



Minutes

**Ordinary Council Meeting
held in the Council Chambers
Binnia Street, Coolah
on Thursday, 18 October 2018
commencing at 5.00pm**

Mayor: Cr Denis Todd

Councillors: Kodi Brady
Anne-Louise Capel
Fred Clancy
Ambrose Doolan
Wendy Hill
Aniello Iannuzzi (Deputy Mayor)
Ray Lewis
Peter Shinton

PRESENT: Cr D Todd (Chairperson), Cr K Brady, Cr AL Capel, Cr F Clancy, Cr A Doolan, Cr W Hill, Cr A Iannuzzi, Cr R Lewis, and Cr P Shinton.

In attendance: General Manager (Roger Bailey), Acting Director Corporate and Community Services (Louise Johnson), Director Technical Services (Kevin Tighe), Director Development Services (Leeanne Ryan), Manager Warrumbungle Water (Cornelia Wiebels) and Executive Assistant to General Manager (Jenni Maundrell – minutes).

The General Manager announced that the meeting was being audio recorded, and that the recording will be published.

APOLOGIES

Nil

The Mayor called for Declarations of Pecuniary Interest and Non Pecuniary Interest

- Cr Doolan declared a non-pecuniary less than significant interest in Item 30.2 – Boral Quarry due to he and his wife being the lessees of property adjacent to that referred to in the report.

Item 1 Mayoral Minute – Mayors Log of Kilometres Travelled and Credit Card Activity from 8 August 2018 to 24 September 2018

139/1819 RESOLVED that Council:

1. Notes the Mayor's Activity and Log of Kilometres Travelled from 8 August 2018 to 24 September 2018.
2. Approves the Mayor's expenses between 8 August 2018 and 10 September 2018 totalling \$667.46.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

Item 2 Mayoral Minute – Mayors Activity and Log of Kilometres Travelled from 24 September 2018 to 11 October 2018

140/1819 RESOLVED that Council notes the report on the Mayor's Activity and Log of Kilometres Travelled from 24 September to 11 October 2018.

MOVED: Councillor Lewis

SECONDED: Councillor Capel

Item 3 Minutes of Ordinary Council Meeting – 20 September 2018

141/1819 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 September 2018 are endorsed.

MOVED: Councillor Capel

SECONDED: Councillor Hill

Item 4 Minutes of Traffic Advisory Committee Meeting – 27 September 2018

142/1819 RESOLVED that:

1. Council accepts the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 27 September 2018.
2. The sign plan for installation of a W1-201 '10km Narrow Winding Road' sign 100m before a G9-41 'Unsuitable for Large Vehicles' sign located 100m south of the Pandoras Pass turnaround be approved.
3. 'No Stopping' signs and line markings be installed 1.8m either side of the Coinda Village driveways located in Cassilis Street to indicate how close vehicles can park to the access points of the property.
4. Council's Guideline for School Bus Routes and Bus Stops be put on display for public comment subject to the inclusion of an example of a Risk Assessment for School Bus Stops.
5. 'No Stopping' signs be installed either side of the middle driveway located between Jones Panel Beating and the Post Office in Bolaro Street, Dunedoo.

MOVED: Councillor Shinton

SECONDED Councillor Capel

Item 5 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 12 September 2018

143/1819 RESOLVED that Council:

1. Accepts the Minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 12 September 2018.
2. Investigate the establishment of a children's playground and equipment to be located adjacent the old kiosk at Coonabarabran No 1 Oval.
3. Advise that Sporting Clubs who utilise the Coonabarabran ovals purchase their own defibrillator.
4. Thank project manager David Sturtridge for the high standard of his work in overseeing the construction of the multipurpose courts in Coonabarabran.

MOVED: Councillor Clancy

SECONDED: Councillor Brady

Item 6 Minutes of Baradine Floodplain Management Advisory Committee Meeting – 20 September 2018

144/1819 RESOLVED that:

1. Council accepts the Minutes of the Baradine Floodplain Management Advisory Committee meeting held at Baradine on 20 September 2018.

2. The Baradine Levee design be placed on public display and with an invitation to make submissions on the proposal.

MOVED: Councillor Todd

SECONDED: Councillor Doolan

Item 7 Minutes of Economic Development and Tourism Advisory Committee – 24 September 2018

145/1819 RESOLVED that Council:

1. Accepts the minutes of the EDT Committee 24 September 2018.
2. Notes that the actions from the Committee will be dealt with under delegated authority.

MOVED: Councillor Capel

SECONDED: Councillor Brady

Item 8 Minutes of Robertson Oval Advisory Committee Meeting – 26 September 2018

146/1819 RESOLVED that Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 26 September 2018.

MOVED: Councillor Hill

SECONDED: Councillor Doolan

Item 9 Minutes of Warrumbungle Aerodromes Advisory Committee Meeting – 4 October 2018

147/1819 RESOLVED that Council accepts the Minutes of the Warrumbungle Aerodromes Advisory Committee meeting held at Coonabarabran on 4 October 2018.

MOVED: Councillor Doolan

SECONDED: Councillor Capel

Item 10 Notice of Motion – HR Report

148/1819 RESOLVED that effective the November 2018 Ordinary Council Meeting, the Human Resources report be held in Closed Council and include the following in addition to current contents of the report:

- List of names of WSC employees that have left the organisation since previous report;
- List of names of WSC employees employed since previous report.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Lewis

Cr Shinton recorded his vote against the motion

Item 11 Councillors' Monthly Travel Claims – September 2018

149/1819 RESOLVED that the Councillors' monthly travel claims for September 2018 in the amount of \$1,264.60 is received for Council's information.

MOVED: Councillor Doolan

SECONDED: Councillor Lewis

Item 12 Delegate's Report – Orana Arts Meeting in Dubbo – 21 September 2018

150/1819 RESOLVED that Council notes the Delegate's Report by Cr Anne-Louise Capel in relation to the Orana Arts meeting held in Dubbo on 21 September 2018.

MOVED: Councillor Capel

SECONDED: Councillor Brady

Item 13 Coonabarabran Emergency Water Supply Project – October 2018 Update

151/1819 RESOLVED that Council:

1. Notes the October 2018 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Endorse the expenditure to date (committed and expended) of \$1,939,389.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

Item 14 Drought Management and Water Demand Management Plans

152/1819 RESOVLED that Council:

1. Adopts the draft Drought Management Plan, subject to the following changes as specified in the report:
 - i. Include rainfall records as appendix
 - ii. Update bore numbers and locations in Dunedoo, Mendooran, Coolah and Binnaway
 - iii. Include new Coonabarabran bore names and numbers
 - iv. Council authorise for the General Manager to make any minor adjustments provided that the intent of the plans are not changed.
2. In the next review of the Drought Management Plan, considers inclusion of the following:
 - i. Water Carting Plan
 - ii. A history of the 2017/2018 drought
 - iii. Streamflow records as available
 - iv. Groundwater information
 - v. A long term drought capital works strategy
 - vi. Add additional information on Timor Dam in current Appendix 3
 - vii. Formalise water restriction triggers for all other towns except Coonabarabran, independently of Coonabarabran

3. Adopts the draft Water Demand Management Plan, subject to the following changes as specified in the report:
 - i. Include replacement requirement of the Baradine Water Treatment Plant clarifier.
 - ii. Update the current Baradine Water Treatment Plant capacity to 1.0 ML/d.
 - iii. Update population numbers to 2016 Census information.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

Item 15 Coolah Hostel Divestment by NSW Health

153/1819 RESOLVED that Council:

1. Advise the Western NSW Local Health District that it does not have an interest in acquiring the Coolah Hostel.
2. Encourage the Western NSW Local Health District to offer the Coolah Hostel to local community group, Coolah Cottages Inc., along the lines of the original proposal when the property was transferred into its ownership, i.e. at \$1.00.

MOVED: Councillor Capel

SECONDED: Councillor Lewis

Item 16 Council Offices Christmas Closure

154/1819 RESOLVED that Council note the closure of Coonabarabran and Coolah administration offices, including Service NSW, from close of business on Friday 21 December 2018, reopening on Wednesday 2 January 2019.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

Item 17 Legal Assistance City of Sydney Council, North Sydney Council and Bayside City Council

MOTION

That Council contribute \$2,155.23 to Local Government NSW to support City of Sydney Council, Bayside City Council and North Sydney Council towards legal costs incurred in an appeal to the NSW Court of Appeal on rating categorisation.

MOVED: Councillor Clancy

SECONDED: Councillor Hill

The motion was put and LOST

Item 18 Minutes of Orana Regional Organisation of Councils Meetings – 7 September 2018

155/1819 RESOLVED that Council notes the minutes of the Orana Regional Organisation of Councils board meeting and annual general meeting held on 7 September 2018.

MOVED: Councillor Shinton

SECONDED: Councillor Iannuzzi

Item 19 Request for Write-Off of Water Charges – Assessment Number 10011088

156/1819 RESOLVED that Council:

1. Write off \$442.80 from Assessment No 10011088 as a one-off reduction.
2. Advise the property owner that no further such write-offs will be made.

MOVED: Councillor Hill

SECONDED: Councillor Shinton

6.13pm

Cr Brady left the room

Item 20 Returns under s449 *Local Government Act 1993* Disclosing of Interests of Councillors and Designated Persons

6.15pm

Cr Brady re-joined the meeting

157/1819 RESOLVED that Council:

1. Acknowledge the tabling of the disclosures received under section 449 of the *Local Government Act 1993* (NSW) for the period 1 July 2017 to 30 June 2018 from all designated persons and all Councillors.
2. Reaffirm the following positions as 'designated persons':
 - Director Development Services
 - Director Technical Services
 - Director Corporate and Community Services
 - Manager Projects
 - Manager Road Operations
 - Manager Regulatory Services
 - Building Certifier
 - Town Planner

MOVED: Councillor Capel

SECONDED: Councillor Shinton

Item 21 Council Resolutions Report October 2018

158/1819 RESOLVED that Council's Resolution Report for October 2018 be noted for information.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

Item 22 Human Resources Monthly Report – September 2018

159/1819 RESOLVED that the Human Resources Monthly Report for October 2018 be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

Item 23 Investments and Term Deposits – month ending 30 September 2018

160/1819 RESOLVED that Council note and accept the Investments and Term Deposits Report for the month ending 30 September 2018 including a total balance \$15,452,101.29, being:

- \$1,947,704.71 in at call accounts
- \$12,000,002.00 in term deposits
- \$1,504,394.58 cash at bank

MOVED: Councillor Clancy

SECONDED: Councillor Capel

Item 24 Name Change Proposal for Locality of Napier Lane

161/1819 RESOLVED that the locality (suburb) of Napier Lane be changed to Napier.

MOVED: Councillor Doolan

SECONDED: Councillor Iannuzzi

Item 25 Rural Road Naming Request – Off Warrumbungles Way, 2.6km South of Newell Highway

162/1819 RESOLVED that, subject to consultation in accordance with guidelines from the Geographical Names Board and no further objections being received, the road that intersects with Warrumbungles Way approximately 2.6km south of the Newell Highway be named Mirii Lane.

MOVED: Councillor Shinton

SECONDED: Councillor Iannuzzi

Item 26 Baradine Golf Club Development Application Fees

163/1819 RESOLVED that Council note the information on the report on the Baradine Golf Club Development Application fees.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

Item 27 Visitors Information Carpark Acquisition

164/1819 RESOLVED that Council surrender part of the Lot 589 DP721790 as per section 377(1)(h) of the *Local Government Act 1993* (NSW) to ensure access is maintained to the Coonabarabran Showground as per conditions of consent from the Department of Primary Industries – Lands and an easement is placed on title to reflect the access.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

Item 28 Development Applications

165/1819 RESOLVED that Council notes the Applications and Certificates approved during September 2018, under Delegated Authority.

MOVED: Councillor Brady

SECONDED: Councillor Capel

Item 29 Questions for the Next Meeting

166/1819 RESOLVED that the Questions for the Next Meeting Report for October 2018 be noted for information.

MOVED: Councillor Doolan

SECONDED: Councillor Clancy

Item 30 Reports to be Considered in Closed Council

Item 30.1 Three Rivers Regional Retirement Community Information Report

167/1819 RESOLVED that the Three Rivers Regional Retirement Community Information Report – July 2018 be referred to Closed Council pursuant to section 10A(2)(c) and (g) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

Item 30.2 Boral Quarry

168/1819 RESOLVED that the Boral Quarry Report be referred to Closed Council pursuant to section 10A(2)(c) and (d) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Brady

Item 30.3 Mayoral Minute – Interim General Manager’s Performance Review

169/1819 RESOLVED that the Mayoral Minute – Interim General Manager’s Performance Review be referred to Closed Council pursuant to section 10A(2)(a) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors).

MOVED: Councillor Hill

SECONDED: Councillor Brady

Item 30.4 Review of Organisation Structure

170/1819 RESOLVED that the Review of Organisation Structure Report be referred to Closed Council pursuant to section 10A(2)(a) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors).

MOVED: Councillor Shinton

SECONDED: Councillor Brady

The General Manager offered the opportunity to members of the public to make representation as to whether any part of the aforementioned items should not be considered in Closed Council.

There was no response from the public

171/1819 RESOLVED that:

1. Council go into Closed Council to consider business relating to confidential information.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993* (NSW), the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. Correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

MOVED: Councillor Capel

SECONDED: Councillor Brady

Closed Council – 6.34pm

Item 30.1 Three Rivers Regional Retirement Community Information Report

172/1819 RESOLVED that Council note the report in relation to the Three Rivers Regional Retirement Community Project Information Report.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

Item 30.2 Boral Quarry.

173/1819 RESOLVED that:

1. Council negotiate with Boral Resources (Country) Pty Ltd a renewal of the current licence agreement for a new period 1 January 2019 to 31 December 2019.

2. The General Manager is authorised to negotiate with Boral Resources (Country) Pty Ltd on both a renewal of the licence agreement and on a potential purchase of the quarry.

MOVED: Councillor Hill

SECONDED: Councillor Brady

174/1819 RESOLVED that all Council staff except the General Manager be excluded from the meeting to consider Item 30.3 Mayoral Minute – Interim General Manager’s Performance Review report and Item 30.4 – Review of Organisation Structure.

MOVED: Councillor Brady

SECONDED: Councillor Hill

6.51pm

Council staff left the room

Item 30.3 Mayoral Minute – Interim General Manager’s Performance Review

175/1819 RESOLVED that:

1. Following the General Manager being offered the opportunity to provide comments, a Performance Review Panel now be formed with membership consisting of the Mayor, Deputy Mayor, Cr Clancy, Cr Doolan, Cr Lewis and Cr Shinton.
2. Council delegate all tasks necessary for the completion of the Performance Review to the Performance Review Panel.
3. The Performance Review Panel members all undertake training in accordance with the Office of Local Government Performance Review Guidelines.
4. The Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene and that all Councillors be provided with an opportunity for input and feedback.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Shinton

Item 30.4 Review of Organisation Structure

176/1819 RESOVLED that Council adopt the organisation structure as identified as “Proposed” in the report on the Review of the Organisation Structure.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

177/1819 RESOLVED that Council return to Open Council.

MOVED: Councillor Capel

SECONDED: Councillor Hill

7.21pm

Staff and members of the public returned to the Chamber.

The resolutions of Closed Council were announced to the meeting by the General Manager.

There being no further business the meeting closed at 7.24pm.

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CHAIRPERSON