors. The General Manager stated variation to this informal policy is permissible and given the Department of Local Government now allows councils to contribute towards partners' expenses, he said this may also be an option.

**8424 RESOLVED** on the motion of Crs. Canham and Karanouh that Councillors Karanouh and Schieb, along with the Mayor and the Director of Corporate Services attend the Shires Conference in Sydney from 31 May to 2 June 2010, noting that Cr Cullen agreed to be the alternate delegate should one of the other councillors not be available at the time.

**10.3 COONAMBLE VACATION CARE C8-6 + A8 (32291)**

Requesting Council to carry out maintenance of the amenities at the Coonamble Vacation Care building. Advising it shares toilet facilities with the Coonamble Community Radio Station (also a s355 Committee of Council). Pointing out that maintenance is required in order for the facilities to be presented as a clean and sanitary area.

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Saying another area of concern is the step down to the area which presents as a possible access issue to some volunteers at the Radio Station and would be a risk should a child with mobility or vision issues be enrolled at the Centre.

The General Manager pointed out that the Coonamble Community Radio is not a section 355 Committee of Council, as stated, but Council allows that Committee to utilize the premises free of charge. Mr. Griffiths said the matters raised are of particular concern and have been referred to the Manager – Services for a full costing and report upon her return from extended leave. He said that given the potential for sale of the premises it may be unwise to spend significant funds at this time.

Mr Griffiths said it may be prudent to consider costings at the June meeting, however in the interim Council should contact the supermarket proponents to ascertain their intentions in writing prior to making a decision.

**8425 RESOLVED** on the motion of Crs. Karanouh and Cullen that this matter be deferred and considered in conjunction with Item 11.4 during the report by the General Manager.

**10.4 COONAMBLE VACATION CARE C8-6 (32290)**

Advising it will be conducting an 'open garage sale' on Saturday 1 May between 8 a.m. and 1 p.m. on the rear court area of Coonamble Vacation Care for fundraising. Requesting use of Council's portable PA system at a fundraising event on a Saturday night later in the year.

**8426 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council:

- (1) Approve of the use of the rear court area of the Vacation Care Centre for the holding of an 'open garage' sale on Saturday 1 May from 8.00 a.m. to 1.00 p.m.
- (2) Approve of the loan of Council's portable PA system, given it is a section 355 Committee, for a fundraising event later in the year.

**10.5 COONAMBLE PUBLIC SCHOOL D7 (32317)**

Advising that this year the School will hold NAIDOC Day on Thursday, 1 July and seeking a donation of \$500 towards the barbecue. Acknowledging Council's previous support.

**8427 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council contribute \$400 towards NAIDOC Day to the Coonamble Public School.

**10.6 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION L10 (32283)**

Inviting Council to participate in the 2010 National General Assembly of Local Government at the National Convention Centre, Canberra between 14 – 17 June.

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The General Manager informed the meeting that this Assembly is not normally attended by Council, however, he said it should be noted that the Australia Wide Rural Lobby Group is to meet during the Assembly and the Australian Council of Local Government will meet 17/18 June. Council noted that the Mayor has indicated that it would be difficult to justify the cost of a full week in Canberra with the potential for little or no positive outcome.

**8428 RESOLVED** on the motion of Crs. Cullen and Canham that Council not attend the National General Assembly of Local Government, Australia Wide Rural Lobby Group and the Australian Council of Local Government in Canberra from 14 to 18 June 2010.

**10.7 NSW DEPARTMENT OF PLANNING B11 (32249)**

Writing to consult with Council on the review of State Environmental Planning Policy (Infrastructure) 2007 (the "Infrastructure SEPP"). Advising a Discussion Paper has been prepared which identifies the issues raised by state government authorities and local councils in submissions. Saying the Discussion Paper will be exhibited on the Department's website and the due date for comment is 12 April 2010.

**8429 RESOLVED** on the motion of Crs. Schieb and Cullen that Council not make a submission to the Department of Planning on the review of State Environmental Planning Policy (Infrastructure) 2007.

**10.8 NSW DEPARTMENT OF PLANNING E5 (32346)**

Referring to the Standard Instrument (Local Environmental Plan template) which was introduced in 2006 to provide a common structure and language for LEPs across the State. Saying after initial consultation and adoption of the Standard Instrument (SI) the Department indicated that in response to feedback from stakeholders and the community future reviews would occur. Forwarding a *Potential Amendments to the Standard Instrument – Options Paper* (SI Options Paper) which details how the SI could be amended to address issues raised with the Department.

**8430 RESOLVED** on the motion of Crs. Schieb and Cullen that Council make a submission to the Department of Planning on the Standard Instrument (Local Environmental Plan template), raising its continued concerns and pointing out deficiencies regarding minimum area for a building entitlement, future rural residential development and request that permission be provided for "exceptional circumstances" exemptions.

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**10.9 NSW RURAL FIRE SERVICE, COONAMBLE B13**

Forwarding copies of the new Bushfire Prone Land Maps prepared for this Council's LGA and seeking Council's approval so that the maps can be signed off by the Commissioner.

Councillors were able to view these maps which were on display in the Council Chamber. The General Manager pointed out that bushfire prone land has been significantly reduced from that indicated on earlier maps. He said however that Council is invited for its input prior to the final map being prepared.

**8431 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council approve the reviewed and amended bushfire prone land maps on display and advise the NSW Rural Fire Service accordingly.

**10.10 LIFELINE CENTRAL WEST NSW D7 (32320)**

Advising that Lifeline Central West provides three distinct services:

- 24/7 crisis telephone counselling
- Financial counselling
- Problem gambling counselling.

Saying that to maintain services and build counselling capacity to meet growing demand, Lifeline Central West needs Council's ongoing support through Section 356 contributions and any other mechanism available to Council. Pointing out it has to raise \$500,000/annum to exist.

Advising that in 2010 Lifeline Central West is holding its inaugural Book Fair, which it hopes will be a major ongoing source of funding in the future. Stating that if Council could donate used library books or act as a community based collection point, it would be very grateful.

The General Manager informed the meeting that Council made contributions from 2000 to 2008 in diminishing proportions from \$2,400 to \$300, but made no contribution in 2009. He said there is little doubt as to the value of this Service to the community, which is not funded through other spheres of Government. Mr. Griffiths said the question of library books is one for the North Western Library Service.

**8432 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council contribute \$1,000 from its Donation Vote to Lifeline Central West NSW and the Service be advised Council agrees to donate funds from the sale of old books **AND FURTHER** that arrangements will be made to have a 'drop off' point for books established in Coonamble.

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**10.11 KEMBLA WATERTech PTY LTD TD10-1 (32296)**

Forwarding its Formal Instrument of Agreement to be executed by Council for Contract T10-1 Sewer Mains Rehabilitation.

The General Manager pointed out that at its March meeting Council resolved to accept the tender from Kembla Watertech Pty Ltd for the relining of sewer mains, however no authority was given to affix the Common Seal to the Contract documents.

**8433 RESOLVED** on the motion of Crs. O'Brien and Canham that Council authorise the affixing of the Common Seal to any relevant documents in connection with this tender.

**10.12 NSW RURAL FIRE SERVICE B13 (32329)**

Advising that the RFS is currently undertaking information sessions across the State for Council staff to improve and assist their understanding of the development assessment process and application of bush fire protection measures Extending an invitation to staff to attend an interactive information session at Cobar on Thursday 17 June 2010 between 10 a.m. and 2 p.m.

**8434 RESOLVED** on the motion of Crs. O'Brien and Schieb that Council authorise its Manager – Environmental Services to attend the Workshop in Cobar on Thursday, 17 June, 2010, if available.

**10.13 ROTARY CLUB OF COONAMBLE INC D7 (32349)**

Advising that the annual clay target shoot in remembrance of Doug McKenzie is being held at "Youie" on Sunday 16 May. Asking Council to consider making a donation towards trophies for the day and inviting Councillors to attend the function.

**8435 RESOLVED** on the motion of Crs. Canham and O'Brien that Council agree to contribute \$120 from its Donations Vote towards the annual clay target shoot run by the Rotary Club of Coonamble.

**10.14 COONAMBLE HIGH SCHOOL M3 (32354)**

Advising there are several girls in Year 11 who are very interested and committed to organizing the Mayor's Debutante Ball and the date selected is Saturday 24 July, with the venue being Coonamble Bowling Club. Asking for confirmation and support from Council.

The General Manager stated that Council has not previously become involved in the organization of this event nor contributed any funding.

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**8436 RESOLVED** on the motion of Crs. O'Brien and Canham that Council agree to the Coonamble High School Year 11 Girls organizing the Mayor's Debutante Ball for 24 July 2010 at the Coonamble Bowling Club.

**10.15 MARGARET JOHNSTONE D7 (32356)**

Referring to the book *"Reedbed Country – the Story of the Macquarie Marshes"* by Kay Masman and Margaret Johnston and advising the book is now out of print and the University of NSW is interested in producing a second edition under its Publishing Partnership Program. Stating that as the Program entails the University Press receiving financial assistance from the various sources Council is invited to join. Pointing out that at this stage an indication of Council's intention is necessary – financial assistance would need to be directed to UNSW Press at a later date.

**8437 RESOLVED** on the motion of Crs. Canham and O'Brien that Council not participate in the Publishing Partnership Program for the reprinting of *Reedbed Country – the Story of the Macquarie Marshes*.

**10.16 NSW DEPARTMENT OF PLANNING E5 (23257)**

Writing regarding the second round of Model Local Clauses for Standard Instrument LEPs (SI LEP) the Department is providing in draft form for comment in order to assist Council in the preparation of Council's Standard Instrument Local Environment Plan. Saying that any comments on the draft second round model clauses should be forwarded by 30 April, 2010.

**8438 RESOLVED** on the motion of Crs. Schieb and Karanouh that Council make a submission to the Department of Planning on the Local Clauses for Standard Instrument LEPs (SI LEP) in accordance with Resolution 8430 earlier in the day.

**10.17 MR PHILLIP MALONE SR11 (32364)**

Drawing attention to the poor standard of the road that services his area (Bullagreen Road), which is in urgent attention as it is not only unsafe but well below standard of a road maintained by the Shire to service ratepayers. Asking for a causeway to be installed at the eastern side of the entrance to "Terang" to allow high flows of water to cross the road in its natural direction. Suggesting that a gravel causeway be constructed between the culvert west of "Knuckledown" entrance and "Knuckledown" entrance. Advising that he would be happy to meet representatives of Council to discuss these issues.

The General Manager reported that staff have not had the opportunity to inspect the perceived problems on Shire Road 11 and a response will be prepared based on that investigation and Council's Road Management Plan. Councillors noted that a grader and roller were currently working on the road.

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**8439 RESOLVED** on the motion of Crs. Karanouh and Schieb that Council concur with the action proposed in responding to Mr Malone in terms of the inspection and Council's Road Management Plan.

**MOWING OF ROAD SHOULDERS**

Councillor Schieb suggested Council consider spraying road shoulders, saying from his observation in other areas it would be a more efficient way to control shoulder growth.

**8440 RESOLVED** on the motion of Crs Schieb and Cullen that Council investigate the spraying option in lieu of the current method of mowing of road shoulders to control growth.

**10.18 COONAMBLE BOWLING CLUB LIMITED L11 (32334)**

Requesting Council to consider permitting the Club to have sole access to the land between its premises and the Tennis Courts – saying the Club will enter into a lease agreement if required. Pointing out that the area would be fenced and locked and the Club would use it as a storage area by placing a portable and secure shipping container in the front section to allow access by vehicles such as Country Energy to enter and do maintenance to lights on the tennis courts. Stating the Club would be prepared to provide Country Energy with a key .

The General Manager referred to an earlier request for this land from the Bowling Club and reported that at the November 2001 meeting Council resolved to support an application to the Department of Lands from the Bowling Club to purchase the subject land. Mr. Griffiths said Council's records are silent on the results of that application, if it was ever made. He stated that at the July 2002 meeting Council resolved that the General Manager be authorised to commence negotiations with the Coonamble Bowling Club to establish a 15 year 'peppercorn' lease over the subject land, on the conditions set out in the Manager of Works' report. Those conditions are reprinted below:

- Preparation of lease document to be responsibility of the Bowling Club and at its cost
- Structures are not to be developed upon the land unless they are easily transportable.
- The Lease will terminate if Council or the Crown requires the land for any civic purpose.
- The Bowling Club is to fence off the western and eastern approaches with high profile security fence.
- No plant, equipment or obstacle shall be stored at any time in an area 1.5 metres south of the existing tennis court fence.
- The Bowling Club is to provide, at its cost, the installation of a single swing lockable gate in the north western corner of the tennis court to provide Club access to the fenced off area for the retrieval of balls, etc.

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The General Manager said again, Council's files are silent on any progress, if any, made by the Bowling Club. He said that whilst the proposal has merit, consultation should be held with the Wanderers Tennis Club and agreement reached prior to approval being given.

**8441 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council convene a meeting between representatives of the Wanderers Tennis Club and the Bowling Club to reach common ground for the proposal to proceed.

**10.19 OPEN LETTER TO NSW PARLIAMENT IN SUPPORT OF "NO NEW COAL POWER"**

Writing to express serious concern about the proposal for new coal fired power stations in New South Wales and urging you to prohibit the construction of new coal-fired power stations in the State. Urging Parliament to take action to prohibit new coal-fired power in NSW and to instead create a positive vision for the State's energy future through strong policy and investment in efficiency improvements and renewable energy.

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The General Manager advised that this letter arrived via email addressed to the Mayor from Greenpeace Australia Pacific requesting that Council join with others in calling for action in NSW Parliament to stop further approvals of new coal fired power stations.

**8442 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council not sign the Open Letter to NSW Parliament in support of "no new coal power" as requested by Greenpeace Australia Pacific.

**Section B – For information**

**10.20 DEPARTMENT OF LOCAL GOVERNMENT D6 (32199)**

Advising that *The Guideline on the Exercise of Functions under the Companion Animals Act 1998* and *Companion Animals Frequently Asked Questions* document have been updated and are now available for download from the Division of Local Government's website at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au)

**10.21 NSW GOVERNMENT BUILDING PROFESSIONALS BOARD B11 (32208)**

Advising that on 1 March 2010 new legislation introducing a framework for the accreditation of council building surveyors began. Saying the new legislation establishes qualification and experience standards for all certifiers – whether they work for a council or in the private sector – and is a major step forward in achieving one system of accreditation throughout NSW. Saying that a three year period is also proposed to allow time for all officers to be accredited and time for employees to graduate to more senior levels of accreditation if they wish.

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Stating that accreditation will be free in the first year from 1 March 2010 and the Board has reduced fees in the years following.

**10.22 NETWASTE G1-5 (32232)**

Confirming that SIMS Metal Management has revised its pricing for the collection of scrap metal for Councils in the NetWaste region. Stating that for the March/April/May 2010 quarter the rebate value will increase from \$115+GST per tonne to \$135 per tonne + GST.

**10.23 ELIZABETH LAMBELL, GWAHS S13 (32254)**

Thanking Council for approving the use of Gulargambone pool outside normal times for the Aqua Aerobics Sessions. Saying 12 – 14 people took part, with favourable outcomes. Especially thanking Peter Hurst for his cooperation and saying the immaculately kept grounds and change room are a credit to him. Saying the last day of the sessions will be 24 March.

**10.24 CASTLEREAGH-MACQUARIE COUNTY COUNCIL N7 (32300)**

Advising that contributions to constituent councils will be increased by the rate pegging limit of 2.5%, thus increasing this Council's contribution for 2010/2011 to \$82,624 (plus GST). Also advising it has decided to continue with its Fruit Fly Control Program and the contribution will be \$3,078 (plus GST).

**10.25 NSW DEPARTMENT OF PLANNING E5-2 + B11 (32261)**

Stating that in July 2009 and February 2010 councils were advised of the Savings and Transitional Provisions in relation to the preparation of Local Environmental Plans (LEPs). Reminding councils of the relevant dates when draft pending "amending" LEPs need to be finalized.

**10.26 LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW L9-3 (32272)**

Advising that the Executive resolved to undertake a review of the Legal Assistance Policy and Guidelines. Stating the Policy/Guidelines allows a council to apply for support of the Associations in seeking contributions from all councils to assist with legal costs. Seeking assistance of all councils in the review and saying that a report will be drafted when all responses from councils have been received, with the expectation that a final report will be presented to the Associations' Joint Executive meeting in May 2010 for consideration.

**10.27 LEGISLATIVE ASSEMBLY'S STANDING COMMITTEE ON PUBLIC WORKS P10 (32352)**

Advising that the Committee recently commenced an inquiry into the effects of graffiti on public infrastructure. Listing what the Committee is particularly keen to learn about and seeking submissions and views by 10 May 2010.

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Council noted that this correspondence was referred to the Director of Engineering Services.

**8443 RESOLVED** on the motion of Crs. O'Brien and Canham that the information contained in Item Nos. 10.20 – 10.27 inclusive, be noted.

**URGENT BUSINESS – SUPPLEMENTARY PRECIS OF CORRESPONDENCE**

**8444 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the following information be classified 'urgent business' and dealt with.

**10.28 NSW DEPARTMENT OF INDUSTRY & INVESTMENT G5-41  
(32379)**

Forwarding letter of offer for financial assistance to upgrade infrastructure associated with the expansion of the Coonamble Industrial Estate. Confirming the offer to Council under the Local Infrastructure Support Fund of up to \$502,840 or 48% of actual expenditure (whichever is the lesser).

**8445 RESOLVED** on the motion of Crs. O'Brien and Canham that the information be noted and that authority be given to the General Manager to affix the Common Seal to documents relevant to this grant funding.

**10.29 JAMES GOLDSMITH S13-1 (32375)**

Requesting permission to gain access to the swimming pool during the Easter holidays so that his three children can continue to train. Saying Robert Andriske has agreed to help out while he is on holidays.

The General Manager said he has spoken to the staff member involved who requires no recompense for his actions in assisting the children who need to train for the upcoming swimming titles. Mr. Griffiths said Mr Andriske's attitude towards assisting members of our community is applauded and he subsequently authorised the continued use of the pool even though it required the pumps to be restarted, along with the solar heating system.

**8446 RESOLVED** on the motion of Crs. Karanouh and Canham that Council confirm the action of the General Manager in permitting the continued use of the Coonamble Swimming Pool for training of children involved in Swimming Titles.

**10.30 KOORI KIDS NAIDOC WEEK SCHOOL INITIATIVES D7 (32416)**

Referring to its proposal for 2010 NAIDOC Week School Initiative Competitions and saying support last year from students in Council's LGA was overwhelming and anticipating the same in 2010. Saying Council has always been a champion towards Indigenous culture and looking forward to support again in 2010.

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**8447 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council advise Koori Kids NAIDOC Week School Initiatives that it has already contributed \$400 to the Coonamble Primary School for activities locally and cannot agree to donate further funds at this time.

**10.31 NSW DEPARTMENT OF PLANNING B11 (32409)**

Seeking assistance from councils on two separate matters:

- requirement to have all large documentation in electronic form.
- advice regarding teleconferencing facilities.

**8448 RESOLVED** on the motion of Crs O'Brien and Canham that the information be noted.

**10.32 QRMC RISK MANAGEMENT R7 (32408)**

Presenting their organisation's capability in assisting Council with either the development of a business continuity plan or the review and/or testing of existing arrangements. Saying QRMC Risk Management would like the opportunity to provide a detailed quote to Council to undertake any business continuity management works currently planned.

Cr Karanouh asked whether it is a requirement for Council to have a business continuity plan. The General Manager said the Department does encourage Councils to have these plans in place, although it is not law. The Director of Corporate Services informed the meeting that Council keeps back up of its system off site and could be operational in a day or so should the current building be destroyed.

**8449 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council note the information and the need for a business continuity plan to be documented.

**10.33 MR COLIN RYAN G1-4 (32422)**

Writing in support of retaining the recycling program and saying they have put a lot of time and effort into making the service available in Gulargambone. Pointing out that ongoing education would be beneficial to keep awareness going and this could be done by flyers every few months. Saying he would be happy to talk with Council on these matters.

The General Manager stated that at the March meeting Council instructed staff to consult with the Gulargambone community in respect of ceasing the current recycling service. He said the first stage of that consultation was to advertise through the Gulargambone community newsletter and a report was to be prepared for this meeting. Unfortunately that has not transpired.

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**8448 RESOLVED** on the motion of Crs. O'Brien and Canham that Council note the letter from Mr. Ryan and the delay by staff in furnishing a report for consideration.

**11.0 REPORT BY GENERAL MANAGER**

**8449 RESOLVED** on the motion of Crs Karanouh and O'Brien that the report submitted by the General Manager be received and dealt with.

**11.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY**

**8450 RESOLVED** on the motion of Crs. Canham and O'Brien that Council note Development Application No. 008/2010, together with Complying Development Application No. 009/2010, have been approved under delegated authority since the last meeting.

**11.2 ANNUAL CONFERENCE OF "C" DIVISION COUNCILS**

The General Manager reported that on Thursday 18 March 2010, in company with Deputy Mayor Michael Webb, he attended the "C" Division Annual Conference held at Warren. Mr. Griffiths provided a list of guest speakers and topics addressed and said it was one of the best Conferences he has attended in a while.

**8451 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the information contained in the report be noted.

**11.3 MEETING TO ESTABLISH AUSTRALIA-WIDE RURAL LOBBY GROUP**

The General Manager referred to the invitation received by Council which was extended jointly from Gwydir Shire Council and Moree Plains Shire Council to attend a forum in Canberra on Monday 15 March 2010 to form a cooperative of rural based councils. He said that in company with Deputy Mayor Michael Webb, he attended the forum.

Mr. Griffiths said that each council was required to give a presentation in respect of their unique aspects of road maintenance and construction and each council's approach to addressing the funding shortfall. He said it is hoped to generate additional road funding for producers of rural product "for the first mile". The General Manager said a number of motions were passed, including the setting up of a temporary executive committee, initial membership fee of \$100/annum and setting the date of the next meeting to the National General Assembly to be held from 14 – 17 June 2010.

**8452 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council become an inaugural member of the Australia-wide Rural Roads Group and pay the annual membership fee of \$100.

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**ELECTION OF CHAIR**

**8453 RESOLVED** on the motion of Crs O'Brien and Karanouh that Cr Schieb take the Chair in the Mayor's absence.

At this juncture, 12.38 p.m., the Mayor declared a conflict of interest and left the meeting.

**11.4 COONAMBLE MEDICAL CENTRE**

The General Manager said that Council has received a request from the Coonamble Aboriginal Health Service (CAHS) to purchase the Centre, including the land. A copy of the letter was attached to the Business Paper.

Council's attention was drawn to discussions which have been held with a prospective developer and the potential of acquiring the former Youth Centre, together with the land adjoining including the Coonamble Medical Centre. The General Manager pointed out that the development proposed for the Council premises and land in that vicinity is known to Councillors who should be cognizant of the potential loss if these premises are sold. However, he said that should that development not proceed it would be highly beneficial to Council and the community for the Coonamble Medical Centre to be sold given the necessity for extensive remediation works on the building. The General Manager indicated that the dentist is in tune with the proposal submitted by CAHS and, in fact, he said another dentist would be employed for public health needs.

In response to a question, the General Manager said that all other services currently housed in the Baby Health Centre would be relocated to the new MPS when completed.

Mr. Griffiths pointed out that the land is "operational" under the Local Government Act and may be sold subject to necessary notice being given to lessees. He said that CAHS recognizes that the premises will not become available until the new calendar year due to the lease with GWAHS.

**8453 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council:

- (1) Contact the prospective developer (supermarket) to get a clear indication in writing of his intentions and should the Coonamble Medical Centre be required, proceed to develop a strategy for relocation of both the Coonamble Community Radio and the Coonamble Dental Practice.
- (2) Should the prospective developer not require the Coonamble Medical Centre, proceed to formally accept the offer from CAHS, as follows, noting that transfer cannot be effected until GWAHS lease is relinquished:

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- That Council sell CAHS the “old Coonamble Medical Centre” Castlereagh Street.
  - The purchase price of the building would be that obtained through a certified valuation.
  - The building would be purchased ‘as is’.
  - All transaction costs for both parties would be met by CAHS.
  - CAHS continue with the current arrangement with the dentist and the provision of services to all members of the community.
  - CAHS purchase the dental equipment from Council, maintain and upgrade as required.
- (3) Place a caveat on the land that allows Council to repurchase the area in five years if the project stalls.
- (4) Advise Coonamble Vacation Care that a full costing of anticipated works (as per Item 10.3 of Precis of Correspondence) is being developed and will be considered and also advise that at the current time the premises are under consideration for sale.
- (5) Authorise the affixing of the Common Seal to any relevant documents.

At 12.52 p.m., the Mayor returned to the meeting and resumed the Chair.

**11.5 “THE MEGLO” – PROPOSAL TO PURCHASE LAND**

The General Manager referred to a request at the March meeting from Mr and Mrs Larry Rindfleish to purchase 4 – 5 hectares of land at “The Meglo” to establish a truck depot and expand their current business. He said that following the meeting Council requested further details regarding the proposal and subsequent discussion was held with Mrs Rindfleish on Thursday, 25 March, 2010. Mr & Mrs Rindfleish attended the meeting earlier in the day to answer questions concerning their intentions.

**8454 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council agree to sell 4 hectares of “The Meglo” land to Mr & Mrs Rindfleish on the following terms:

- Purchaser to be responsible for the cost of electricity supply extension;
- Purchaser to be responsible for the extension of town water supply to the site, noting that the quantity of supply will be minimal;
- Location of land to be immediately adjacent to the MPREC development;
- Price to be \$3,800 per hectare;
- Purchaser to be responsible for the full cost of survey, subdivision, plan registration and a share of legal costs associated with the transaction;
- Vehicular entrance to conform with Council requirements;
- That a deed supported by a caveat over the land to ensure it returns to Council at the purchase cost should the project not continue past five years.

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**11.6 MEETING WITH GILGANDRA SHIRE – PULVEY MIXER & SPREADER**

The General Manager referred to concerns in respect of the charges associated with the hire of equipment suitable for mixing damaged pavements, spreading lime/cement material and relaying roads. He pointed out that delays occurred on a number of occasions due to equipment not being available. Mr. Griffiths said that a meeting was held recently with representatives from Gilgandra Shire Council to discuss the issue, along with a potential joint project on Tooraweenah Road.

He said a proposal has been developed in principle whereby this Council purchase a spreader to be used in tandem with Gilgandra Council's mixer and both items will be contracted out to surrounding councils and/or the RTA when not required by either Council. The General Manager said coordination and marketing will be carried out by the Gilgandra Shire Council for a small fee. He said the budget and Management Plan would have to be amended to provide for the purchase.

The General Manager stated there are a number of formal arrangements permissible under the Local Government Act, however in these early stages a MoU is the simplistic way of commencing a joint venture.

**8455 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council agree in principle to enter into a Memorandum of Understanding with Gilgandra Shire Council to form a joint venture whereby its Pulvey mixer and this Council's truck and spreader are offered to contract to other councils when not required by either Shire and make provision in the Fleet Management Plan for the purchase of the necessary equipment.

**11.7 COUNCIL COMMITTEES**

The General Manager referred to Council's decision at the March meeting to form a Crime Prevention Committee and Parks and Gardens Committee. He provided a comprehensive report and reminded Councillors that with any Committee, all recommendations must be adopted by Council prior to implementation.

Mr. Griffiths pointed out that from a staff perspective servicing of a large number of committees presents difficulties particularly in relation to finding available times and dates for meetings, production of agendas and minutes and generally taking them away from their core function.

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For the two Committees already formed, the General Manager provided a Terms of Reference for each. The Mayor referred to the need for Council to have a CCTV Camera Committee and suggested it should be combined with the Crime Prevention Committee. The General Manager said that the Terms of Reference would have to be altered accordingly.

Cr Cullen indicated he would like to be a member of the Parks & Gardens Committee, together with Crs. Canham and O'Brien. The General Manager said he would alter the Terms of Reference to record the addition to the Committee structure.

**8456 RESOLVED** on the motion of Crs. Cullen and O'Brien that Council adopt the two Terms of Reference, as amended, for the Crime Prevention Committee and the Parks and Gardens Committee, without adding to the list.

**URGENT BUSINESS – SUPPLEMENTARY REPORT BY GENERAL MANAGER**

**8457 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the following matter be classified 'urgent business' and dealt with.

**11.8 FLUORIDATION OF COONAMBLE WATER SUPPLY**

The General Manager said that for around four years staff has been attempting to finalise the fluoridation of the town water supply in accordance with the offer of grant from the Centre for Oral Health Strategy, NSW. He said it has now come to light that the equipment is not capable of being housed in the existing sheds at No 3 and No 4 Bores.

Mr. Griffiths informed the meeting that quotations were sought to construct new pump shed buildings and annexes at the two bores, however Council approval has never been obtained for the expending of funds for such a purpose and staff had accepted a quote. He pointed out that the project cannot proceed without adequate housing for the fluoride plant and this is not included as part of the grant subsidy. Council noted that the total cost of the project will be approximately \$110,000.

Councillor Schieb asked who was responsible for this oversight and the General Manager said that it was thought the project was to be completed at no cost to council.

**8458 RESOLVED** on the motion of Crs. Cullen and Schieb that staff call for a further quotation from an outside contractor, noting the two received were from local contractors.

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At this juncture, 1.15 p.m., the meeting adjourned for lunch and resumed at 2.05 p.m. Cr Canham was not present upon resumption.

**SHEDS FOR HOUSING OF FLUORIDE PLANT**

Council's Project Engineer, Mr. Brian Burge, was present to address Council on the buildings required to house the subject plant and explained the importance of complying with standards set by the Department for the housing of fluoride. He said it was imperative that all requirements are met because of the dangerous nature of fluoride.

Mr. Burge left the meeting at 2.13 p.m. and Cr. Canham returned from lunch.

**8459 RESOLVED** on the motion of Crs. Karanouh and Cullen that following receipt of the additional quotation, the General Manager be authorised to accept the best offer and proceed with the work.

**12.0 REPORT BY DIRECTOR OF CORPORATE SERVICES**

**8460 RESOLVED** on the motion of Crs Karanouh and Canham that the report by the Director of Corporate Services be received and dealt with.

**12.1 RATE COLLECTIONS**

**8461 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the Total Combined Rate Collections to 31 March 2010 be noted.

The Director of Corporate Services advised that at this stage Council is ahead of last year's collection ratio.

**12.2 LIST OF INVESTMENTS**

**8462 RESOLVED** on the motion of Crs. O'Brien and Canham that that the Investments held at 31 March 2010 be noted and it also be noted that Council's Investments comply with s625(2) of the Local Government Act 1993 and Council's Investment Policy.

**13.0 URGENT BUSINESS – ENGINEERING WORKS REPORT**

**8463 RESOLVED** on the motion of Crs. O'Brien and Canham that the following be classified 'urgent business' and dealt with.

**13.1 MONTHLY PROGRESS REPORT – ENGINEERING WORKS**

**8464 RESOLVED** on the motion of Crs. Cullen and Canham that the report submitted on progress of engineering works be adopted.

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(a) Grading Pattern – Shire Roads

Cr Cullen referred to the grading pattern of Council's roads and said the crown is too low allowing water to pond – he suggested that staff be requested to raise the height of the road with a 'dome'. Cr. Cullen said this system would be more effective and last longer. Cr. Schieb referred to the bad condition of Wingadee Road.

Council noted that the Manager – Roads, Mr. Bob Green, has returned to work from holidays and he thanked him for his commitment.

**14.0 REPORTS FROM VARIOUS COMMITTEES**

**8465 RESOLVED** on the motion of Crs. Canham and O'Brien that the reports from various committees be received and dealt with.

**14.1 MINUTES OF PUBLIC MEETING – VOLUNTARY WINDING UP – COONAMBLE SHIRE BAND**

**8466 RESOLVED** on the motion of Crs. Canham and O'Brien that the minutes of the public meeting held on 9 March 2010 to consider the voluntary winding up of the Coonamble Shire Concert Band Inc & Distribution of Funds be noted as not being associated with Council activity.

**14.2 MINUTES OF GENERAL MEETING OF AFTER SCHOOL CARE (VACATION CARE) MEETING**

**8467 RESOLVED** on the motion of Crs O'Brien and Canham that the minutes of the meeting of After School Care (Vacation Care) held on 17 March, 2010 be noted.

**14.3 MINUTES OF OH&S COMMITTEE MEETING**

**8468 RESOLVED** on motion of Crs. O'Brien and Canham that the minutes of the meeting of the OH&S Committee held on 2 February, 2010 be noted.

At this juncture, Mr. Baldwin was at the meeting to present the Tourism Development Report.

**16.0 REPORT BY TOURISM DEVELOPMENT MANAGER**

Mr. Baldwin asked whether Councillors had specific questions on his report and proceeded to touch on the following issues:

- Two eight two eight – the Mayor asked whether he has relinquished the Chair of the organisation – TDM said it would happen at the AGM which will be held shortly.
- Cr Schieb said he had visited both Narrabri and Inverell and reported that there are no promotional brochures of Coonamble there. TDM said he would send some, but often they are not welcome because of the different tourism regions.

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- Heritage Day – about 60 visitors to the Archives and 40 to the Museum.
- Gulargambone Caravan Park reported that the “No Camping” sign has been removed from the John Oxley Rest Area and asked that another be erected. TDM said RTA has no problem with travellers staying at rest areas overnight.

**8469 RESOLVED** on the motion of Crs. Karanouh and Canham that Council not re-instate the “No Camping” sign at the John Oxley Rest Area on the Castlereagh Highway.

- Showground Pavilion – furnishings. Council noted that 250 chairs are available for use at functions at the Pavilion. Cr Karanouh said refrigerators and a freezer are needed when people hire the facility. He pointed out that the refrigerators must be commercial type units (Australia made) to cope with heat.

**8470 RESOLVED** on the motion of Crs. Karanouh and Cullen that two (2) commercial type Australian made refrigerators and one (1) 700 litre chest type freezer be purchased for use at the Coonamble Showground Pavilion and funds be sourced from savings to be identified at the next budget review.

**8471 RESOLVED** on the motion of Crs. Karanouh and Canham that the report by the Tourism Development Manager be adopted.

**17.0 REPORT BY SALEYARDS MANAGER**

**8472 RESOLVED** on the motion of Crs. O'Brien and Canham that the report by the Saleyards Manager for the month of March, 2010 be adopted.

**18.0 REPORT BY CONTRACT RANGER**

**8473 RESOLVED** on the motion of Crs. Karanouh and Schieb that the report by the Contact Ranger for the month of March, 2010 be adopted.

*(a) Parking of Heavy Vehicles*

Councillors referred to the practice of heavy vehicles parking in front of Mr Tim Wall's residence in King Street and requested that this be monitored, noting that the designated 'heavy vehicle parking' area is across the road, not directly in front of the dwelling.

Cr Canham drew attention to the danger of trucks parking too close to the corner of Castlereagh and King Streets, making visibility difficult.

**8474 RESOLVED** on the motion of Crs. Schieb and Karanouh that this matter be listed on the agenda for the next meeting of the Traffic Committee.

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**19.0 CLOSED SESSION**

**8475 RESOLVED** on the motion of Crs. Cullen and O'Brien that Council resolve to Closed Session in accordance with Section 10A of the Local Government Act 1993:

- section 2(a) "*personnel matters concerning particular individuals (other than councillors)*";
- section 2(b) "*the personal hardship of any resident or ratepayer*";
- section 2(c) "*information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business*";
- section 2(g) "*advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege*"

**8476 RESOLVED** on the motion of Crs Cullen and O'Brien that the press and public be excluded from the meeting.

**RESUME OPEN COUNCIL**

**8477 RESOLVED** on the motion of Crs. O'Brien and Schieb that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATIONS OF CLOSED SESSION**

**8478 RESOLVED** on the motion of Crs. O'Brien and Schieb that Council adopt the recommendations of Closed Session, being Recommendation Nos. 19/1 to 19/4 as set out below:

At this juncture, 2.51 p.m., the Director of Corporate Services, Mr. Warren, left the meeting.

**19.1 PERFORMANCE APPRAISAL – DIRECTOR OF CORPORATE SERVICES**

**THE COMMITTEE RECOMMENDS** that the information contained in the report be noted and the Director of Corporate Services be given a 5% increase in his total remuneration package.

**19.2 PERFORMANCE APPRAISAL – MANAGER – ENVIRONMENTAL SERVICES**

**THE COMMITTEE RECOMMENDS** that the information contained in the report be noted.

**19.3 CODE OF CONDUCT – CR D SCHIEB**

**THE COMMITTEE RECOMMENDS** that the report be noted and no action taken.

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**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
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**URGENT BUSINESS – PRECIS OF CORRESPONDENCE – CLOSED SESSION**

**8479 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the following matter be classified 'urgent business' and dealt with.

**19.4 DR NIHAL PATHIRANA – LEGISLATION OF HEALTH WAIVER BILL IN NSW**

**THE COMMITTEE RECOMMENDS** that Council:

- (1) Request the Local Member and the Duty Senator for Barwon Electorate to support the Bill on the basis of the negative impact on this community of losing the services of its doctor.
- (2) Write directly to the Minister for Immigration, Hon Chris Evans and the Premier of NSW, Hon Kristina Keneally asking that legislation of the "Health Waiver Bill" be passed as a priority.

**GENERAL BUSINESS**

**Cr Karanouh:**

- Suggested that an approach be made to the Garden Club to tend street gardens – starting from the MPREC training centre to the Peace Tree. Staff said this method did not work before, when the work was left to only a few of the Club members.

**Cr Schieb:**

- Requested that mowing of streets and showground be carried out. Stated that a lot of footpaths are unkempt. Suggested that Council give publicity to keeping the town tidy and seek owners' cooperation in mowing footpaths. The Manager – Services was requested to follow this matter up.
- Stated that the low fence around the trotting track at Showground is dangerous and asked if it could be pulled down prior to the show. Manager – Services said because of staff shortages, it can't be done in time for the show.

**Cr O'Brien:**

- Stated that a 'disabled parking' space has been approved in front of the Twoeighttwoeight Hall, but it has not been installed. Manager – Services requested to take action.
- Referred to vandalism of roses in park – said they apparently were poisoned. John Earsman maintains the park and is very upset about the incident. Manager – Services to price new roses.
- Gulargambone War Memorial – advised new gold lettering has been applied – requested Council to look at the automatic watering system because it sprays water onto the memorial.

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- Gulargambone cemetery – requested a maintenance program for mowing be put in place. Manager – Services stated the cemetery at Gulargambone is now included in a regular maintenance program.

**Cr Cullen:**

- Asked whether works at the Showground are progressing – noting that both the Show and the Rodeo are fast approaching.

**Cr Canham:**

- Referred to the grandstand at the Golf Club in the area where cricket used to be played. Said it is not used now and suggested it be removed and utilised when needed.

**Director – Corporate Services:**

- Ginty Estate – Referred to the concept plans handed out for Ginty Estate. Asked Councillors to select the option that best suits and staff can work out costings, pointing out that Stage 1 can be combined with both other options. The Mayor said he feels there would be demand for the river blocks.

**8480 RESOLVED** on the motion of Crs. Karanouh and Cullen that the plans be amended, as follows:

- Lot 1 to be combined with Lot 2,
- Lots 13 and 14 and Lots 5 and 6 be modified to reflect entrance from roadways, noting that Lots 14 & 6 will have Reid Street frontage.

**General Manager:**

- Referred to the petition instigated by Dawn Fardell requesting IPART not to agree to the massive rise in electricity costs and asked whether Council would approve displaying it in the Council Office.

**8481 RESOLVED** on the motion of Crs Karanouh and Schieb that Council approve the petition being made available to residents in the Shire.

- Referred to a letter from the Project Officer for Women in Agriculture – stated the letter was supposed to have been sent to Council in February, however a search of Council's records failed to reveal this was the case. The letter refers to conducting workshop in Coonamble on 20/21 April – wanting to use McCullough Hall and seeking donation.

**8481 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council not agree to contribute financially and suggest that an alternate venue be sought.

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**Mayor:**

- Disappointed that no response has been received from Police or attendance at meeting as requested. Stated that Council wants to be kept abreast of crime within the area, especially the upsurge in Gulargambone recently. Also need clarification on the vacancy at Gulargambone.

**8482 RESOLVED** on the motion of Crs. Horan and O'Brien that Council again write to the Police requesting that a representative attend each meeting so that Council can be informed of matters of concern regarding law and order.

- Provision of fuel depot in Gulargambone has come to a halt – suggested that Council seek clarification and present status – General Manager to follow up.
- Advised he will be away from Coonamble commencing early May for approximately four weeks, returning weekends.

**MANAGEMENT PLAN REVIEW & QUARTERLY BUDGET REVIEW TO 31 MARCH, 2010.**

The Director of Corporate Services referred to this report, which is usually submitted to the May meeting, however he said that in accordance with the Local Government (General) Regulation 2005 the information had to be submitted to this meeting as Council decided not to hold a meeting during May unless urgent matters arise.

Information on Council's Reserves and an Overtime Report were handed to Councillors at the meeting.

The Director drew attention to major budget variations and listed them for Council's consideration. These items were discussed and the Director answered questions from Councillors on various variations.

At this juncture, 4.30 p.m., Cr Schieb left the meeting.

**8483 RESOLVED** on the motion of Crs Canham and O'Brien that Council:

- (1) note the Management Plan Review;
- (2) approve the variations to votes as listed in the budget review documents;
- (3) note that in the opinion of the responsible accounting officer, Council is in a satisfactory financial position;
- (4) note the position of Council's estimated Reserves at 31 March 2010.

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**DRAFT MANAGEMENT PLAN – 2010 – 2013**

**8484 RESOLVED** on the motion of Crs. Canham and O'Brien that consideration of the draft Management Plan, including the budget, for the period 2010 – 2013, be dealt with.

The Director of Corporate Services asked Councillors to query any items as Council proceeded to go through the documents prepared in relation to the management plan and budget. The General Manager said this is Council's opportunity to alter any components of the draft management plan, which must then be placed on public exhibition.

- DCS advised \$150,000 has been provided to continue LEP process
- Reloaming Reserve - \$100,000 carried forward – providing \$200,000 for the following year.
- Training vote has been increased to fulfill Council's obligation.
- Workers Compensation Premium has been increased to \$300,000 due to claims history.
- The Director of Corporate Services specifically referred to the Plant Replacement Reserve and informed the meeting that it cannot sustain the present expenditure and continue to be viable. Mr Warren said Council needs to consider very carefully expenditure from this Reserve.
- On-cost Contribution to Works – estimated income \$900,000
- Fire Protection Contribution – estimated at \$383,414, however Council is reimbursed \$238,333 from the Zone.

Council discussed expenses relative to the provision of garbage collection and disposal. The General Manager said a report will be prepared and presented to Council for consideration in relation to this service.

At this juncture, 4.49 p.m., Cr Schieb returned to the meeting.

- DCS said it may be prudent to review the capital works program for Coonamble Water.
- Mining – Quarry – investigate production targets and take internal control of production figures.
- Caravan Park – should investigate the purchase of another cabin at the Caravan Park.
- Saleyards Reserve - \$29,000 will be transferred to Reserve
- Farming Reserve - \$120,000 will be transferred to Reserve
- Car Park Macdonald Park - \$50,000 provided.

**8485 RESOLVED** on the motion of Crs. Cullen and Schieb that Council not proceed with the provision of a car park at the rear of Macdonald Park and that the \$50,000 allocated be re-voted.

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- Plant Reserve – Needs to be reviewed – no major purchases provided.
- Cr Canham - \$50,000 surplus – asked about partitions in Fish Bowl – was advised that layout is still being determined.

**PLACING OF DRAFT MANAGEMENT PLAN ON PUBLIC EXHIBITION**

**8486 RESOLVED** on the motion of Crs O'Brien and Karanouh that Council place the draft Management Plan, as amended, on public exhibition for a minimum period of twenty eight (28) days (15 April 2010 to 14 May 2010), seeking written submissions up to 19 May, 2010, with those submissions being considered prior to formal adoption at the Council meeting to be held on Wednesday, 9 June, 2010.

This concluded the business and the meeting closed at 5.36 p.m.

These Pages (Page 1/4472 to 31/4503 were confirmed on the ..... day of .....2010 and are a full and accurate record of proceedings of the ordinary meeting of Coonamble Shire Council held on 14 April 2010.

MAYOR