

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL  
HELD IN THE COUNCIL CHAMBER, COONAMBLE ON WEDNESDAY, 19<sup>TH</sup>  
SEPTEMBER, 2012, COMMENCING AT 9.58A.M.**

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**PRESENT:** Cr. Tom Cullen, Mayor, in the Chair, with Crs. M.Webb, J.Walker, D.Keady, B.Burnheim, A.Karanouh and D.Schieb.  
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.

**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**

**Coal Seam Gas – Update**

Mrs. Anne Kennedy was present to address Council on the recent changes by the government to the Coal Seam Gas situation. She advised that the government has allowed exploration and fracking to continue and has even renewed 22 PEL licences. She said that approximately 5 million hectares of land is now affected by mining activity. Mrs Kennedy advised that farmland has now lost its “buffer” zone and this is a real blow as no farmland is protected in any way.

Mrs Kennedy requested Council to recommit to its moratorium and include all Council owned land, write to the NSW Government requesting it to reconsider its decision. She asked if this Council was part of a group – the General Manager said it is part of the Orana Regional Organisation of Councils (OROC) and he agreed to bring this issue forward at the meeting on 21 September, 2012.

Mrs Kennedy said that Council can call a Public Hearing under section 734 of the Local Government Act and asked that this also be considered.

The Mayor thanked Mrs Kennedy for the update and she left the meeting at 10.20 a.m.

**4.0 APOLOGIES**

Nil

## **5.0 DEPUTATIONS/DELEGATIONS**

### **John & Kim Jackson – Illegal Use of Land**

Cr Burnheim declared an interest in this matter and left the room. Cr. Schieb also declared an interest. Council's Manager of Environmental Services, Mr Matthew Cock, was also present at this time.

Council noted that a letter had been received this morning from Jacksons' solicitor regarding this matter – a copy was provided to each Councillor.

Mr & Mrs Jackson were welcomed to the meeting to discuss Council's decision to issue an Order giving them six months to relocate their business from its current location in Barton Street. The Order also included restricted times of operation, with no work during weekend/public holiday periods.

Mrs Jackson said it would cost at least \$200,000 to relocate to their block at "The Meglo" and they required more time. Mr. Jackson referred to the same situation in Gulargambone and was advised that the Gulargambone business was approved as "existing use" under the former LEP. Council noted that Jacksons were also given that opportunity, but did not respond.

Mr. Cock informed Council that under the new LEP which was gazetted on 23 September 2011, truck depot is a prohibited use and Council cannot allow it to remain in the current location, which is zoned 'residential'.

The Mayor thanked Mr & Mrs Jackson for putting their case forward and they left the meeting at 10.37 a.m.

## **6.0 DECLARATIONS OF INTEREST**

Two declarations of interest:

- Cr Burnheim & Cr Schieb regarding JW Jackson & Sons – Illegal Use of Land – both have business relationships with the company.

## **7.0 CONFIRMATION OF THE MINUTES**

**0054 RESOLVED** on the motion of Crs Karanouh and Cullen that the minutes of the Ordinary Meeting of Coonamble Shire Council held on 8 August, 2012 be confirmed, subject to the following amendments:

Present - *Remove Cr. Webb – Replace with Cr Canham.*

## **BUSINESS ARISING FROM MINUTES:**

### **15.1 Illegal Use Of Land – JW Jackson & Sons**

Councillors noted that at the August meeting Council moved Resolution No. 0015 (page 15/5087) which gave a time of six months to move the business to another location and, in the interim, restricted hours that business could be conducted at the present residential location.

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The General Manager said that if Council wished to not proceed with this resolution, a Notice of Rescission would have to be actioned.

Council noted the length of time staff had been dealing with the matter and allowed the resolution passed at the August meeting to proceed.

Cr Burnheim returned to the meeting.

**Moorambilla Festival**

Councillors were advised that due to cancellation of the Pony Club Zone Jamboree, the local Pony Club has agreed to Moorambilla using the Pavilion from Thursday to Saturday evening, on the condition that the building is ready for Pony Club occupation on Sunday morning.

Cr Karanouh noted that Council had provided additional funding to Moorambilla when it proposed to hold the Gala Concert at the Primary School and suggested that these funds may now be recoverable. The Director of Development, Commercial and Urban Services said he would investigate this matter.

At this juncture, 10.55 a.m., the meeting adjourned for morning tea and resumed at 11.13 a.m.

**REGIONAL DEVELOPMENT AUSTRALIA (ORANA)**

Upon resumption of the meeting, the Mayor welcomed Robin McPherson to address Council on issues of concern throughout the whole region. She referred to cost shifting in particular and spoke of the opportunities available to Councils for funding through RDA. Ms McPherson said that meetings of RDA are now held in Dubbo, not at various Councils as in the past as it was too expensive and time consuming to continue.

Ms McPherson thanked Council for the opportunity to speak on the role of the RDA and its role in the future of the region. She left the meeting at 11.20 a.m.

**8.0 RESOLUTION BOOK UPDATE**

**0055 RESOLVED** on the motion of Crs. Karanouh and Schieb that the Resolution Book Update be received and noted.

**(a) Pigeon Problem – Main Street**

Cr Karanouh referred to this matter and said Bag-a-Bargain is not the only premises with this problem and said other business owners should be approached to remedy the situation. The General Manager said that some work has been done and the Manager of Environmental Services has been liaising

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with property owners. He said if remedial work is not carried out Council can do the work and put a charge on the land.

Cr Karanouh requested that the footpath be cleaned in readiness for the Moorambilla Festival. The Director agreed to instruct staff to carry out cleaning.

**(b) Government Access Centre**

Cr Burnheim referred to this resolution and requested that enquiries be made to ascertain whether this initiative can be changed so that other organisations (excluding NSW Government) can undertake these activities under the Government initiative. The General Manager agreed to make enquiries.

**(c) Street Numbering**

This matter was raised by Cr Karanouh – he requested if Council would advise Mrs Casey that it cannot implement street numbering, pointing out that even if it supplies numbers, it cannot make individual property owners display them. The Director of Engineering Services said that it is entirely a responsibility for the landowner – referring to the situation in Gulargambone where numbers have been supplied and only about 10% of the residents have displayed them on their premises.

**9.0 MAYOR'S REPORT**

Councillors noted that there was no Mayoral Activity report for this meeting.

**10.0 CORRESPONDENCE**

**0056 RESOLVED** on the motion of Crs. Webb and Karanouh that the Correspondence be received and dealt with.

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

**10.1 GULARGAMBONE COMMUNITY GARDEN PR2608-1(38015)**

**0057 RESOLVED** on the motion of Crs. Karanouh and Webb that Council advise the Gulargambone Community Garden representatives to liaise with the Engineering Department to clarify this issue, should the need arise to access the roadway.

**10.2 GREAT INLAND WAY PROMOTIONS GROUP T3-5(38017)**

**0058 RESOLVED** on the motion of Crs Karanouh and Keady that Councillor Karanouh be nominated to the Board of the Great Inland Way and the General Manager provide staff administrative assistance, where required.

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**10.3 LOCAL GOVERNMENT & SHIRES ASSOCIATION OF NSW  
L9(38094)**

**0059 RESOLVED** on the motion of Crs. Webb and Walker that Council congratulate its Director of Corporate and Community Services, Ms Lianne Tasker, on her submission being awarded Highly Commended in the category of Excellence in Communication and for the effort expended in the Youth Awards Presentation.

**10.4 GULARGAMBONE JOCKEY CLUB D7(38096)**

**0060 RESOLVED** on the motion of Crs. Webb and Karanouh that Council contribute \$200 towards the 2012 Gulargambone Gold Cup Races and that the amount be sourced from Donations Vote.

**10.5 COONAMBLE BRANCH COUNTRY WOMEN'S ASSOCIATION  
R4(38124)**

**0061 RESOLVED** on the motion of Crs. Karanouh and Burnheim that Council agree to reimburse the general rate portion of the CWA Rates, being an amount of \$442.

**10.6 SHIRES ASSOCIATION OF NSW G5-1(38140)**

**0062 RESOLVED** on the motion of Crs. Webb and Karanouh that Council agree to write to the Australian Minister for Local Government – the Hon Simon Crean MP – about the withdrawal of this money and the impact it will have on Council's programs for the 2012/2013 financial year.

**10.7 STEVEN & CHRISTINE BAKER R8-6-1+R8-6-2(38133)**

**0063 RESOLVED** on the motion of Crs. Webb and Schieb that Council defer consideration of this request until the report by the director of Engineering Services on the matter is dealt with later in the day.

**10.8 DEPARTMENT OF FINANCE AND SERVICES H5(38229)**

This letter refers to the public holiday usually gazetted for the second day of the Coonamble Show. The General Manager informed the meeting that a notice has been placed in the Coonamble Times seeking public comment. He said a letter has also been forwarded to the Coonamble Chamber of Commerce seeking comment.

Cr Keady declared an interest in this matter, being the President of the Coonamble Show Society, however he did not leave the room.

**0064 RESOLVED** on the motion of Crs. Burnheim and Karanouh that Council make application for gazettal as a public holiday for the Shire of Coonamble on Wednesday, 8 May, 2013, being the second day of the Coonamble Show.

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**10.9 ORANA REGIONAL ORGANISATION OF COUNCILS (OROC) C13**

**0065 RESOLVED** on the motion of Crs. Webb and Keady that, in accordance with their preference, Crs. Karanouh and Walker attend the training course in Dubbo on 13 October, 2012.

**10.10 LOCAL GOVERNMENT & SHIRES ASSOCIATIONS OF NSW  
S6(38224)**

**0066 RESOLVED** on the motion of Crs. Webb and Walker that the information be noted and that Council will available itself of the training offered by OROC

**10.11 DIVISION OF LOCAL GOVERNMENT C13+L10-1(38289)**

**0067 RESOLVED** on the motion of Crs. Webb and Walker that Councillors advise the General Manager if they wish to attend this Workshop.

**10.12 THE AUSTRALIAN LUNG FOUNDATION P1-1(38238)**

**0068 RESOLVED** on the motion of Crs. Webb and Karanouh that Council note that Macdonald Park will be the venue for a Shine a Light on Lung Cancer Vigil on 17 November 2012, between 3.30 p.m. and 6.00 p.m., to raise awareness about the inequities that exist for lung cancer patients and their carers.

**10.13 NSW RURAL FIRE SERVICE ASSOCIATION INC E4(38243)**

**0069 RESOLVED** on the motion of Crs. Karanouh and Keady that Council support a property based levy to fund emergency services, to be collected by the Office of State Revenue.

**10.14 COONAMBLE LITTLE ATHLETICS D7(38294)**

**0070 RESOLVED** on the motion of Crs Keady and Karanouh that Council agree to refund the \$560.80 development application fee for construction of the new long jump runway at Coonamble Sportsground.

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

**10.15 THE HON MELINDA PAVEY MLC – PARLIAMENTARY SECRETARY  
FOR REGIONAL HEALTH L3-1(37962)**

Acknowledging Council’s correspondence to the Minister for Health regarding the establishment of a new medical school at the Charles Sturt University. Saying CSU has been encouraged to commence formal negotiations with the Ministry of Health regarding student numbers, undergraduate clinical placement and training infrastructure requirements to support increased student numbers.

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**10.16 COONAMBLE RURAL TRANSACTION CENTRE INC S5-1(37972)**

Advising the Jobs & Skills Expo to have been held at the Coonamble Showground on 19 September, 2012 has been postponed to a date to be fixed in March 2013. Stating the RTC has decided to withdraw from the role of Coordinator.

**10.17 PREMIER OF NEW SOUTH WALES F9(38350)**

Acknowledging Council's letter concerning coal seam gas. Advising it has been forwarded to the Hon Christopher Hartcher MP, Minister for Resources and Energy. Saying the matter will receive the Minister's full attention and a reply will be forthcoming.

**10.18 REGIONAL DEVELOPMENT AUSTRALIA – ORANA  
D5(38016)**

Thanking the Economic Development Manager for attending and presenting at the Workforce Collaboration Forum held in Warren on 19 July. Also thanking the EDM for being part of the Steering Committee that made a valuable contribution beforehand.

**10.19 SHIRES ASSOCIATION OF NSW R8-2-1(38036)**

Advising that the official results of the One Association ballots have been received, with the result of the Shires ballot being 59 for; 13 against and the result of the LGA ballot was 161 for, 53 against – 82% and 75% respectively for One Association.

**10.20 LOCAL GOVERNMENT AND SHIRES ASSOCIATIONS OF NSW  
L9(38073)**

Media Release advising that Study confirms Container Deposit Systems (CDS) has revealed that CDS will financially, socially and environmentally benefit councils and their local communities. Advising a full copy of the Study can be found at <http://www.lgsa.org.au/key-initiatives/container-deposits>

**10.21 DESTINATION 2036 L10-2(38069)**

Advising that the destination 2036 Action Plan has now been finalized by the Implementation Steering Committee (ISC) and approved by the Minister for Local Government. Saying the Plan sets out the actions that will be delivered over the coming years to achieve the vision of creating strong communities through partnerships. Pointing out that details on the consultation feedback and a copy of the final action plan can be downloaded from the Destination 2036 webpage (via [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au))

**10.22 KEVIN HUMPHRIES MP W1-13(38107)**

Referring to Council's letter concerning its application for funding under the Country Towns Water Supply and Sewerage (CTWSS) Program. Pointing out that Council's application for funding was not nominated for inclusion in the CTWSS program before it was closed to new projects in 2004 and retrospective funding will not be available to Council should it choose to proceed with this project, without Ministerial approval to do so.

**10.23 PREMIER & CABINET – DIVISION OF LOCAL GOVERNMENT  
L10-1(38100)**

Advising councils to defer the consideration of code of conduct matters until after the September 2012 local government elections. Advising the Division intends to address this under the new procedures for the Model Code of Conduct which will preclude conduct reviewers' reports being submitted to council for consideration in the four weeks preceding an election.

**10.24 BARBARA O'BRIEN A17+B2(38160)**

Conveying sincere appreciation for support from Council management and staff in the erection of a permanent memorial recording the names of the men who enlisted at Gulargambone and served in the Vietnam War.

**10.25 BARBARA O'BRIEN L3-2(38161)**

Conveying congratulations to Council's Director of Corporate and Community Services and the team who worked with her to be included in the top four finalists in two categories in the recent LG Awards. Saying the Highly Commended for Excellence in Communication awarded to Council is a wonderful achievement.

**10.26 INDEPENDENT COMMISSION AGAINST CORRUPTION I2+S6  
(38159)**

Thanking Council for its correspondence of 30 July 2012 enclosing its 12 month progress report in relation to the recommendations for corruption prevention arising from the investigation into Attempted Corrupt Payment and Submission of False Resumes to Public Authorities (Operation Avoca). Advising the information has been uploaded onto the Commission's website for public viewing ([www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)) Saying the Commission will write to Council in March of 2013 requesting a final report.

**10.27 EDUCATION & COMMUNITIES – PUBLIC SCHOOLS NSW  
E1(38164)**

Advising since she wrote in June about *Local Schools Local Decisions*, Western NSW schools have welcomed removals to restrictions on tied grants, the ability to make local discretionary purchases up to \$5,000 and the opportunity to have a greater say in school maintenance and repairs. Advising that a new Resource Allocation Model has also been announced to allocate funding for public schools



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in a more equitable way. Saying the Department's strategic approach to leadership development is helping ensure it continues to work towards its vision of providing quality schools, quality systems and quality outcomes for all.

**10.28 MARK COULTON MP – FEDERAL MEMBER FOR PARKES  
E5(38185)**

Referring to Council's correspondence concerning its determinations regarding coal seam gas mining. Stating it is imperative that enough information is available to ensure that water is protected. Pointing out this is the reason he supported changes to the Environment Protection and Biodiversity Conservation Act in May 2012 which established an independent scientific community to examine coal seam gas and large scale coal mining. Advising he has made representations on behalf of Council to the Minister for Resources and Energy.

**10.29 KEVIN HUMPHRIES, MP E5(28307)**

Referring to Council's opposition to Coal Seam Gas exploration and mining. Saying the NSW Government has introduced stringent controls to address community concerns about the environmental impacts of coal seam gas activities. Pointing out the coal seam gas industry in NSW is now subject to the toughest controls in Australia to ensure the protection of our water, our environment and our valuable agricultural land – saying the aim is to protect prime agricultural land and aquifers.

**10.30 OFFICE OF THE HON ROBYN PARKER MP – MINISTER FOR THE  
ENVIRONMENT E5(38195)**

Acknowledging receipt of Council's letter to the Minister regarding opposition to coal seam gas exploration and mining in its LGA. Saying this matter is under the portfolio responsibilities of the Minister for Resources and Energy, The Hon Chris Hartcher and Council's letter has been forwarded to him.

Councillors noted that the Government has just announced a Regional Community Fund to assist rural communities affected by mining activities. They requested that information be sought and details provided to the October meeting.

**0071 RESOLVED** on the motion of Crs. Burnheim and Webb that Council lobby the Government for funds from this Regional Community Program to come direct to Council in lieu of being allocated to the mining companies for determination of projects to be provided in local areas.

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**10.31 JON ROBERTSON MP – NSW OPPOSITION LEADER E5(38208)**

Acknowledging Council's correspondence regarding coal seam gas mining and advising in November 2011 he called on the O'Farrell Government to suspend all current CSG exploration licenses to protect the State's water resources. Stating this decision is a departure from previous NSW Labor policy and was not taken lightly – it was taken after hearing concerns of people right across NSW.

Finally, advising he is calling on the Government to act immediately before the threat to our water resources gets any greater.

**10.32 NSW STATE RECORDS C13+R5(38179)**

Pointing out good recordkeeping is an essential support for any organisation's service delivery, administration and accountability. Saying the public has high expectations of local government bodies, including Councillors, in relation to official recordkeeping. Saying more information is available from:

[www.records.nsw.gov.au/recordkeeping/resources-for/local-government/local-government](http://www.records.nsw.gov.au/recordkeeping/resources-for/local-government/local-government)

**10.33 DIVISION OF LOCAL GOVERNMENT L10-1(38210)**

Announcing the commencement of the Local Government Acts (LGA) Taskforce which was appointed to review the *Local Government Act 1993 and the City of Sydney Act 1988*. Advising this appointment follows the release of the Destination 2036 Action Plan earlier this year. A copy of this correspondence was provided to each Councillor.

**10.34 THE HON ADRIAN PICCOLI MP – MINISTER FOR EDUCATION E1(38215)**

Thanking Council for its letter bringing to his attention the views of Council about the Connected Communities strategy. Assuring Council there will be an extensive and considered consultation process to determine the nature of the strategy in Coonamble. Saying the announcement of the strategy marked the beginning of the process, which will include the community as well as school staff, government and non-government agencies and the business, TAFE and University sectors.

A copy of this letter was provided to Councillors with the business paper.

**10.35 GULARGAMBONE LIONS CLUB INC E960+E10436+E10516  
(38030)**

Extending praise to Nicko, Budsy and Col for having Gulargambone looking fantastic. Saying it is obvious the employees take pride in their work and that is having a roll-on effect within the community. Thanking the staff for taking the extra step and giving the little bit extra time – it all adds up to a fantastic looking town.

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Councillors noted this information has been conveyed to the staff concerned.

**10.36 UNITED SERVICES UNION (USU)**

**R8-2-1(38177)**

Referring to changes to Single Invitation Maintenance Contracts (SIMC) – Road Maintenance Council Contracts (RMCC) - proposed by the Liberal State Government and Roads and Maritime Services. Pointing out that in 2003 it campaigned strongly against proposed changes to the Single Invitation Maintenance Contracts that, if successful, could have introduced packaged contracting arrangements in excess of \$10 million. Saying it would appear again that the State Government has decided to attack the RMS funding that is provided to local government. Advising USU intends to campaign to preserve or enhance the funding arrangements and asking that council assist by the provision of information regarding potential job losses and funding issues.

The General Manager pointed out that Council will be endeavouring to ensure the Contracts remain with Council and indications, at this stage, are this will be the case).

**0071 RESOLVED** on the motion of Crs Karanouh and Webb that the information contained in Item Nos. 10.15 – 10.36 inclusive be noted.

**URGENT BUSINESS – SUPPLEMENTARY CORRESPONDENCE**

**0072 RESOLVED** on the motion of Crs. Cullen and Webb that the following matters be classified 'urgent business' and dealt with.

**10.37 THE HON MARTIN FERGUSON AM MP – MINISTER FOR RESOURCES AND ENERGY E5(38407)**

Referring to Council's letter to Mr Mark Coulton MP regarding the proposed moratorium on coal seam gas (CSG) extraction by Council. Advising that community concerns regarding CSG extraction in NSW have led to a moratorium being introduced on any new hydraulic fracturing activities.

Saying in Council's letter it refers to concerns regarding water quality being affected by CSG extraction in Coonamble and the Great Artesian Basin. Advising an expert panel has been established to provide independent scientific advice to the Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, on mitigation, monitoring and response measures for CSG projects to ensure they appropriately minimize risks. Advising the chemicals used are regulated by state government agencies. Saying that should Council wish to make further inquiries into chemicals used in CSG extraction in NSW, it should contact the Department of Primary Industries on 1300 736 122 or write to Post Office Box 344, Hunter Regional Mail Centre NSW 2310

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**0073 RESOLVED** on the motion of Crs. Webb and Karanouh that the information be noted, but Council write to the Department of Primary Industries requesting a comprehensive report on the types of chemicals used in CSG extraction in NSW, as well as details on what the chemicals actually contain.

**10.38 COONAMBLE CHAMBER OF COMMERCE D7+D5-28(38286)**

**0074 RESOLVED** on the motion of Crs. Karanouh and Keady that Council agree to contribute \$4,000 towards the Chamber of Commerce "Coonamble Dollars" shop local campaign.

**10.39 ORANA REGIONAL ORGANISATION OF COUNCILS O5**

Providing a copy of the OROC comment on the Independent Local Government Review Panel.

The General Manager provided a copy of this document to each Councillor.

**0075 RESOLVED** on the motion of Crs Webb and Walker that the information be noted.

**10.40 OFFICE OF ENVIRONMENT & HERITAGE F5-4(38416)**

Advising that \$77,143 has been granted to Council under the 2012/2013 Floodplain Risk Management Grants Scheme Program for the Investigation and Design stage of the Levee Upgrade.

**0076 RESOLVED** on the motion of Crs. Webb and Walker that this information be noted.

**10.41 OFFICE OF ENVIRONMENT & HERITAGE F5-3(38415)**

Advising that \$100,000 has been granted to Council under the 2012/2013 Floodplain Risk Management Grants Scheme Program for the Preparation of Flood Studies for the three main townships in Coonamble Shire.

**0077 RESOLVED** on the motion of Crs Webb and Walker that the information be noted.

**10.42 REGIONAL ACHIEVEMENT & COMMUNITY AWARD A17(38422)**

Advising that the 2012 finalists have been announced – pointing out the awards recognize the achievements of many community organisations and businesses contributing to the social, economic or environmental prosperity of their region within regional and rural NSW and the ACT.

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Councillors noted that former Cr Barbara O'Brien was a finalist in the Essential Energy Regional Service Award Category.

**0078 RESOLVED** on the motion of Crs. Webb and Keady that the information be noted.

**11.0 REPORT BY GENERAL MANAGER**

**0079 RESOLVED** on the motion of Crs. Karanouh and Walker that the General Manager's report be received and dealt with.

**11.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY**

**0080 RESOLVED** on the motion of Crs. Webb and Karanouh that Council note Development Application Nos. 022/2012 and 025/2012, together with Complying Development Certificate Application Nos. 024/2012 and 027/2012, were approved under delegated authority since last meeting.

**11.2 CODE OF MEETING PRACTICE**

**0081 RESOLVED** on the motion of Crs. Webb and Keady that Council give public notice of the Code of Meeting Practice and place it on public exhibition for twenty eight days and allow forty two days from the date it is first advertised during which submissions may be made and formally adopt the Code at the December 2012 meeting, after consideration of any submissions received.

**11.3 CODE OF CONDUCT**

**0082 RESOLVED** on the motion of Crs. Karanouh and Schieb that Council adopt The Model Code of Conduct, a copy of which has been provided to each Councillor.

**11.4 NSW LONG TERM TRANSPORT MASTER PLAN**

Cr Burnheim spoke of the urgent need for the Western Sydney multipurpose line to proceed, otherwise rail freight will be held up because of congested lines delivering into ports. He said it is important for passing loops to be provided so that trains can pass, pointing out that presently passenger rail has priority over other forms of rail.

**0083 RESOLVED** on the motion of Crs. Burnheim and Webb that the Mayor and General Manager attend the meeting with NSW Transport in Dubbo on 24 October 2012 in regard to the NSW Long Term Transport Master Plan and the OROC forum be used to pursue this project.

**11.5 COMMUNITY BUILDING PARTNERSHIP 2012 – GRANTS**

**0084 RESOLVED** on the motion of Crs. Karanouh and Burnheim that Council nominate Play Equipment at Coonamble Pool as a project for Community Building Partnership Grant Program for 2012; noting that a project in the order of \$60,000 (\$30,000 grant/\$30,000) can be matched with surplus funds.

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

**0085 RESOLVED** on the motion of Crs Karanouh and Webb that the report by the Director of Corporate and Community Services be received and dealt with.

**12.1 RATE COLLECTIONS**

The Director informed Council that an error had occurred in calculation of the rate collections and incorrect information was contained in the report. He provided Councillors with an updated copy.

**0086 RESOLVED** on the motion of Crs. Webb and Walker that the Total Combined Rate Collections to 31 August 2012, as amended, be noted.

**12.2 LIST OF INVESTMENTS**

**0087 RESOLVED** on the motion of Crs. Karanouh and Webb that the list of investments as 31 August 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 COMMUNITY SERVICES PROGRESS**

The Director provided a lengthy report on various issues, including:

- Community Development
- Crime Prevention
- Youth Programs
- Home Power Saver Project
- Community Development Events
- Community Services – Successful Grants
- Vacation Care
- Integrated Planning & Reporting
- Events/Grants
- Library activities

**0088 RESOLVED** on the motion of Crs Karanouh and Webb that Council note the information contained in this report.

**12.4 LOCAL GOVERNMENT AWARDS**

**0089 RESOLVED** on the motion of Crs. Webb and Walker that Council note its success in being awarded Highly Commended in the category *Award for Excellence in Communication*.

**12.5 PUBLIC LIBRARIES NSW – IMAGINE THE WORLD CONFERENCE – SHOAL BAY – 24<sup>TH</sup> – 26<sup>TH</sup> JULY 2012**

**0090 RESOLVED** on the motion of Crs. Webb and Karanouh that this report be noted.

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

**0091 RESOLVED** on the motion of Crs. Webb and Walker that the report by the Director of Development, Commercial and Urban Services be noted.

**13.1 ECONOMIC DEVELOPMENT MANAGER**

- Eco Spa Project – Updated information handed to Councillors. It was noted that Council has awarded a tender for design of the project to development application stage.
- Availability of water – Oaks Bore Trust – Councillors noted that there is a 40 megs allowance for industry, with the abattoirs being allocated a supply additional to this. One of the proponents has not yet confirmed his intention to purchase/lease land – if he proceeds water will be needed. Council agreed that the proponent be advised he has 14 days in which to confirm that he will proceed with his option to purchase/lease land at “The Meglo: The EDM advised that the investigation is still in progress. The GM said he understands that water can be purchased and transferred to the Bore.

**0092 RESOLVED** on the motion of Crs. Burnheim and Keady that the information contained in the report by the Economic Development Manager be noted.

**13.2 TOURISM DEVELOPMENT MANAGER**

**0093 RESOLVED** on the motion of Crs Webb and Walker that the information contained in the report by the Tourism Development Manager be noted.

- Visitor Information Centre - In response to a question concerning the Visitor Information Centre, the Director advised rostered work has been completed and further work may be carried out later.

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- Caravan Parking – Cr Burnheim said that there is no parking for caravans close to the CBD and this was something the Tourism Promotion Group should investigate.

**0094 RESOLVED** on the motion of Crs Schieb and Karanouh that the Tourism Promotion Group investigate a suitable area for caravans to park which is close to the main CBD and suggestions were made regarding a site in Namoi Street.

**13.3 SHOWGROUND SECURITY**

Councillors Keady and Burnheim spoke in favour of having access to the showground. Cr Keady said that in other areas, large rigs and vans which are not accommodated on caravan parks, make their way to showground areas. Cr Burnheim referred to use of the facilities by people travelling with horses and said, in his opinion, the area should be accessible at all times.

**0095 RESOLVED** on the motion of Crs. Keady and Burnheim that a report be prepared for the October meeting, outlining other options available to Council for security and monitoring use of the Coonamble Showground.

**13.4 MAINTENANCE OF GULARGAMBONE CEMETERY**

**0096 RESOLVED** on the motion of Crs. Karanouh and Webb that Council note that the staff based at Gulargambone are being utilised to carry out maintenance of the cemetery which was previously performed by the CDEP.

**13.5 RETURNS – DISCLOSING PECUNIARY INTEREST**

**0097 RESOLVED** on the motion of Crs. Keady and Webb that Council note the completed returns must be returned as a priority so they can be tabled at the October meeting.

**13.6 FINANCIAL REPORTS – YEAR ENDED 30 JUNE 2012**

**0098 RESOLVED** on the motion of Crs. Karanouh and Webb:

- (a) that the necessary elected members and staff be authorised to sign the Statement by Council on the Financial Reports for year ended 30 June 2012
- (b) that Council's Financial Reports for the year ended 30 June 2012 be referred for Audit.

**13.7 WORKS IN PROGRESS**

**0099 RESOLVED** on the motion of Crs. Webb and Burnheim that the information contained in this section of the report be noted.



**14.0 REPORT BY DIRECTOR OF ENGINEERING SERVICES**

**0100 RESOLVED** on the motion of Crs Cullen and Webb that the report by the Director of Engineering Services be received and dealt with.

**14.1 ACCESS TO PROPERTY "LYNWOOD"**

**0101 RESOLVED** on the motion of Crs. Webb and Karanouh that Council advise the owners of "Lynwood" that it has lodged an objection to the closure of the Crown road and Council will apply to have the road gazetted as a public road and they will be responsible for all costs.

**14.2 MODULAR B-TRIPLE OPERATIONS NETWORK**

**0102 RESOLVED** on the motion of Crs Walker and Burnheim that Council note the report and also note that at the meeting on 13 August, 2012 it was agreed that no action be taken and the Roads and Maritime Services take the matter back to the Minister for Roads & Ports, The Hon Duncan Gay, with a request for a more appropriate consultation process after the Local Government Elections on September 8<sup>th</sup>.

**14.3 COONAMBLE LEVEE**

**0103 RESOLVED** on the motion of Crs. Webb and Walker that the report be noted, in particular, that if Council is successful in having 'exceptional circumstances' granted, it will be required to contribute \$1.7 million, however if an application for exceptional circumstances is not successful, this will rise to at least \$3.4 million.

In response to a question, the Director of Engineering Services said that the final design of the levee is imminent and Council will be in a position to invite tenders in approximately 12 months. He said that specialist services will be required, however it was hoped that local contractors, along with Council, will be employed to carry out appropriate works.

**14.4 COONAMBLE WATER SUPPLY – CONSTRUCTION OF WATER PIPELINES & WATER TREATMENT PLANT**

**0104 RESOLVED** on the motion of Crs. Burnheim and Webb that the information contained in the report be noted, together with the outcomes of the meeting the Director had with representatives of the Department of Public Works and Aquatac Maxon in Sydney on 31 August 2012.

**14.5 WORKS IN PROGRESS**

**0105 RESOLVED** on the motion of Crs Webb and Walker that Council note the information contained in the Works in Progress report.

At this juncture, 1.05 p.m., Council adjourned for lunch and resumed at 2.05 p.m.

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Council's Manager of Environmental Services was present at the meeting at this time.

**15.0 REPORT FROM MANAGER OF ENVIRONMENTAL SERVICES**

**0106 RESOLVED** on the motion of Crs Webb and Karanouh that the report by the Manager of Environmental Services be received and dealt with.

**15.1 RANGER'S REPORT – AUGUST 2012**

**0107 RESOLVED** on the motion of Crs Karanouh and Schieb that the report by the Ranger for the month of August 2012 be noted.

The Manager gave a brief overview on the situation regarding 'dangerous dogs' and informed the meeting of the heavy fines and stringent laws governing the keeping of animals declared 'dangerous'.

Mr Cock also informed Council of the process to be followed prior to carrying out any building, whether in urban or rural areas. He said that Council has provided information regarding procedures in its weekly newspaper column and said this would continue.

**16.0 MANAGEMENT PLAN REVIEW & QUARTERLY BUDGET REVIEW TO 30 JUNE 2012**

**0108 RESOLVED** on the motion of Crs. Webb and Walker 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 30 June 2012.

**0109 RESOLVED** on the motion of Crs Keady and Burnheim that a report be presented to Council on the possibility of providing additional toilet/shower facilities at the Showground Pavilion.

**17.0 REPORTS FROM VARIOUS COMMITTEES**

**0110 RESOLVED** on the motion of Crs Webb and Keady that reports from various committees, as listed below, be noted:

*17.1 Coonamble Museum Report For August 2012*

*17.2 Coonamble Employment Circle Meeting – 28 August 2012*

*17.3 Meeting Of Health & Safety Committee – 17 July 2012*

*17.4 Meeting Of Health & Safety Committee – 11 September 2012*

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**18.0 SALEYARDS REPORT**

**0111 RESOLVED** on the motion of Crs. Karanouh and Webb that the Saleyards Report for the month of August 2012 be noted.

**19.0 CLOSED SESSION**

**0112 RESOLVED** on the motion of Crs. Walker and Keady 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”*

**0113 RESOLVED** on the motion of Crs. Walker and Keady that the press and public be excluded from the meeting.

**RESUME OPEN MEETING**

**0114 RESOLVED** on the motion of Crs. Karanouh and Webb that Council resume Open Meeting.

**ADOPTION OF RECOMMENDATIONS OF CLOSED SESSION**

**0115 RESOLVED** on the motion of Crs. Karanouh and Webb that Council adopt the recommendation of Closed Session, being Recommendation No. 19.1 as detailed below.

**19.1 TENDER – CONSTRUCTION OF STAFF HOUSING**

**THE COMMITTEE RECOMMENDS** that Council accept the tender of Malmanda Pty Ltd for the construction of a new residential dwelling in an amount of \$280,243.85 (inc GST) and authorise the affixing of the Common Seal to relevant documents.

**20.0 QUESTION WITH NOTICE**

Nil

**21.0 GENERAL BUSINESS**

**Cr Webb:**

**2 HR PARKING LIMIT - CBD**

**0116 RESOLVED** on the motion of Crs Webb and Schieb that the 2 hr parking time limit in the main street be policed and that Council contact the Coonamble Chamber of Commerce seeking its views on the parking limit.

- Coonamble Tip Fees – adopted fee is \$4 – sign still reflects the incorrect amount (viz: \$5).

**Cr Karanouh:**

- Referred to gardens in main street – asked whether the grey pavers are set in concrete. The GM replied that they are set in concrete.
- Water overflowed near NAB building – staff to check.
- Requested another supply of business cards.

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- Toilet at Quambone – Director of DC&US advised work on roster

**NEWSLETTER TO RATEPAYERS**

- 0117 RESOLVED** on the motion of Crs. Karanouh and Keady that a newsletter/ brochure be prepared and sent to ratepayers/residents four times/year providing a snapshot of Council's achievements and goals so that the community is kept up to date with activities in progress.

**FIXED CAMERAS – PERGOLAS**

- 0118 RESOLVED** on the motion of Crs. Karanouh and Webb that Council place fixed lights on the pole so that the recently erected pergolas are well lit for cameras to get clear pictures, noting that \$20,000 is available for expenditure on street lighting upgrades.

**Cr Schieb:**

- Community Safety Committee – update.
- Outreach Centre – High School – update.
- Castlereagh Macquarie County Council – eradication \$1.4m – GM to follow up with Mr Reg Kidd.

**PAYMENT OF INSURANCE – NAKADOO**

- 0119 RESOLVED** on the motion of Crs. Schieb and Burnheim that Council agree to pay the \$500 Insurance premium on behalf of Nakadoo Rodeo for the rodeo school for youth, noting it is not an eligible criteria for Crime Prevention, but will be sourced from Council's donation vote.

**COONAMBLE SHOWGROUND**

- 0120 RESOLVED** on the motion of Crs Webb and Keady that Council make application to the Department of Lands for ownership of Coonamble Showground to be transferred to Council.

This concluded the business and the meeting closed at 5.00 p.m.

These Pages (1/5101– 20/5120) were confirmed on the .....day of OCTOBER 2012 and are a full and accurate record of proceedings of the Ordinary Meeting of Coonamble Shire held on 19 September 2012.

**MAYOR**