

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE COUNCIL CHAMBER, COONAMBLE ON WEDNESDAY, 8<sup>TH</sup>  
AUGUST, 2012, COMMENCING AT 9.29 A.M.**

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**PRESENT:** Cr Tim Horan, Mayor, in the Chair, with Crs. T. Cullen, M. Webb, B. O'Brien and A. Karanouh.

Also present were the General Manager, Mr. Warren, the Director of Corporate & Community Services, Ms Tasker, the Director of Development, Commercial & Urban Services, Mr Quarmby, the Director of Engineering Services, Mr Brodbeck and Mrs Moorhouse. Mr John Walker, Mr Bill Burnheim and Mr. Danny Keady attended the meeting as "mentees".

**PASSING OF CR WEBB'S MOTHER**

The Mayor informed Council that Mrs. Fay Thomas, Cr. Webb's mother, was being buried today. Cr Horan conveyed his condolence to the family and said he would adjourn the meeting at 11 a.m. for one hour to allow those who wished to attend the Funeral.

**WELCOME TO PROSPECTIVE COUNCILLORS**

The Mayor welcomed the three prospective Councillors, reminded them of their responsibilities and invited them to ask questions throughout the meeting should they require clarification on issues being discussed. All three candidates accepted conditions imposed for their participation in the meeting.

**1.0 OPENING PRAYER**

**2.0 ACKNOWLEDGE ORIGINAL OWNERS OF THE LAND**

At this juncture, the Mayor acknowledged the original owners of the land, both past and present.

**3.0 PUBLIC QUESTION TIME**

Representatives from the Coonamble Little Athletics will present to Council at 9.30 a.m. Mrs. Anne Kennedy will be present at 9.45 a.m. to address Council regarding the progress of coal seam gas investigations. At 10 a.m., Mr. David Buttry will address Council on a shearing school which has been established at Brewarrina for aboriginal youth.

Mr. Jack and Mrs Cheryl Hume will accompany Council to lunch – they will be arriving at 12.45 p.m.

**5.0 DEPUTATIONS/DELEGATIONS**

There were no further deputations at the meeting.

**6.0 DECLARATIONS OF INTEREST**

Nil

## **7.0 CONFIRMATION OF THE MINUTES**

**9998 RESOLVED** on the motion of Crs O'Brien and Karanouh that the minutes of the Ordinary Meeting of Coonamble Shire Council held on 11 July, 2012 be confirmed.

Mr. Burnheim asked that 'pecuniary interest' be defined. The General Manager informed him that it is detailed in the Code of Meeting Practice, but gave a brief overview on pecuniary interest and conflict of interest, saying that any issues outside the realms of transparency should be considered by individual councillors. Mr. Warren said the decision to declare the interest is the individual's alone.

Mrs. Anne Kennedy arrived at the meeting at 9.35 a.m., and Mrs Maureen Nalder and Ms Lisa Kenny (representing Little Athletics) arrived at 9.36 a.m.

## **LITTLE ATHLETICS**

The Mayor welcomes Mrs Nalder and Ms Kenny and informed Councillors the issue being discussed is set out in Item 10.1 of Precis of Correspondence.

Ms Kenny informed Council that in 2010 Little Athletics was hosting the Zone Carnival in Coonamble, however it was cancelled due to heavy rain. The local Little Athletics is hopeful of being host to the 2012 Zone Carnival which will be held in December 2012. Council was advised that everything at the Sportsground is suitable for the carnival, except the long jump runway.

The representatives put three options to Council, detailed in Item 10.1 of Correspondence. Ms Kenny said it is expected that 3000 children, aged between 6 years and 17 years, will take part and they will be accompanied by parents, so it would be a big weekend for Coonamble.

The General Manager referred to grants being available from the NSW Department of Sport and Recreation and asked whether the Club has applied for funding. The representatives said the Club has applied and has also submitted an application for funding to the NSW Little Athletics.

The Mayor said further discussion of the request would take place later in the day and a decision made.

Ms Kenny and Mrs Nalder left the meeting at 9.49 a.m.

## **COAL SEAM GAS UPDATE**

The Mayor welcomed Mrs Anne Kennedy to the meeting and she spoke about receiving further information concerning the damage being caused to our Great Artesian Basin.

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Mrs Kennedy said that many councils have now voted unanimously against coal seam gas mining in their local areas and asked if Council would pass an additional motion to the one already on the books concerning the moratorium.

Further to the meeting held recently at the Coonamble Bowling Club, Mrs Kennedy presented the two motions passed unanimously by those in attendance. She informed Council that advice has been received from a lawyer concerning local governments' right to stop CSG under two different Acts and pointed out that she has been informed that councils do have significant power in the fight against CSG mining in their areas. Mrs Kennedy reiterated her remarks earlier concerning health risks and said there is new evidence supporting this now. She is now asking Council to endorse the two motions supporting no mining in the area.

The Mayor congratulated Mrs Kennedy on her exhaustive work and for the results she has achieved.

**9999 RESOLVED** on the motion of Crs. Horan and Karanouh that Council:

- (a) oppose coal seam gas exploration and mining in the Coonamble Local Government Area (LGA) because of the unacceptable risks to our water catchments, groundwater, agricultural industries, natural environment and human health;
- (b) write to the Premier of NSW and Minister for Environment Climate Change and Water, Leader of the Opposition and the Shadow Minister for the Environment, re-affirming Council's position in support of a moratorium on Coal Seal Gas mining until an extensive and independent environmental impact statement has been concluded on the effects of CSG mining on the environment and in particular the effects of CSG mining on groundwater within the Coonamble Shire and north west region;
- (c) objecting, particularly, to the practice of hydraulic fracturing in NSW;
- (d) write to the Local Members of Parliament (State and Federal) seeking support for Council's position;
- (e) support other Councils in NSW in their opposition to Goal Seam Gas Mining.

**0001 RESOLVED** on the motion of Crs. Horan and Karanouh that Council adopt the two motions unanimously passed at the Public Meeting held on 8 July, 2012 at the Coonamble Bowling Club and note they align with Council's position on Coal Seal Gas mining and exploration.:

Cr Cullen suggested that Mrs. Kennedy also approach the Catchment Management Authority (CMA) to gain its support.

**BUSINESS ARISING FROM MINUTES:**

**(a) Street Numbering**

Cr O'Brien asked whether an approach has been made to Service Clubs to assist in street numbering. In response, the General Manager said he would take the matter up with the Project Manager and advise Cr O'Brien.

**(b) Bag-a-Bargain & Adjoining Premises**

In response to a question from Cr O'Brien concerning progress with the above, the General Manager said if works are not carried out by owners of buildings, Council will do what is necessary to remedy the problems and the cost will become a charge against the land.

**(c) Moorambilla**

Cr O'Brien referred to the forthcoming Moorambilla Festival and asked whether issues have been sorted. The General Manager informed her that talks are still in progress with the Artistic Director.

**SHEARING SCHOOL AT BREWARRINA**

At this juncture, the Mayor welcomed Mr David Buttry who gave a presentation on a shearing school set up on property of about 18,000 hectares, located 16 kilometres from Brewarrina on the Carinda Road. Mr Buttry said the training school was set up in 2006 and is funded by the Federal Government and is for Aboriginal youth. He said Roger Fletcher is a supporter of the project and supplies the sheep – the property runs about 9,000 head. The training courses run for approximately 15 weeks and participants learn about fencing, jetting, mustering and all types of sheep work. He said they also learn 'life skills' because they are required to help with washing up, cleaning their rooms and personal hygiene, as well as growing vegetables.

Mr Buttry said participants are paid under the Federal Pastoral Award, based on age and must have a tax file number and bank account. He said they are also encouraged to save money and if they agree, deductions are made from their pay. He said the school runs two groups annually, with a retention rate of 60%. Funding has been announced for another two rounds until the financial year 2013/14. He said referrals to the shearing school can be made via job service providers, Police and Juvenile Justice.

The presentation concluded – the Mayor thanked Mr Buttry and congratulated him on the success of the project.

**8.0 RESOLUTION BOOK UPDATE**

**0002 RESOLVED** on the motion of Crs. O'Brien and Canham that the Resolution Book Update be received and noted.

## **9.0 MAYOR'S REPORT**

The Mayor informed Council that he has decided not to seek re-election at the September elections. He said representing our constituents requires dedication, passion and drive and, unfortunately, due to ongoing health issues and the fact I have lost some of that passion, leaves me with no other option but to not see re election.

He presented a comprehensive report covering this Council's term of office and its achievements, including the following:

- Community Strategic Plan
- Roads and Streets
- Major Plant and Sundry Works
- Economic Development

Cr Horan commented on his eight years on Council in the role of Mayor and presented his views on what Council represents and where he sees its future direction. He mentioned amalgamations/boundary changes and the need for Council to work with neighbouring councils and share resources where possible. He also referred to projects carried out over the past eight years and the millions of dollars spent in completing them and said as he leaves Office Council has approximately 17 million dollars in reserve – a great achievement.

The Mayor referred to the generosity of people when discussing the appeal he set up for the Conn Family in 2009 – pointing out that donations were received from overseas as well as from all parts of Australia. Cr Horan referred particularly to the people of Coonamble who are ever ready to give to others in times of trouble. He recommend that consideration be given to holding say 2 or 3 fundraising events throughout the year with the funds raised managed by a Committee, which could provide financial assistance to those in need particularly when it relates to an illness.

Cr Horan referred to the candidates who have registered their interest for the September 8 Elections and wished them good luck. He said he was disappointed that no women were included on the list. He referred to the female councillors with whom he has worked and said they all made a significant contribution. The Mayor said he was also very proud to be able to move the full support of Council to Anne Kennedy and the coal seems gas issue and encouraged the new council to stand up for what is a very important issue which will effect generations to come.

In closing the Mayor paid tribute to the staff of Coonamble Shire Council and congratulated them on their efforts. He said he has formed strong friendships with councillors and staff and that he has genuinely enjoyed his eight years service on Council.

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Finally, Cr Horan thanked everyone for their support throughout this Council's term of office and said each and every one of us has a part to play in the future of Coonamble Shire to ensure the community continues to thrive and prosper into the future. He encouraged everyone to be part of this evolving process.

**0003 RESOLVED** on the motion of Crs. Horan and O'Brien that the Mayor's final report be adopted.

Individual councillors and staff thanked the Mayor for his support and wished him all the best for the future. Mrs Anne Kennedy also thanked the Mayor for his assistance to her campaign against Coal Seal Gas mining and exploration in the area.

At this juncture, 10.58 a.m., the Mayor adjourned the meeting for one hour to allow those who wished to attend the Funeral Service for Cr Webb's mother. The meeting resumed at 12.00 noon.

**10.0 CORRESPONDENCE**

**0004 RESOLVED** on the motion of Crs. Karanouh and O'Brien that the Correspondence be received and dealt with.

**Section A – Matters for Consideration by Council:**

**10.1 COONAMBLE LITTLE ATHLETICS D7(37717)**

**A MOTION**

**PROPOSED** by Cr. O'Brien **SECONDED** by Cr Karanouh that Council agree to pay for all the work – approximately \$20,000 and Coonamble Little Athletics make a contribution **WAS LOST**.

Cr Canham suggested that Council contribute \$10,000. The General Manager reminded Council that it has lost \$50,000 from the Financial Assistance Grant due to a miscalculation on the part of the Federal Government. He said all councils have been affected to some extent. Mr. Warren said that Council could look at the budget review in three months time to endeavour to source the necessary funds.

**A MOTION**

**PROPOSED** by Cr Cullen **SECONDED** by Cr Karanouh that Little Athletics pay for cement and laying of soft fall – Council pays for clearing, levelling, mesh and preparation of form work and pay for the purchase of soft fall, sourcing funds of \$10,000 from the specific works vote for the sportsground.

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**AN AMENDMENT**

**0005 PROPOSED** by Cr Cullen **SECONDED** by Cr Canham that Council agree to contribute \$10,000 to Coonamble Little Athletics to bring the long jump pit and runway up to an acceptable standard to allow Zone carnivals to be hosted at Coonamble.

On being put to the vote, the **AMENDMENT WAS CARRIED** and on becoming the Motion, was carried.

**10.2 CURRUMBIN PALM BEACH SUB-BRANCH INC – VETERANS’  
SUPPORT CENTRE D7(37902)**

**0006 RESOLVED** on the motion of Crs. O’Brien and Cullen that Council advise Currumbin Palm Beach Sub Branch Inc – Veterans Support Centre that it is unable to contribute towards the project due to financial constraints, noting that it has recently made a significant contribution to the Vietnam Veterans Memorial at Gulargambone.

**10.3 DEPARTMENT OF PRIMARY INDUSTRIES – CROWN LANDS DUBBO  
R8-11+SR109(36785)**

This transfer refers to Crown road south of Lot 21 DP754187 at the end of Thara Road. Council noted that Mr Dennis Fitzgerald, along with other landowners in the area, objected to the proposed closure of this small section of Crown road.

**0007 RESOLVED** on the motion of Crs. O’Brien and Karanouh that Council advise Mr Fitzgerald that transfer to Council control has now been gazetted of the Crown road south of Lot 21 DP754187 and Council is in a position to form the road after it has been re-fenced or a grid installed.

**10.4 COONAMBLE SWIMMING CLUB INC S13(32385)**

**0008 RESOLVED** on the motion of Crs. O’Brien and Karanouh that Council advise the Coonamble Swimming Club that a maintenance program is in progress, which includes painting of the pools and upon completion, the Club should liaise with the Director of Development, Commercial and Urban Services to ascertain when access can be provided.

**10.5 COONAMBLE SWIMMING CLUB INC S13**

**0009 RESOLVED** on the motion of Crs. Karanouh and O’Brien that Council agree to fix built in hooks/clips to the 25 metre pool to enable lane ropes to be fitted, and advise the Coonamble Swimming Club that the work will be completed in conjunction with the preparation of pools for the forthcoming season and costs will be incorporated with normal maintenance.

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**10.6 NATIONAL YOUTH WEEK 2012 G5-9(33700)**

**0010 RESOLVED** on the motion of Crs Karanouh and O'Brien that Council nominate the Mayor (or his representative), the Director of Corporate and Community Services and a representative from the Youth Council to attend the Local Government Awards Night on 15 August 2012, noting that Council is in the running for a second award – the Dougherty Award for Excellence in Communication.

**10.7 MICHAEL L LEONARD R8-6-2+SH18(37922)**

**0011 RESOLVED** on the motion of Crs. O'Brien and Canham that Mr Leonard be advised the section in question for maintenance is not a road and therefore, in accordance with previous Council decisions, he would be responsible for having the road dedicated and upgraded.

**10.8 MRS ANNE KENNEDY E5**

This matter was dealt with earlier in the day, when Council resolved to support the motions put forward by Mrs. Kennedy, which are recorded earlier in the minutes.

**10.9 MRS ANNE KENNEDY E5**

**0012 RESOLVED** on the motion of Crs. Horan and Karanouh that Council note it has already agreed to send the flyer as an attachment with rate notices, however it is necessary that the information is first approved by Council's legal adviser.

**Section B – Matters for Council's Information:**

**10.10 SHIRES ASSOCIATION OF NSW L9-1(37802)**

Advising that after almost 9 years of discussion and debate, the time has come for Council's voting delegate to cast their vote to determine if there is to be a single Association to be the voice of Local Government in NSW. Urging all voting delegates to vote "Yes".

**10.11 THE HON DON PAGE, MP – MINISTERIAL CIRCULAR F9(37799)**

Advising the NSW Government is committed to the use of biofuels and to achieve this the Government has introduced biofuel mandates which require that 6% of the total volume of petrol and 2% of the total volume of diesel sold in NSW are biofuels. Encouraging Councils to share this commitment and help achieve the biofuel mandates by mandating the use of biofuels where possible.

**10.12 MR KEVIN HUMPHRIES, MP W1+S4(37838)**

Referring to Council's letter regarding Country Towns Water and Sewer Programs and advising he has made formal representations to the NSW Minister for Primary Industries, Hon Katrina Hodgkinson MP, concerning financial

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assistance to upgrade the Coonamble Water Supply. Apologising for delay and saying he understands advice should be to hand shortly.

**10.13 DIVISION OF LOCAL GOVERNMENT G5(37860)**

Informing councils of the outcome of round one of the NSW Government Local Infrastructure Renewal Scheme. Saying the Local Infrastructure Renewal Scheme (LIRS), which provides a 4% interest subsidy to fund council infrastructure backlog borrowing, is a key component of this policy. Pointing out that a full list of projects approved for funding, subject to a satisfactory financial assessment of the Council by TCorp, is now available on the DLG website at [http://www.dlg.nsw.gov.au/dlg/dlghome/dlg\\_index.asp](http://www.dlg.nsw.gov.au/dlg/dlghome/dlg_index.asp)

**10.14 DIVISION OF LOCAL GOVERNMENT D5-21(37863)**

Responding to Council's correspondence regarding a capital expenditure review for the Coonamble Multipurpose Indoor Arena. Thanking Council for providing the details and saying after reviewing the information it has been determined that Council has satisfactorily addressed the Division's capital expenditure criteria. Pointing out that, although Council has generally satisfied the Division's capital expenditure criteria, it is important to note that the response should not be construed to be an endorsement of the capital expenditure proposal.

**10.15 DIVISION OF LOCAL GOVERNMENT L10(37901)**

Advising the Minister has approved of an internal loan pursuant to section 410(3) of the Local Government Act 1993, subject to conditions set out in the Instrument of Approval. Pointing out the approval is also on the understanding that the loan arrangements will not adversely affect Council's ability to maintain and provide necessary sewer infrastructure. Advising that the approval should not be construed to be an endorsement of the project for which the funds have been sought.

Cr. Canham requested that the information contained in this letter be printed in the Coonamble Times. The Mayor pointed out that the first \$100,000 instalment has been budgeted, so it is now a loan of \$600,000.

**10.16 NATIONAL AUSTRALIA BANK LIMITED – PORT MACQUARIE  
B7(31581)**

Referring to Council's recent letter to the NAB Business Bank, Dubbo and a subsequent telephone discussion with the General Manager. Pointing out the Bank was unaware such meetings/comments had been made until receipt of Council's letter. Apologising for the confusion and confirming the Bank's continued presence in Coonamble.

**10.17 ELECTORAL COMMISSION NSW E2(29738)**

Providing a copy of Local Government Elections Bulletin Number 6 – 20 July 2012 – a copy was attached to the business paper.

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**10.18 JENNY CARTER C8-13(37938)**

Providing an update to the Mayor regarding fundraising in Sydney, with the assistance of four primary schools, for the Gulargambone skate park. Detailing other fundraising endeavours planned and saying that they hope to have \$5,000 to donate to Council by the end of the year. Advising that for Christmas as a gift from the schools in Sydney hoping that each child in the school will have a skate board.

**10.19 MEDIA RELEASE – NSW TREASURER & MINISTER FOR POLICE & EMERGENCY SERVICES E4(37741)**

Seeking community feedback to develop a better, fairer and more efficient way of funding emergency services in NSW. Advising the Government has released a *Funding our Emergency Services* discussion Paper as part of a three month consultation period to identify a better way to fund emergency services in NSW. Advising the review and consultation process fulfils an election promise and pointing out the public consultation period of open until 8 October 2012. The discussion paper and public submissions can be found at [www.haveyoursay.nsw.gov.au/ESL](http://www.haveyoursay.nsw.gov.au/ESL)

**10.20 COONAMBLE INTERAGENCY C8(37949)**

Forwarding copy of minutes of the Coonamble Interagency meeting held on 4 July 2012. A copy was attached to the business paper.

**0013 RESOLVED** on the motion of Crs O'Brien and Canham that the information contained in Item Nos. 10.10 to 10.20 inclusive be noted.

At this juncture, Council's Manager – Environmental Services was present.

**URGENT BUSINESS – SUPPLEMENTARY REPORT BY MANAGER OF ENVIRONMENTAL SERVICES**

**0014 RESOLVED** on the motion of Crs. O'Brien and Karanouh and that the following matter be classified "urgent business" and dealt with.

**15.3 DEVELOPMENT APPLICATION NO 025/12 - AGRIGRAIN**

In response to a question from Cr Karanouh, the Manager said no objections have been received regarding this development. Councillors referred to the Narromine site operated by the Company, however noted that it was in close proximity to the town and this caused dust and noise nuisance.

**0014 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council approve Development Application No 025/2012 submitted by Jim Sarantzouklis, on behalf of Agrigrain subject to the following conditions:

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1. Failure to comply with the conditions of consent constitutes a breach and on the spot fines may be issued under the Environmental Planning & Assessment Act 1979 and or the Protection of the Environment Operations Act 1997.

**REASON:-** To ensure that the development is undertaken in accordance with the submitted application. Section 79C (e) of the Environmental Planning and Assessment Act 1979, as amended.

2. The development shall take place in accordance with the approved development plans containing Council's approved development stamp and all associated documentation submitted with the application, except as modified in red by Council and/or any conditions of this consent.

**REASON:-** Statutory Requirement.

3. All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**REASON:-** Statutory Requirement.

4. The development, including operation of vehicles, shall be conducted so as to avoid unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise, dust or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

**REASON:-** So that the development does not have an adverse effect on the amenity of the area. Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

5. The ground surrounding the building shall be graded and drained to ensure that all surface and seepage water is diverted clear of buildings on the site and clear of adjoining properties. Permanent surface or subsoil drains or a combination of both shall be provided to all excavated areas, hard standing areas and depressions. The invert of such drains shall be a minimum of 200mm below the finished floor level and shall have a minimum grade of 1:100 to the approved storm water disposal location. This work shall be carried out within fourteen (14) days of the installation of the roof gutter down pipes.

**REASON:-** A drainage system for the disposal of storm water must convey the water to an appropriate outfall, avoid the entry of water into a building, avoid water damaging the buildings and avoid the likelihood of damage or nuisance to any other property.

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Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979 as amended.

6. That the watering of internal vehicle access-ways be undertaken at appropriate times to ensure dust suppression.

**REASON:-** To ensure that all works are carried out in a satisfactory manner so as to protect the safety and health of the public and to prevent pollution of air, soil and water. Section 79C (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

7. Any exterior lighting associated with the development shall be designed so that no obtrusive light will be cast onto any adjoining property. This will include lighting that will effect air traffic flow in the area.

**REASON:-** To prevent the proposed development having a detrimental effect on the developments existing on adjoining land. Section 79C (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

8. Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit engineering details of the required road construction Upgrade to Gadsens Lane and the Intersection of Back Gular Road described below:

- Full up-grading of Gadsens Lane and the intersection of the Back Gular Road construction of all new and existing roads are to be as per Coonamble Shire Council's Engineering Services Specification and Road and Maritime Service (RMS) Specifications and Design. Full engineering design and plans are to be submitted and approved by Council.
- Minimum width of bitumen seal is 7.500metres with a 1.000metre width shoulder on either side of seal.
- A bank guarantee to the value of \$200,000.00 will be required within two weeks from the developer. In the event that the works to the roads is not completed within a twelve (12) month time frame, they will be undertaken by Council and demand made on the bank guarantee to meet this obligation.
- All inspections are to be undertaken by Coonamble Shire Council Engineering Department and principal certifying authority shall not issue a occupation certificate until Council has issued a compliance certificate for the road construction.
- Any cost in the up-grading of the rail crossing shall be at the developers costs.
- All costs of up-grading of drainage crossings of Gadsens Lane or private accesses shall be the developers responsibility and costs.
- Access to the development off Gadsens Lane shall comply with Council and RMS guidelines for access roads with gate set back and drainage details to be submitted to Council for approval.

**REASON:-** Council Requirement.

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9. A bird and animal management plan needs to be put in place so as to control the likelihood of danger to air traffic within and around the Coonamble Aerodrome. To facilitate safe aircraft operations the aerodrome environment is managed to discourage bird and animal activity e.g. minimising water ponding on runway strips, removing food sources etc.

Particulars of the procedures to deal with danger to aircraft operations caused by the presence of birds or animals on or near the aerodrome, including details of the following:

- (i) The arrangements for assessing any bird or animal hazard;
- (ii) The arrangements for the removal of any bird or animal hazard

**REASON:-** Civil Aviation Safety Authority and Council Requirement.

- 10 As the proposed development is within the Coonamble Airport Flight Zone an Airport Obstacle Limitations to include that any structure on the land relating to the development will not exceed a height of 23 metres above the natural height of the Southern end of run-way tarmac. This is also a requirement of the Civil Aviation Safety Authority (CASA). Any encroachment over this height will be given an order to remove the structure.

**REASON:-** Civil Aviation Safety Authority and Council Requirement.

11. Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be above finished site levels and stormwater shall be conveyed from the site to the nearest drainage system under Council's control. All proposals shall comply with Council's *Engineering Design Guide for Development (as amended)*.

**REASON:-** Council Requirement.

12. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**REASON:-** Council Requirement.

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13. Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:
- A public sewer, or
  - If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
  - If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

**REASON:-** Council Requirement.

14. Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal at Council's waste disposal facility. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

**REASON:-** Council Requirement.

15. Prior to the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the principal certifying authority a registered surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

**REASON:-** Council Requirement

**16. REQUIRED INSPECTIONS**

You have appointed Coonamble Shire Council as the Principal Certifying Authority for the purposes of certifying the works involved in the development. The following scheduled inspections are mandatory and must be completed by Council prior to the approval of an occupation certificate of the issuing of any compliance certificates. All inspection fees have been prepaid.

**Booking Inspections**

Inspections may be booked up to 8.30 am on the day that they are required by calling (02) 68271900. Please quote the Development Approval or construction certificate number when you book.

**INSPECTION SCHEDULE**

- At the commencement of the building work.
- Excavation, pier holes and footings prior to placement, or the pouring of concrete, or the placement of prefabricated structures.
- Reinforced concrete steelwork prior to pouring concrete (footings, floors, beams, panels, pool coping, swimming pools).
- Framework (timber or steel) for any wall, roof or other building element prior to internal cladding.
- Water proofing of wet areas prior to covering.
- Stormwater drainage connections prior to backfilling.
- Final/completion prior to occupation of the structure.

**REASON:-** Council Requirement.

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17. With a staged development, prior to the using of the facilities at completion of each stage an Interim certificate will be required prior to commencement of operations.

**REASON:-** Council Requirement.

18. An Occupation Certificate will need to be applied for on completion of the patio cover and will not be issued if any one of the above inspections is not completed by Council.

**REASON:-** Council Requirement.

**15.1 ILLEGAL USE OF RESIDENTIAL PREMISES**

- 0015 RESOLVED** on the motion of Crs. O'Brien and Canham that Council:
- (a) advise Mr John Jackson that due to excessive noise, dust nuisance and constant complaints from residents in the vicinity, he has six months to relocate his business to land purchased at "The Meglo" and in the interim he may conduct work at his Barton Street address between the hours of 9 a.m. and 5 p.m. Monday to Friday, with no work being carried out during weekends and/or public holidays;
  - (b) point out to Mr Jackson that any contravention of council's direction will incur an immediate Order to cease work together with appropriate fines.

At this juncture, the Mayor welcomed Mr & Mrs Ian Rindfleish to the meeting to discuss the development application on behalf of Agrigrain. The Mayor informed the couple that Council had just approved the development, with conditions and that formal advice would be forthcoming shortly. Cr Horan thanked Mr. Rindfleish for deciding on Coonamble to set up the business.

Mr. & Mrs. Rindfleish left the meeting.

**15.2 RANGER'S REPORT**

- 0016 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the Ranger's report for the month of July 2012 be noted.

**11.0 REPORT BY GENERAL MANAGER**

- 0017 RESOLVED** on the motion of Crs. O'Brien and Canham that the General Manager's report be received and dealt with.

**11.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY**

- 0018 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council note no Development Applications were approved under delegated authority since last meeting, however Complying Development Certificate Application No. 018/2012 was approved during the period.

**11.2 POLICY FOR PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO MAYOR AND COUNCILLORS**

**0019 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council formally adopt the Policy for Payment of Expenses and the Provision of Facilities to Mayor and Councillors, noting that the document was on public exhibition for the prescribed period and no submissions were received.

**11.3 NATIVE TITLE CLAIM – Ns D2308/2011, NC11/6**

Cr Karanouh asked questions concerning this matter and the General Manager explained that there are many issues to be decided later on. He pointed out that freehold land is extinguished from Native Title, the Aboriginal people making the claim must have maintained some activity within the area and that development upon the land may also extinguish Native Title.

The General Manager said he attended a meeting regarding the matter and has also spoken with Council's legal adviser, Mr. David Ryan.

**0020 RESOLVED** on the motion of Crs. O'Brien and Cullen that Council resolve to make application to the Federal Court to become a party to the claim by the Gomeroi People as identified in the National Native Tribunal Application NC11/6.

At this juncture, 12.45 pm, Mr. and Mrs. Jack Hume were welcomed to the meeting. The Mayor congratulated Jack on his 21 years service with Council, thanked him for his service and wished both Jack and Cheryl all the best in the future and invited them to join Council for lunch.

The meeting was adjourned at 12.50 p.m. for the luncheon break and resumed at 2.07 p.m.

**12.0 REPORT BY DIRECTOR OF CORPORATE & COMMUNITY SERVICES**

**0021 RESOLVED** on the motion of Crs Karanouh and O'Brien that the report by the Director of Corporate and Community Services be received and dealt with.

**12.1 RATE COLLECTIONS**

**0022 RESOLVED** on the motion of Crs. O'Brien and Canham that the Total Combined Rate Collections to 31 July 2012 be noted.

Council also noted that the rate notices were sent on 31 July 2012 and many ratepayers would not have received the notices at the time the report was prepared.

**12.2 LIST OF INVESTMENTS**

**0023 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the list of investments as 31 July, 2012 be noted, and it also be noted that Council's investments comply with s625(2) of Local Government Act 1993 and Council's Investment Policy.

**12.3 PUBLIC ACCESS INFORMATION**

**0024 RESOLVED** on the motion of Crs O'Brien and Karanouh that Council note the Public Access Information Policy and place the document on public exhibition for the prescribed 28 day period, prior to formal adoption at the October meeting, taking into account any submissions received.

**12.4 COONAMBLE VACATION CARE**

**0025 RESOLVED** on the motion of Crs. O'Brien and Canham that Council:

- (1) agree to place on public exhibition the Coonamble Vacation Care Policies for the prescribed period of 28 days, seeking comment and/or submissions;
- (2) adopt the daily fee of \$25/child
- (3) amend its Schedule of Fees & Charges to include Vacation Care daily fee of \$25.

**13.0 REPORT BY DIRECTOR OF DEVELOPMENT, COMMERCIAL AND URBAN SERVICES**

**0026 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the report by the Director of Development, Commercial and Urban Services be noted.

**13.1 ECONOMIC DEVELOPMENT MANAGER**

**0027 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the information contained in the report by the Economic Development Manager be noted.

**13.2 REPORT ON IMPACT OF REMOTE JOBS & COMMUNITIES PROGRAM ON COONAMBLE SHIRE EMPLOYMENT SERVICES & COMMUNITIES**

Council noted the report prepared by the Economic Development Manager, together with the notes provided by the General Manager.

**0028 RESOLVED** on the motion of Crs. O'Brien and Karanouh that a report be brought back to Council providing detail as to a model that can be offered as a viable alternative to the proposed service delivery model of the Department of Education, Employment and Workplace Relations post 1 July 2013.

**13.3 REPORT ON PROGRESS OF CARAVAN PARK + ECO SPA PROJECT  
– INVESTMENT READY**

The Economic Development Manager informed Council that it was given three options on how to proceed to purchase the land required for this project. The third option, which is that Council relinquish its position of Trust Manager, then proceed with the purchase is the best and quickest way forward.

**0029 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council agree to contact the Minister for Lands seeking to be removed as Trust Manager for the specified portion of Smith Park Reserve.

**13.4 TOURISM DEVELOPMENT MANAGER**

**0030 RESOLVED** on the motion of Crs O'Brien and Karanouh that the information contained in the report by the Tourism Development Manager be noted.

**13.5 WORKS IN PROGRESS**

**0031 RESOLVED** on the motion of Crs. O'Brien and Canham that the information contained in this section of the report be noted.

The Mayor referred to the very good condition of the parks, gardens and entrances to the town and said that the presentation is much better than previously. Cr O'Brien referred to the Gulargambone Lions Club having written to thank Council for maintaining the areas in and around Gulargambone in a good condition.

**13.6 STORES AND MATERIALS UNACCOUNTED FOR & STORES AND MATERIALS WRITTEN IN – PERIOD 1 JANUARY TO 30 JUNE 2012**

**0032 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council authorise the writing in of stores and materials in the sum of \$448.42 and the writing off of stores and materials in the sum of \$163.88 as shown below for the period ending 30 June 2012:

**Items Unaccounted For:**

| <b>Stores No</b> | <b>Description</b>      | <b>Qty</b> | <b>Amount</b>   |
|------------------|-------------------------|------------|-----------------|
| S00472           | Petrol                  | 10         | 13.84           |
| S00492           | Post brackets           | 5          | 9.82            |
| S00531           | Safety vests            | 3          | 77.53           |
| S00535           | Safety glasses          | 3          | 28.49           |
| S50254           | Junction 150x90F&F      | 1          | 16.31           |
| S50259           | Screw bolted trap 150mm | 1          | 17.70           |
| S50260           | Cap push on 150mm       | 1          | 12.00           |
|                  | <b>Total</b>            |            | <b>\$163.88</b> |

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**Excess:**

| <b>Stores No</b> | <b>Description</b> | <b>Qty</b> | <b>Amount</b>   |
|------------------|--------------------|------------|-----------------|
| S00143           | Diesel             | 273        | 376.57          |
| S00487           | Post Galv 10x2     | 3          | 69.08           |
| S50271           | Ca push on 100mm   | 1          | 2.77            |
|                  | <b>Total</b>       |            | <b>\$448.42</b> |

Items in Excess \$448.42  
Items Unaccounted For \$163.88  
Total S&M Written Off \$281.94

**14.0 REPORT BY DIRECTOR OF ENGINEERING SERVICES**

**0033 RESOLVED** on the motion of Crs O'Brien and Canham that the report by the Director of Engineering Services be received and dealt with.

**14.1 STATE HIGHWAY 18 SIGNAGE**

**0034 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council request the erection of signage on Castlereagh Street and SH18 indicating the route to Baradine is via King Street and Dubbo Street, with an alternate route via Warrena Street.

**14.2 MT MAGOMETON QUARRY – LOAM ISSUE**

**0035 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council note the information contained in the Director's report and endorse actions of staff in securing alternate sources of quarry product.

**14.3 WORKS IN PROGRESS**

**0036 RESOLVED** on the motion of Crs O'Brien and Canham that Council note the information contained in the Works in Progress report.

**16.0 REPORTS FROM VARIOUS COMMITTEES**

**0037 RESOLVED** on the motion of Crs O'Brien and Canham that reports from various committees, as listed below, be noted:

**16.1 NOTES FROM COONAMBLE EMPLOYMENT CIRCLE MEETING – 24 JULY 2012**

**0038 RESOLVED** on the motion of Crs Canham and O'Brien that the information contained in the notes from the Employment Circle Meeting held on 24 July be noted.

**16.2 COONAMBLE MUSEUM REPORT – JULY 2012**

**0039 RESOLVED** on the motion of Crs. Canaham and O'Brien that the Coonamble Museum Report for the month of July 2012 be noted.

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**17.0 SALEYARDS REPORT**

**0040 RESOLVED** on the motion of Crs. O'Brien and Cullen that the Saleyards Report for the month of July 2012 be noted.

**18.0 CLOSED SESSION**

**0041 RESOLVED** on the motion of Crs. O'Brien and Karanouh that Council resolve into Closed Session in accordance with Section 10A (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"*

**0042 RESOLVED** on the motion of Crs. O'Brien and Karanouh that the press and public be excluded from the meeting.

**RESUME OPEN MEETING**

**0043 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATIONS OF CLOSED SESSION**

**0044 RESOLVED** on the motion of Crs. Karanouh and O'Brien that Council adopt the recommendation of Closed Session, being Recommendation Nos. 18.1 and 18.2 as detailed below.

**18.1 TENDER SELECTION – SUPPLY OF CONCEPT & DETAILED DESIGN – COONAMBLE MULTIPURPOSE COVERED ARENA**

**THE COMMITTEE RECOMMENDS** that Council award the tender to NBRS & Partners for the Concept Design and Detailed Design for the Coonamble Multi purpose Arena and that authority be granted to affix the Common Seal to relevant documents.

**18.2 CONTRACT FOR OPERATION & MANAGEMENT OF COONAMBLE WASTE DEPOT AND GULARGAMBONE TRANSFER STATION**

**THE COMMITTEE RECOMMENDS** that Council:

(1) agree to extend the Contract for Operation and Management of Coonamble Waste Depot and Gulargambone Transfer Station with Batterline Earthmoving Pty Ltd for a one year period commencing 1 September 2012 to 31 August 2013;

(2) advise Batterline Earthmoving Pty Ltd that if there are any breaches of Council's requirements, in that adopted charges are not applied, that the General Manager has been authorised to terminate the Contract;

(3) request the General Manager to present a report to Council on the definition of "sorted rubbish" for the purpose of this Contract.

**20.0 QUESTION WITH NOTICE**

Nil

## **21.0 GENERAL BUSINESS**

### **Cr Karanouh:**

Nil

### **Cr O'Brien:**

- Advised twoeighttwoeight has won another award.
- Attended the Country Living Expo in Sydney – it was very quiet as was the Farmers Markets. CWA stall was busy. Cr O'Brien said it is important to continue to participate in the Expo because of the networking factor.
- Attended a very interesting and informative visit to Siding Springs Observatory on 7 August. Spoke about requirements of lighting and dust issues.
- Requested use of the PA system for a function at Gular, however it needs electricity – so no use.
- Asked if about 12 chairs could be moved from the Memorial Hall to the site of the War Memorial for Vietnam Vets for the function, then returned – the General Manager said he would arrange with staff.

### **Cr Webb:**

Not present

### **Cr Cullen:**

- Referred to the RDA Orana Information Session to be held in Coonamble on 23 August. Encouraged as many as possible to attend. Advising there are grants available and there will be tips given on how best to make submissions. Mr Burnheim said that some submissions for significant grant funding cost in the vicinity of \$60,000 - \$100,000/submission. Cr. Cullen said it is important that we are up to date on best to get results from our applications.

### **Cr Canham:**

- Requested that the middle island in front of the Terminus Hotel be inspected as there are large potholes requiring maintenance. At this stage Cr Canham left the meeting and did not return.

### **Cr Cullen (contd):**

- **Government Access Centre** – said there has been a request that the RTA in the Rural Transaction Centre take over issuing of all licenses from the Court House. Wondered whether Council would consider doing this.

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**0045 RESOLVED** on the motion of Crs. Cullen and O'Brien that the General Manager prepare a report on the possibility of making a 'one stop shop' at the Rural Transaction Centre to be used as a Government Access Centre.

- **Arena Covering** – In response to a question from the Mayor about further public consultation for the project, Cr Cullen said that when the project is DA ready it is planned to hold an information only session for the public and user groups – he said accesses have already been identified and will not be changed.

**Director of Development, Commercial & Urban Services:**

- Advised that Council has received certification from Barnsons for one grandstand made by David Burtenshaw, which will be located at the sportsground.
- Referred to vandalism to toilets at the Sportsground and Macdonald Park.
- **Use of Sportsground – Relay for Life**

**0046 RESOLVED** on the motion of Crs. Cullen and Karanouh that Council agree to waive the fee for the hire of Coonamble Sportsground for this event in 2012.

**General Manager:**

- Thanked the Mayor for his support.

**Director of Engineering Services:**

- Informed the meeting that he has a meeting in Sydney on 28 August with PWD regarding final design for the Water Treatment Plan. He said the work is still dated for completion in May 2013.
- Advising Council that the PWD has estimated between \$700,000 and \$1m for restoration of the high bank at the rear of the library.

This concluded the business and the meeting closed at 3.05 p.m.

These Pages (1/5073 – 22/5094) were confirmed on the .....day of

SEPTEMBER 2012 and are a full and accurate record of proceedings of the Ordinary

Meeting of Coonamble Shire held on 8 August 2012.

**MAYOR**

This is **Page 22/5094** of minutes of ordinary meeting of Coonamble Shire Council held on 8 August, 2012