

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 09TH
APRIL 2014, COMMENCING AT 9.15 A.M.**

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PRESENT: Cr.Al Karanouh, Mayor, in the Chair, with Crs. Michael Webb, John Walker, Dan Keady, Bill Burnheim and Tom Cullen.

Also present were the General Manager, Mr. Warren, the Director of Community Services, Ms Tasker, the Director of Corporate & Urban Services, Mr Quarmby, the A/Director of Engineering Services, Mrs Atkins 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.

4.0 APOLOGIES

0788 RESOLVED on the motion of Crs Webb and Keady that Council accept an apology for non-attendance from Cr Don Schieb.

3.0 PUBLIC QUESTION TIME

(i) Mr Mike Svikis – Coonamble Local Environmental Plan 2011

The Mayor welcomed Mr Mike Svikis to the meeting – it was noted that his report on Council's planning proposal to amend sections of its Local Environmental Plan 2011 was included within the business paper. The General Manager drew Council's attention to the fact that Mr Svikis' report does not include proposals for :

- land on the western side of Castlereagh Highway along the river;
- a reduction in area from 1000ha to 400ha block size.

Council should resolve to include these in the review to allow a proposal to be prepared or, if Council does not want to review the issues, it should resolve accordingly.

At this stage, the General Manager handed out Special Disclosure of Pecuniary Interest forms to each Councillor which are required by the Office of Local Government to be completed prior to debate.

Cr Keady referred to the proposal to change the zoning of the Meglo land. Mr Svikis said that the zoning NI3 permits the establishment of offensive and hazardous materials and suggested that Council risks putting itself in a difficult situation to allow dwellings to be constructed, as these industries are incompatible and should be totally isolated from residential dwellings. He said allowing dwellings in the NI3 zone may, in the future, create circumstances for conflict. However, Mr Svikis said that he has included in the proposal special conditions that would allow a dwelling with a maximum 200sq.metre area to be constructed only with development of the industrial aspects of land use.

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Cr Burnheim referred to Council's earlier discussion to relocate the waste fill site to a block at "The Meglo", if it cannot procure the land adjacent to the current site and suggested that Council not permit the construction of dwellings on the Meglo. Mr Svikis said that a 400metre buffer is required around a tip area. He reminded Council that it would have another opportunity to examine these proposals after the public exhibition period and at which time it would be able to consider any submissions received. However Council would not, at that stage, be able to introduce new changes into the proposal.

It was agreed to amend the planning proposal at the Meglo from IN3 back to Rural Industrial, with no dwelling entitlement, however there be an option to consider a caretaker's cottage (not more than 60sq.m) or a facility for heavy haulage drivers to shower/sleep with the development application.

0789 RESOLVED on the motion of Crs. Cullen and Walker that Council remove the IN3 zoning at the Meglo, not include the land on the western side of the Highway on the river in the proposal and not request a change in block size from 1000ha to 400ha. *Carried: Crs Cullen, Keady, Walker & Karanouh
Against: Cr Webb*

(ii) Warrena Creek Weir

Council's Manager of Environmental Services advised Council that, in company with Mr Svikis and representatives of other organisations, he inspected the Warrena Creek Weir.

Mr. Svikis said that following recent rain the weir holds water and proposed works would not be able to proceed, as the wildlife is back and none of the authorities would issue a permit to let water out or dredge the weir.. He said that when the weir is dry Council would, from an environmental point of view, have to comply with conditions set out in Part 5 of the Environmental Planning & Protection (EPA) Act, and as applicant would need to obtain a Review of Environmental Factors (REF) before any works can begin and the process cannot commence early, as the authorities require an accurate and "existing" profile.

Mr. Svikis said the process of dealing with the Department of Fisheries, Crown Lands, and the local Aboriginal Land Council takes considerable time, however it is crucial to follow procedures because fines for doing any work without permission are exorbitant. He also referred to the amount of material to be disposed of and said that Council has to make appropriate arrangements to dispose of the surplus material as it is in a flood plain and the effects of this need to be assessed. Again, he reiterated that it is a slow process, but each step must be followed.

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At this juncture, 10.20 a.m., Mr Svikis left the meeting and Ms Kristie Pearson was welcomed to the meeting.

(iii) Ms Kristie Pearson

Kristie is the Senior Leader, Community Engagement at the Coonamble High School and she was accompanied by Ms Diana Dixon who is a member of the Wellbeing Team. Kristie said it is her aim to form a partnership with Council to deliver a range of services, to further training and employment opportunities and review ways to lessen the current gap.

She said a main focus currently is on basic health needs of students and, in this regard, she is working with community health workers and the Aboriginal Medical Service at the school. Kristie pointed out that the wellbeing of students has an impact on their learning and, although she has been in the position for only one term, she has noted positive progress.

Ms Pearson said she is open to suggestions from Council and acknowledged that Council is already active in the Coonamble High School's education program with students working in various areas of Council's workforce. She also said that the Bovine Appreciation Club members have had positive outcomes from their involvement with Council.

In discussing areas in which Council can be involved, the General Manager said the Community Services Department has already been actively associated with the school through its Student Youth Council, which this year is driving Youth Week. Ms Pearson acknowledged the activities currently being undertaken and said she is looking at broadening those activities for the beneficial outcome of students. Ms Pearson referred to mental health issues, which currently has a huge focus in the Wellbeing Program.

She said she is prepared to follow any avenue that will benefit the students, i.e. information/business partnerships – it was suggested that Kristie liaise with Council's Director of Community Services for feedback to/from Council.

Council noted that there are two positions to be filled on the Reference Group which meets once per month. The General Manager said he would like to be included and, in his absence, the Director of Community Services would be his alternate delegate. Ms Pearson said that the School has the Connected Community Strategy for four years and encouraged Council to support it. She also said that she is working on increasing school attendance.

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0790 RESOLVED on the motion of Crs Walker and Webb that Council nominate Cr Walker and the General Manager as delegates on the Reference Group and the alternate delegate be the Director of Community Services.

At this juncture, Ms Pearson and Ms Dixon left the meeting and the Mayor welcomed Mrs Amanda Colwell.

(iv) Coonamble Show Society – Funding for Project

Mrs Colwell thanked Council for the opportunity to speak to a letter on today's agenda from the Coonamble Show Society, seeking seed funding for the launch of a project which will be promoted Australia-wide. The project is a special photographic competition called *Showing the Connection*. Mrs Colwell said that positive feedback has been received, although they will have to wait until the entries are received to ascertain whether the promotion of the inaugural competition has been successful.

The Mayor invited Councillors to ask questions if they require further information regarding the Show Society's request.

Mrs Colwell left the meeting at 10.35 a.m. and the meeting adjourned for morning tea, resuming at 10.55 a.m.

5.0 DEPUTATIONS/DELEGATIONS

No deputations were booked for this meeting.

6.0 DECLARATIONS OF INTEREST

Cr Keady declared an interest as a member of the Show Society Committee in regard to Item 10.8 of the business paper – request for sponsorship from Coonamble Show Society.

7.0 CONFIRMATION OF THE MINUTES

0791 RESOLVED on the motion of Crs Keady and Webb that the minutes of the Ordinary Meeting of Coonamble Shire Council held on 12 March 2014 be confirmed.

Business arising from Minutes:

(i) **Moorambilla** – Councillors noted that the Moorambilla Festival will not be held this year but, at this stage, a Farewell Concert is at the Showground Pavilion. The organisers will contact Council's Events Officer confirming arrangements later.

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(ii) Department of Sport and Recreation – Council was advised that grants are now available – Cr Burnheim asked whether Council could utilise this funding to repair the Skate park damage. It was noted that an application has been made for cricket nets at the Sportsground.

(iii) Code of Conduct Breach – Cr Burnheim referred to this matter in the March minutes and said he is happy to undertake any appropriate training courses. He said he unreservedly apologises to Ms Davidson as he was in the wrong contacting her and discussing work issues.

Cr Burnheim said he wished to resign as Council's delegate from the North Western Library as well as the Youth Council, as he feels he will be ineffective on these Committees if he cannot converse with staff.

The General Manager stated that Cr Burnheim was to be afforded the opportunity to address recommendations in the report and it was included as an agenda item in Closed Session for this purpose. Although Council adopted the recommendation as per the March 2014 minutes, no action was taken thus giving Cr Burnheim the opportunity prior to sanctions being imposed. Cr Burnheim said he had every intention at being present at the March meeting, but a delayed flight prevented this.

Cr Burnheim said he did not wish the matter to be discussed in Closed Session, however the General Manager said this was a requirement of the Code.

8.0 RESOLUTION BOOK UPDATE

0792 RESOLVED on the motion of Crs. Webb and Keady that the Resolution Book Update be received and noted.

Business Arising from the Resolution Book Update

Nil

9.0 MAYOR'S REPORT

The Mayor provided a verbal report of his activities throughout the month, which included the following:

- Attendance at OROC meeting in Nyngan to discuss the Local Government Review recommendations. It was noted that OROC made a submission and Council also made its separate submission.
- Attended the Rally and activities in Coonamble concerning the coal seam gas issue – said approximately 620 people attended the event.
- Assisted in distribution of cakes and biscuits at Walgett as part of the Drought Buster scheme – said hay was also donated and delivered to Walgett for drought affected farmers.

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0793 RESOLVED on the motion of Crs.Keady and Cullen that the Mayor's activity report since last meeting be adopted.

10.0 CORRESPONDENCE

0794 RESOLVED on the motion of Crs. Walker and Keady that the Correspondence be received and dealt with.

Section A – For Council's Consideration:

10.1 COONAMBLE LOCAL COURT P5(43077)

In discussing this matter, Cr Burnheim requested that when representatives meet with Magistrate Kok, the seriousness of rural crime be discussed. He said farmers in the area continue to suffer big losses in the theft of fuel and vehicles and the destruction of fences and property.

0795 RESOLVED on the motion of Crs. Webb and Keady that Council meet with Magistrate Kok on Wednesday 23 April 2014, that Crs. Keady, Schieb, Walker and Cullen be the nominated representatives and that sentencing laws be discussed with the Magistrate.

10.2 OFFICE OF LOCAL GOVERNMENT R4(43095)

0796 RESOLVED on the motion of Crs.Webb and Walker that Council note the maximum rate of interest payable on overdue rates and charges for the 2014/2015 year is 8.5% and the maximum amount of a minimum ordinary rate will be \$485 for the financial year 2014/2015.

10.3 CIRCULAR - OFFICE OF LOCAL GOVERNMENT C13

0797 RESOLVED on the motion of Crs. Webb and Keady that Councillors note the information contained in the annexure included with the business paper and complete the Declaration of Pecuniary Interest Form prior to debate regarding review of the Local Environmental Plan 2011.

10.4 COONAMBLE DISTRICT RSL CLUB LTD C6-13(43129)

0798 RESOLVED on the motion of Crs. Webb and Keady that the Coonamble District RSL Club Ltd be advised the matter of a parking space for the Club bus adjacent to the Club premises will be referred for inspection and determination at the next meeting of the Traffic Committee.

10.5 COONAMBLE CHAMBER OF COMMERCE D5-20(43125)

0799 RESOLVED on the motion of Crs.Keady and Walker that Council advise the Chamber of Commerce that it agrees to this year's awards being changed to *Coonamble District Business Awards*, concurs with the placement of nomination boxes as suggested and notes that a function may be held at Two eight two eight for presentation of the awards.

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10.6 COONAMBLE PISTOL CLUB INC R4
0800 RESOLVED on the motion of Crs. Keady and Webb that Council advise the Coonamble Pistol Club it will pay rates in the amount of \$420 owing by the Club for the current rating year and that funds be sourced from the Donations Vote.

10.7 MR TRAVIS McCLEARY PR1646(43998)
0801 RESOLVED on the motion of Crs Cullen and Walker that Mr McCleary be advised Council is charging services in accordance with the Local Government Act 1993 and Council's Policy and is unable to reduce the amount payable, however Mr McCleary can request that the number of domestic waste services be reduced to a single service.

10.8 COONAMBLE SHOW SOCIETY INC D7(43163)
0802 RESOLVED on the motion of Crs. Cullen and Burnheim that Council agree to contribute \$1,000 as sponsorship to the Coonamble Show Society for the launch of a special photographic competition and that funds be sourced from Council's Donations Vote.

Section B – Matters for Council's Information.

10.9 COONAMBLE STREETS AHEAD COMMITTEE C6-12-1(43034)
Advising the annual general meeting was held at the Bowling Club on 11 March 2014 and advising that the following have been elected to the positions shown:

- President: Al Karanouh
- Vice-President: Raquel Pickering
- Secretary: Rowena Macrae
- Treasurer: Kevin Simkin
- Publicity Officer: Raquel Pickering

10.10 QUAMBONE WOMEN'S GROUP L3(43039)
Thanking Council for use of the Quambone Pool for the Australia Day event and also for the \$200 contribution towards catering. Hoping to continue the tradition next year.

10.11 HON KATRINA HODGKINSON MP D9+D9-1(43081)
Responding to letters from the Mayor regarding expansion of drought assistance and saying additional assistance has been announced by the Australian Government, which compliments that put in place by the NSW Government, and she is unable to modify the decision to back-date assistance as requested.

10.12 COONAMBLE SINGERS G2-1(43080)
Thanking Council for its generous donation of a new keyboard and extending an invitation to Councillors to join them on Saturday 10 May 2014 when they will be

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celebrating the 100th anniversary of Leonards Stores in Coonamble at a street party adjacent Leonards premises.

10.13 MELBOURNE-BRISBANE INLAND RAIL ALLIANCE R2(43100)

Referring to the Melbourne to Brisbane Inland Railway Alliance (MBIRA) Strategy Meeting to be held on Friday 4 April in Sydney. Pointing out it was clear from the discussions held at the Symposium hosted by Moree Plains Shire Council recently that construction of the MBIRA is a once in a lifetime opportunity.

10.14 THE HON GABRIELLE UPTON MP, MINISTER FOR SPORT & RECREATION G5-14(43103)

Advising Council was successful in securing funds for its project Irrigation Upgrade of Sporting Ovals – Coonamble and an amount of \$25,000 has been awarded for the work.

10.15 KEVIN HUMPHRIES MP D9(43126)

Referring to the Mayor's letter requesting Minister Hodgkinson to back-date drought emergency assistance.

Council noted that it received advice from the Minister for Primary Industries, the Hon Katrina Hodgkinson, of what is available for farmers in drought affected areas and she will not be back-dating the most recent assistance package.

0803 RESOLVED on the motion of Crs. Webb and Cullen that the information contained in Item Nos. 10.9 to 10.15 be noted.

URGENT BUSINESS – SUPPLEMENTARY CORRESPONDENCE

0804 RESOLVED on the motion of Crs Webb and Keady that the following matters be classified "urgent" and dealt with.

10.16 KR TRAINING S13-1(43059)

0805 RESOLVED on the motion of Crs Webb and Cullen that Council note the information contained in the letter, expressing an interest in leasing the Coonamble Swimming Complex and giving a brief overview of how the facility would be managed.

10.17 MINISTER FOR VETERANS' AFFAIRS G5(43208)

0806 RESOLVED on the motion of Crs Webb and Keady that Council note a grant of \$895 has been approved under the ANZAC Centenary Local Grants Program to help install a secure cabinet and story-board holders at the Museum Under the Bridge to house First World War memorabilia.

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10.18 ROADS & MARITIME SERVICES R8-23(43223)

0807 RESOLVED on the motion of Crs. Webb and Keady that this additional information concerning delegation powers for NSW Road Managers under the Heavy Vehicle National Law be noted.

10.19 QUAMBONE BUSH FIRE BRIGADE B13+D7(43197)

0808 RESOLVED on the motion of Crs Webb and Keady that Council refer the request from the Quambone Bush Fire Brigade for a fire hose pole and a flag pole for the new shed at Quambone to the RFS Zone Manager for attention.

10.20 MINISTRY OF TOURISM, CULTURE AND ENVIRONMENT C13

0809 RESOLVED on the motion of Crs Webb and Keady that the information concerning the Global Tourism Cities Conference on 24 and 25 June 2014 at Kota Kinabulu, Sabah, Malaysia, be noted.

11.0 REPORT BY GENERAL MANAGER

0810 RESOLVED on the motion of Crs Webb and Keady that the report by the General Manager be received and dealt with.

11.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

0811 RESOLVED on the motion of Crs. Webb and Keady that Council note no Development Applications or Complying Development Applications were approved since the last meeting.

11.2 CIVIL EMERGENCY LEAVE

0812 RESOLVED on the motion of Crs Webb and Walker that Council formally adopt the Civil Emergency Leave Policy, noting the document was on public exhibition from 26 February until 28 March 2014 and no submissions and/or comments were received.

11.3 MEETING WITH RODEO REPRESENTATIVES

The A/Director of Engineering Services advised that work on the arena has been carried out and the area has been lowered as requested, also ground work in front of the grandstands has been completed. The General Manager said Council should decide what it will provide to the Rodeo Committee in the way of cash and in-kind – he said that Council will supply materials and the Club will be responsible for all activity and control during the rodeo period.

0813 RESOLVED on the motion of Crs Cullen and Burnheim that Council agree to provide the following to the Coonamble Rodeo/Campdraft for the 2014 event:

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|-----------------------------|---------|----------------|
| • Toilet/shower hire | \$7,000 | |
| • "In-kind" contribution | \$7,000 | |
| • Waive fee for ground hire | \$2,500 | Total \$16,500 |

Corporate Tent at Rodeo – The General Manager requested Council to make a decision on the number of attendees to be invited to Council's corporate tent and determine costs. Councillors noted that supplying finger food for 60 people would cost \$8,000 and felt that other quotes should be obtained. The General Manager said 9 caterers were contacted, only two were available and quotes were obtained from those. Councillors eventually decided to defer this item and Crs Keady, Cullen and Walker meet with the Grants and Events Officer, immediately after the Council meeting to determine final arrangements.

0814 RESOLVED on the motion of Crs. Karanouh and Walker that Council delegate authority to the Mayor and the Deputy Mayor to make a final determination on Council's requirements regarding catering, funding and invitees to its Corporate Tent at the Coonamble Rodeo, following the meeting with the Grants and Events Officer.

11.4 ECONOMIC DEVELOPMENT

0815 RESOLVED on the motion of Crs. Cullen and Webb that the information contained in the report by the Economic Development Manager be noted.

(i) **Business Awards** – The Mayor advised that the Coonamble Chamber of Commerce has decided to launch the business awards on Sunday 18 May 2014 at a luncheon at Twoeighttwoeight.

(ii) **Economic Development – Clubgrants** - Councillors noted the availability of funds under the ClubGRANTS offered by the Office of Liquor Gaming and Racing. Cr Burnheim suggested that funds may be available for the purchase of Smith Park and upgrade of the Caravan Park.

URGENT BUSINESS – SUPPLEMENTARY REPORT BY GENERAL MANAGER

0816 RESOLVED on the motion of Crs Webb and Walker that the following matter be classified "urgent" and dealt with.

11.5 FUNDING OPPORTUNITY FOR INDOOR ARENA (WESTERN EDUCATION & EVENTS CENTRE)

Council's Economic Development Manager presented a report on this funding opportunity and said that Council has the 4 key criteria on which applications will be assessed for Stage 1 of the project. Council noted that applications close on 10 April, assessment of applications on 30 April and successful projects announced by the end of June 2014.

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It was agreed that Council determine the extent of its financial commitment to Stage 1 of the project for the purposes of the application.

0817 RESOLVED on the motion of Crs Cullen and Webb that Council submit an application for up to \$2m to Category 3 ClubGRANTS for the first stage of the Western Education and Events Centre at Coonamble Showground.

0818 RESOLVED on the motion of Crs. Cullen and Burnheim that Council allocate \$300,000 from the indoor arena reserve to complement the grant application for Stage 1 of the project.

12.0 REPORT BY DIRECTOR OF COMMUNITY SERVICES

0819 RESOLVED on the motion of Crs Walker and Webb that the report by the Director of Community Services be received and dealt with.

12.1 COUNCILLOR TRAINING COURSES

0820 RESOLVED on the motion of Crs Webb and Walker that Council approve the attendance/expenditure of any Councillor wishing to undertake the training course, and any Councillor wishing to do so advise the General Manager who will make the necessary arrangements.

13.0 REPORT BY DIRECTOR OF CORPORATE & URBAN SERVICES

0821 RESOLVED on the motion of Crs Keady and Burnheim that the report by the Director of Corporate Services be received and dealt with.

13.1 RATE COLLECTIONS

0822 RESOLVED on the motion of Crs. Webb and Walker that the Total Combined Rate Collections to 31 March 2014 be noted.

13.2 LIST OF INVESTMENTS

0823 RESOLVED on the motion of Crs. Keady and Walker that the list of investments as 31 March 2014 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.

13.3 RURAL FIRE SERVICES ESTIMATES 2014/2015

0824 RESOLVED on the motion of Crs. Keady and Webb that Council approve the budget of \$3,662,352 for the North West Zone of the NSW Rural Fire Service for the 2014/2015 financial year, noting Council's contribution will be approximately \$102,800.

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13.4 TEMPORARY CLOSURE OF COONAMBLE SKATE PARK

0825 RESOLVED on the motion of Crs. Keady and Walker that Council note the contents of the report and also that an insurance claim has been lodged and Council will be informed as soon as further information is to hand.

The Director advised that quotes are being sourced to repair the damage and it is estimated, at this stage, that the cost could be in the vicinity of \$124,000. In response to a question, the Director said insurance may pay around \$15,000.

0826 RESOLVED on the motion of Crs Webb and Keady that Council remove the end modules, if necessary, to make the area safe and reopen the facility for use as soon as possible.

13.5 WORKS IN PROGRESS

0827 RESOLVED on the motion of Crs. Webb and Walker that the information contained in this section of the report be noted.

14.0 REPORT BY A/DIRECTOR OF ENGINEERING SERVICES

0828 RESOLVED on the motion of Crs. Keady and Walker that the report by the A/Director of Engineering Services be received and dealt with.

14.1 WORKS IN PROGRESS

0829 RESOLVED on the motion of Crs. Webb and Walker that the information contained in this section of the report be noted.

Cr Burnheim referred to a complaint he has received about the water causing skin irritation – the General Manager said this is the result of sulphur in the water and the water not having time to settle in the reservoirs during times of heavy water usage, especially in the summer months.

In response to a question about the Water Treatment Plant, the A/Director advised that a power interruption caused problems and the practical completion period will have to start again. She explained that the plant must operate problem free for a period of five days before 'practical completion' is reached.

15.0 REPORT FROM MANAGER OF ENVIRONMENTAL SERVICES

0830 RESOLVED on the motion of Crs Keady and Webb that the report by the Manager of Environmental Services be received and dealt with.

15.1 WARRENA WEIR DREDGING

Council noted this matter was discussed earlier in the day, however the General Manager said that perhaps it may be prudent to budget money in next year's estimates if Council wishes to proceed with the works.

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0831 RESOLVED on the motion of Crs. Webb and Keady that Council refer for consideration to the 2014/2015 estimates meeting allocating \$30,000 so that funds are available to obtain the required permits/licenses to carry out proposed dredging works.

15.2 REVIEW OF LOCAL ENVIRONMENTAL PLAN

0832 RESOLVED on the motion of Crs Webb and Keady that Council:

- (1) submit to the "Gateway", as administered by NSW Planning and Infrastructure, a Planning Proposal to facilitate a range of LEP amendments, as submitted to Council, for a determination;
- (2) advise the Minister for Planning & Infrastructure, or his delegate, that Coonamble Shire Council is NOT seeking plan-making delegations for this planning proposal;
- (3) advise the Minister for Planning & Infrastructure, or his delegate, that the minimum exhibition period for the exhibition of the Planning Proposal should be for a period not less than 28 days and should be concurrent;
- (4) upon receiving an affirmative Determination Notice from the NSW Planning & Infrastructure, any additional studies or work required in satisfaction of demonstrating the suitability of the proposed changes in land use be completed;
- (5) upon satisfactory completion of the Planning Proposal and supporting information, it be publicly exhibited in accordance with the Determination Notice or, where there is no such condition or the condition prescribes a period less than 28 days, for a period not less than 28 days;
- (6) note that following public exhibition of the Planning Proposal, a report is to be submitted to Council at the earliest time detailing the content of submissions received and how those, if any, issues have been addressed; AND FURTHER
- (7) that Council not include any proposal for a review of land known as "The Meglo" on the Quambone Road to an IN3 zone – and that the current zone remain the same;
- (8) that Council not include in the proposal any reduction in lot size in the RU1 zone (Primary Production);
- (9) that Council not consider a review of land between the Castlereagh Highway and the river on the Dubbo Road zoned RU1, nor consider any reduction in lot size.

15.3 RANGER'S REPORT – MARCH 2014

0833 RESOLVED on the motion of Crs Keady and Cullen that the report by the Ranger for the month of March 2014 be noted.

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The Manager of Environmental Services advised that while Council's Ranger is on holidays it was decided to engage two out-of-town rangers and they will be working 2 days/week for at least five weeks. They will be targeting companion animals, school drop off zones and proper use of parking spaces for disabled persons.

URGENT BUSINESS – SUPPLEMENTARY REPORT BY MANAGER – ENVIRONMENTAL SERVICES

0834 RESOLVED on the motion of Crs Webb and Keady that the following matter be classified "urgent" and dealt with.

15.4 CARAVAN PARK – AMENITIES BLOCK

Councillors discussed with the Manager the various options on how best to proceed with this work. The Manager said the current amenities building is structurally sound and could be gutted and made into a 2 bedroom residence for the caretaker. In response to a question from Cr Burnheim, the Manager said the Eco Spa development would have a separate amenities block.

0835 RESOLVED on the motion of Crs Cullen and Walker that Council construct a new amenities block and renovate the existing block to a 2 bedroom residence for a caretaker/manager, at an estimated cost of \$410,000.

16.0 REPORTS FROM VARIOUS COMMITTEES

0836 RESOLVED on the motion of Crs Keady and Burnheim that the following reports, Item Nos. 16.1 and 16.2 be noted.

16.1 Standing Committee on State Development – Council's submission to the Inquiry into Regional Aviation Services

0837 RESOLVED on the motion of Crs Webb and Walker that Council note the submission forwarded to the Inquiry into Regional aviation Services.

16.2 Notes from meeting with Local Land Services Representatives and stakeholders held on 13 March 2014.

0838 RESOLVED on the motion of Crs Keady and Webb that the information contained in this report be noted.

17.0 REPORT BY SALEYARDS MANAGER

0838 RESOLVED on the motion of Crs. Webb and Keady that the report by the Manager – Saleyards & Facilities be received and noted.

0839 RESOLVED on the motion of Crs Webb and Keady that Items 17.1 – 17.3 in the report be noted.

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18.0/19.0 CLOSED SESSION

0840 RESOLVED on the motion of Crs Keady and Webb that Council resolve into Closed Session in accordance with:

- *Local Government Act 1993 - Section 10A (2) (d)(i) "prejudice the commercial position of the person who supplied it";* and
- the administrative procedures of the Code of Conduct March 2013.

0841 RESOLVED on the motion of Crs Keady and Webb that the press and public be excluded from the meeting.

RESUME OPEN MEETING

0842 RESOLVED on the motion of Crs. Webb and Keady that Council resume Open Meeting.

ADOPTION OF RECOMMENDATIONS FROM CLOSED SESSION

0843 RESOLVED on the motion of Crs. Webb and Keady that Council adopt the recommendation from Closed Session, being Recommendation No. 18.1 and 19.1, as detailed below:

18.1 CASTLEREAGH MACQUARIE COUNTY COUNCIL

that Council:

- (1) Advise CMCC it is unable to absorb any redundant staff from the County Council on a secondment basis however, if Council has advertised vacancies, those staff members may apply.
- (2) Agree to an interest free loan to the CMCC of \$50,000 over a period of three (3) years and request a copy of the County Council's financial statements.
- (3) Advise the CMCC it is not in a position to undertake administration/ accounting functions for the County Council.
- (4) Negotiate necessary arrangements with the CMCC should Council *have surplus or available facilities suitable for depot uses.*

19.1 CODE OF CONDUCT BREACH

Cr Burnheim left the room while this matter was being discussed. It was noted that Cr Burnheim was given the opportunity to address the recommendations listed in the report, but he declined.

that Council, impose the following sanctions, being the recommendations of the *Report for Coonamble Shire Council Investigation of Alleged Code of Conduct Breach*:

"Having determined that Cr Burnheim has committed a breach a section 6.7(a) of the Code of Conduct, it is recommended that:

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1. *Cr Burnheim be counselled in relation to:*

(a) His conduct in this matter, and why it constituted a breach of the section 6.7(b) of the Code of Conduct.

(b) His failure to attend Code of Conduct training arranged in November 2012 for councillors and to sign a statement that he has received, read, understood and will abide by his obligations under the Code of Conduct.

(c) The requirement to direct all of his enquiries through the General Manager and not to approach other Council staff directly on council business, including after normal business hours.

(d) His responsibility to behave in a professional manner towards Council staff and to not make derogatory comments to or about them or their professional conduct.

2. *Cr Burnheim be required to immediately undertake training in the Code of Conduct, particularly relationships and interactions between councillors and council staff members and in the Procedures for the Administration of the Code of Conduct, particularly the role of the complaints coordinator.*

3. *Following counselling and completion of training in the Code of Conduct, Cr Burnheim be required to sign a statement that he has received, read, understood and will abide by his obligations under the Code of Conduct.*

4. *Cr Burnheim be required to undertake training in Department of Local Government Integrated Planning and Reporting.*

5. *Consideration be given to requiring all councillors and staff to attend annual Code of Conduct training.*

In light of the systemic issues and other matters identified and discussed above it is recommended that Coonamble Shire Council:

6. *Develop and implement detailed policy and procedures to control access and interaction between councillors and staff members and ensure the proper management, regulation and accountability of these interactions, while still allowing councillors to carry out their civic duties.*

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7. *Develop and promulgate a policy requiring all councillors and staff to sign a statement that they have received, read, understood and will abide by their obligations under the Code of Conduct.*

8. *Professional, formal mediation occur between Cr Burnheim and Mr Warren and Cr Burnheim and Ms Tasker”*

AND FURTHER, in addition to the recommendations of the conduct reviewer that Cr Burnheim be required to apologise to any person or organisation affected by the breach.

20.0 QUESTIONS WITH NOTICE

Insurance Premiums in the Shire

Cr Schieb had previously handed the General Manager a notice of motion regarding insurance premiums for houses in Coonamble, which have risen dramatically. Information from insurance companies is that the increase is due to additional risk accepted to insure for a flood event. Some of the companies stated they were advised by Council that Coonamble township is flood prone – this is incorrect. It was noted other insurance companies are basing their increases on declarations of ‘natural disaster’ made by the State Government.

0844 RESOLVED on the motion of Crs. Keady and Webb that Council write to the Insurance Council of Australia and the Australian Prudential Regulation Authority (APRA) informing these organisations of the substantial increases in insurance premiums payable by residents of Coonamble, which appear to be based on erroneous factors.

21.0 GENERAL BUSINESS

Cr Cullen:

- Allegations against Mayor Karanouh – letter in Coonamble Times Newspaper. Asked the Mayor about the alleged incident – the Mayor responded that his reply is printed in this week’s Coonamble Times – there were no grounds for those allegations. Cr. Cullen questioned why those allegations would have been made if there were no grounds, the Mayor said there were no grounds whatsoever and, as far as he is concerned, the matter is now closed.

Cr Webb:

- Referred to allegations against the Mayor, published in last week’s Coonamble Times. He said publicity such as this brings the Council into disrepute and is extremely damaging for the whole community and because of this, he intended to move a vote of no confidence in the Mayor.

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Vote of No Confidence

Moved by Cr Webb **Seconded** by Cr Walker that a motion of No Confidence in the Mayor be put in regard to the recent letters to the editor appearing in the Coonamble Times - **Lost – 2 votes /4 votes.**

Director of Corporate & Urban Services:

- Reminded Councillors to take business papers for the workshop to be held on Tuesday 15 April.

A/Director of Engineering Services:

- Advised that abutments to the Warrena Creek bridge would be jacked up next week.

Cr Keady:

- Asked when the organisation structure would be reviewed – the General Manager said it had to be reviewed within six months of the election of a new Council – which was done. He said Council can review the structure at any time it wishes.

Director of Community Services:

- Distributed Youth Week activities information for Councillors' information – it was noted that Youth Week is being held from 11 – 17 April 2014.

There being no further business the meeting closed at 2.27 p.m.

These Pages (1/5438 to 18/5455) were confirmed on theday of
MAY 2014 and are a full and accurate record of proceedings of the Ordinary
Meeting of Coonamble Shire Council held on 09 April 2014.

MAYOR