



# **Minutes**

## **Ordinary Council Meeting**

**held in the Council Chambers**

**John Street, Coonabarabran**

**on Thursday, 15 August 2019**

**commencing at 5:08pm**

**PRESENT:** Cr D Todd (Chairperson), Cr K Brady, Cr A-L 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), Director Technical Services (Kevin Tighe), Director Environment and Development (Leeanne Ryan), Acting Director Corporate and Community Services (Kim Parker), Manager Warrumbungle Water (Cornelia Wiebels), and Executive Assistant to the General Manger (Erin Player – Minutes).

#### **Acknowledgement of Country**

Council acknowledged the Gomeroi people, the Traditional Custodians of the Land at which the meeting is held and pays its respects to Elders, both past and present, of the Gomeroi Nation and extends that respect to other Aboriginal people who are present.

One minute silence took place in recognition of the late John Knight who served on Coonabarabran Shire Council for 22 years.

#### **Recording of Meeting**

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

#### **APOLOGIES**

Nil

#### **Confirmation of Minutes**

**36/1920 RESOLVED** that Council confirm the resolutions contained in the Minutes of the Ordinary Council meeting held on 18 July 2019.

**MOVED:** Councillor Clancy                      **SECONDED:** Councillor Doolan

For – Unanimous

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

Cr Doolan declared a non pecuniary less then significant interest in item 16 – Swimming Pool Opening Hours Timetable, Age of Entry and Volunteer Lifeguards due to his sister being the principle of one of the schools who made a submission.

**37/1920 RESOLVED** that Council note the declaration of interest.

**MOVED:** Councillor Capel                      **SECONDED:** Councillor Hill

For – Unanimous

#### **Item 1 Councillors' Monthly Travel Claims – July 2019**

**38/1920 RESOLVED** that the Councillors' monthly travel claims report for July 2019 in the amount of \$1,346.48 is noted.

**MOVED:** Councillor Capel                      **SECONDED:** Councillor Hill

For – Unanimous

**Item 2 Bush Summit held in Dubbo on 18 July, 2019**

**39/1920 RESOLVED** that that Council notes the Delegate's Report in relation to the Bush Summit held at Dubbo on Thursday, 18 July 2019.

**MOVED:** Councillor Shinton **SECONDED:** Councillor Lewis

For – Unanimous

**Item 3 Country Mayors Association in Sydney held 2 August 2019**

**40/1920 RESOLVED** that Council note the Delegate's Report in relation to the Country Mayors Association meeting in Sydney on 2 August 2019.

**MOVED:** Councillor Shinton **SECONDED:** Councillor Hill

For – Unanimous

**Item 4 Minutes of TRRRC 355 Advisory Committee Meeting – 30 July 2019**

**41/1920 RESOLVED** that Council accepts the minutes of the Three Rivers Regional Retirement Community S355 Committee meeting held at Dunedoo on 30 July 2019 and notes that the recommendation to consider Option 10.

**MOVED:** Councillor Hill **SECONDED:** Councillor Capel

For – Unanimous

**Item 5 Coonabarabran Emergency Water Supply Project – July 2019 Update**

**42/1920 RESOLVED** that Council notes the July 2019 Update Report on the Coonabarabran Emergency Water Supply Project.

**MOVED:** Councillor Brady **SECONDED:** Councillor Capel

For – Unanimous

**Item 6 2019 Local Government NSW Annual Conference Motions**

**43/1920 RESOLVED** that Council:

1. Notes the report on the 2019 Local Government NSW Annual Conference motions.
2. Submits a motion to the LGNSW Conference seeking that local council's be notified of water license applications that may impact town water supplies. In addition to this that advertising all license applications be made in the local government area that is impacted.
3. Submits a motion to the LGNSW Conference seeking that the Model Code of Meeting Practice be amended to allow Public Forum on any issues.
4. Submits a motion to the LGNSW Conference about the one size fits all policy on asbestos and that subsidies be provided to local councils in dealing with the receipt of asbestos.
5. Authorise the General Manager to appropriately word motions.

**MOVED:** Councillor Capel    **SECONDED:** Councillor Doolan

For – Unanimous

### **Item 7 Stronger Country Communities Fund – Round Three**

#### **MOTION**

That Council submit funding applications under the Stronger Country Communities – Round Three program for the following projects, in priority order:

1. Mendooran Park Play Equipment - \$100,000
2. Milling Park Dunedoo Skate Park Shade Cover - \$60,000
3. Coolah Bowen Oval, Skate Park - \$200,000
4. Baradine Hall, reroofing and maintenance - \$190,000
5. Coonabarabran Sport and Recreation Centre, painting, maintenance and equipment - \$325,000
6. Mullaley Sport & Recreation ground amenities - \$150,000 (note: subject to matching funding from another source)
7. Mendooran Sportsground oval fence - \$100,000

**MOVED:** Councillor Lewis    **SECONDED:** Councillor Hill

#### **AMENDMENT**

That:

1. A Council workshop be held with community members to provide information on possible community projects.
2. The workshop is to be held on Friday 23, August 2019.

**The amendment was then put and carried.**

**The amendment became the motion**

**44/1920 RESOLVED** that:

1. A Council workshop be held with community members to provide information on possible community projects.
2. The workshop is to be held on Friday 23, August 2019.

**MOVED:** Councillor Brady    **SECONDED:** Councillor Doolan

For – Cr Shinton, Cr Hill, Cr Lewis, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy, Cr Todd  
Against – Cr Iannuzzi

### **Item 8 Council Resolutions Report August 2019**

**45/1920 RESOLVED** that the Council Resolution Report for August 2019 be noted for information.

**MOVED:** Councillor Shinton    **SECONDED:** Councillor Capel

For – Unanimous

**Item 9 Revotes Report August 2019**

**46/1920 RESOLVED** that the Revote Report for August 2019 be noted for information.

**MOVED:** Councillor Iannuzzi **SECONDED:** Councillor Brady

For – Unanimous

**Item 10 Adoption 2019 Agency Information Guide**

**47/1920 RESOLVED** that Council endorses and adopts the 2019 Agency Information Guide.

**MOVED:** Councillor Iannuzzi **SECONDED:** Councillor Brady

For – Unanimous

**Item 11 Mayor's Fire Appeal (Sir Ivan Fire) Finalisation**

**48/1920 RESOLVED** that:

1. Council note the report on the Mayor's Fire Appeal (Sir Ivan Fire) Finalisation,
2. Council thanks the individual members of the Advisory Panel for the way they have positively participated in the successful operation of the Warrumbungle Shire Mayor's Bushfire (Sir Ivan) Appeal and, in particular, former Mayor and current Councillor Mr Peter Shinton and a number of Council staff,
3. The \$10,000 transferred from the Appeal Trust account and placed in a Council Trust Account for agreed use of the Uarbry Community be required to be utilised or spent before the 30 June 2020, and details of that allocation be included in the next available 2019/20 Quarter Budget Review,
4. Council adopts the Minutes of the Warrumbungle Shire Mayor's Bushfire (Sir Ivan) Appeal Advisory Panel Meeting held Thursday 18 July 2019, and
5. The Warrumbungle Shire Mayor's Bushfire (Sir Ivan) Appeal be closed forthwith and the Advisory Panel disbanded.

**MOVED:** Councillor Capel **SECONDED:** Councillor Iannuzzi

For – Unanimous

**Item 12 Public Forum Policy**

**49/1920 RESOLVED** that Council endorses the Public Forum Policy as presented to be included in the Strategic Policy Register.

**MOVED:** Councillor Hill **SECONDED:** Councillor Clancy

For – Cr Shinton, Cr Hill, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy, Cr Iannuzzi, Cr Todd  
Against – Cr Lewis

**Item 13 Long Term Financial Plan (LTFP) 2019/20 to 2028/29**

**50/1920 RESOLVED** that Council:

1. Notes the report on the Long Term Financial Plan (LTFP) 2019/20 to 2028/29;

2. Adopts the revised Long Term Financial Plan (LTFFP) 2019/20 to 2028/29 together with any additional changes noted by Council.

**MOVED:** Councillor Doolan    **SECONDED:** Councillor Clancy

For – Unanimous

**Item 14 Investments and Term Deposits – month ending 31 July 2019**

**51/1920 RESOLVED** that Council note and accept the Investments and Term Deposits Report for the month ending 31 July 2019 including a total balance of \$16,755,317.96 being:

- \$ 1,941,049.49 cash at bank
- \$ 2,814,268.47 in at call accounts
- \$12,000,000.00 in term deposits.

**MOVED:** Councillor Hill    **SECONDED:** Councillor Capel

For – Unanimous

**Item 15 Electronic Key Access for Town Pool Gates**

**MOTION**

That a project to upgrade the key access system for entry gates at all town pools is included in budget considerations for 2020/21 at an estimated cost of \$15,000 and that the new system is installed prior to the 2020/21 swimming season

**MOVED:** Councillor Hill    **SECONDED:** Councillor Capel

**AMENDMENT**

That:

1. A project to upgrade the key access system for entry gates at all town pools is included in budget considerations for 2020/21 at an estimated cost of \$15,000.
2. A trial period at Coolah town pool for a key access system for entry gates be conducted in the 2019/20 financial year.

**The amendment was then put and carried**  
**The amendment became the motion**

**52/1920 RESOLVED** that:

1. A project to upgrade the key access system for entry gates at all town pools is included in budget considerations for 2020/21 at an estimated cost of \$15,000.
2. A trial period at Coolah town pool for a key access system for entry gates be conducted in the 2019/20 financial year.

**MOVED:** Councillor Doolan    **SECONDED:** Councillor Capel

For – Cr Shinton, Cr Hill, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy, Cr Iannuzzi, Cr Todd  
Against – Cr Lewis

**Item 16 Swimming Pool Opening Hours Timetable, Age of Entry and Volunteer Lifeguards**

**MOTION**

That:

1. The opening hours timetable that has been advertised and included in Attachment 1 is implemented from the commencement of the 2019/20 swimming season on the 5 October 2019.
2. The opening hours timetable in Attachment 1 is circulated to known user groups and schools within the Local Government Area.
3. The age of entry to all pools for children without supervision by a parent or guardian is changed to 12 years old.
4. Schools, user groups and swimming clubs are notified of the change to entry age limit.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Doolan

**AMENDMENT**

That:

1. The opening hours timetable that has been advertised and included in Attachment 1 is implemented from the commencement of the 2019/20 swimming season on the 5 October 2019.
2. The opening hours timetable in Attachment 1 is circulated to known user groups and schools within the Local Government Area.
3. The age of entry to all pools for children without supervision by a parent or guardian remain at 10 years old.

**The amendment was then put and carried  
The amendment became the motion**

**53/1920 RESOLVED** that:

1. The opening hours timetable that has been advertised and included in Attachment 1 is implemented from the commencement of the 2019/20 swimming season on the 5 October 2019.
2. The opening hours timetable in Attachment 1 is circulated to known user groups and schools within the Local Government Area.
3. The age of entry to all pools for children without supervision by a parent or guardian remain at 10 years old.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Capel

For – Unanimous

**Item 17 Coonabarabran Town Beautification Committee**

**54/1920 RESOLVED** that Council:

1. Proceed to establish the Coonabarabran Town Beatification Advisory Committee to receive recommendations on specific projects and or development of strategies for Coonabarabran.
2. Establish terms of reference for the Advisory Committee

**MOVED:** Councillor Iannuzzi **SECONDED:** Councillor Lewis

For – Cr Shinton, Cr Hill, Cr Doolan, Cr Lewis, Cr Capel, Cr Clancy, Cr Iannuzzi, Cr Todd  
Against – Cr Brady

**Item 18 Tree Proposal in Charles Street and Cowper Street, Coonabarabran**

**55/1920 RESOLVED** that Council abandon the project to install Pyrus Chanticleer trees in Charles Street and Cowper Street and restore the money to the budget.

**MOVED:** Councillor Doolan **SECONDED:** Councillor Iannuzzi

For – Unanimous

**Item 19 Asset Management Plan – Roads**

**6.40pm**

Cr Brady left the meeting

**6.42pm**

Cr Brady returned to the meeting

**56/1920 RESOLVED** that the Asset Management Plan Roads shown is adopted by Council and the following actions be undertaken:

1. Report to Council on the road classification system. Include in the same report service level targets for planned maintenance activities and intervention levels for unplanned maintenance activities.
2. Review and update condition rating scales and include in a revised version of AMP Roads.
3. Report on unit rate data for the following roadwork activities; bitumen reseals, pavement rehabilitation and gravel resheeting. Include updated information in revised version of AMP Roads.
4. Consult with the community on acceptable levels of road condition and on expected levels of road maintenance.
5. When completed, publicise a map identifying the location of projects in the four (4) year works program for roadworks associated with pavement renewal and pavement upgrades.

**MOVED:** Councillor Capel **SECONDED:** Councillor Shinton

For – Unanimous



**Item 20 Annual Permits for Non-de-sexed Cats and Dangerous or Restricted Dogs 57/1920 RESOLVED** that the report on Annual Permits for Non-de-sexed Cats and Dangerous or Restricted Dogs is noted.

**MOVED:** Councillor Hill      **SECONDED:** Councillor Lewis

For – Cr Shinton, Cr Hill, Cr Doolan, Cr Capel, Cr Clancy, Cr Iannuzzi, Cr Todd  
Against – Cr Lewis, Cr Brady

**Item 21 Development Applications**

**58/1920 RESOLVED** that Council notes the Applications and Certificates approved during July 2019, under Delegated Authority.

**MOVED:** Councillor Brady      **SECONDED:** Councillor Hill

For – Unanimous

**Item 22 Notice of Motion – Assist Ratepayers in Purchasing Rainwater Tanks**

**59/1920 RESOLVED** that a report be brought back to a future Council meeting outlining the practicality, feasibility and the desirability of council providing assistance to ratepayers to purchase rainwater tanks to augment the water supply.

**MOVED:** Councillor Doolan      **SECONDED:** Councillor Iannuzzi

For – Unanimous

**Item 23 Reports to be Considered in Closed Council**

**Item 23.1 Organisational Development Monthly Report – August 2019**

**60/1920 RESOLVED** that the Organisational Development Monthly Report – August 2019 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 Iannuzzi      **SECONDED:** Councillor Clancy

**Item 23.2 Three Rivers Regional Retirement Community Information Report**

**61/1920 RESOLVED** that the Three Rivers Regional Retirement Community Information Report – August 2019 be referred to Closed Council pursuant to section 10A(2)(g) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**MOVED:** Councillor Iannuzzi      **SECONDED:** Councillor Capel

**Item 23.3 Tender for Baradine Skate Park Construction**

**62/1920 RESOLVED** that the Tender for Baradine Skate Park Construction report be referred to Closed Council pursuant to section 10A(2)(d)(i) 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.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Clancy

**Item 23.4 Tender for Screening and Crushing at Warrumbungle Quarry**

**63/1920 RESOLVED** that the Financial Tender for Screening and Crushing at Warrumbungle Quarry report be referred to Closed Council pursuant to section 10A(2)(d)(i) 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.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Hill

For – Unanimous

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.

**6.57pm**

**64/1920 RESOLVED** that the meeting be adjourned for supper.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Clancy

**7.15PM**

**65/1920 RESOLVED** that the meeting be resumed.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Clancy

**66/1920 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. The 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* (NSW).

**MOVED:** Councillor Brady

**SECONDED:** Councillor Clancy

**7.16pm**

**Closed Council**

**Item 23.1 Organisational Development Monthly Report – August 2019**

**67/1920 RESOLVED** that the Organisation Development Monthly Report for August 2019 be noted for information.

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Iannuzzi

For – Unanimous

**Item 23.2 Three Rivers Regional Retirement Community Information Report**

**68/1920 RESOLVED** that Council:

1. Endorses the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.
2. Endorses and adopts the Feasibility Report provided as an Attachment to this report.
3. Supports Option 10 as outlined in the Feasibility Report which includes demolition of all units.
4. Submit funding variations for the project under Restart NSW Funding and National Stronger Regions Funding to reflect the changes to the project as detailed in Option 10.
5. Seek the support of the local State and Federal Members to utilise the remaining funds from the project on Option 10; and to support lodgement of a fresh funding application to rebuild a smaller number of units towards the rear of the site.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Capel

For – Unanimous

**Item 23.3 Tender for Baradine Skate Park Construction**

**69/1920 RESOLVED** that:

1. Tenders received for construction of the skate park project at Baradine are not accepted.
2. Authorise the General Manager in accordance with Clause 178 (3) (e) of the Local Government (General) Regulation to enter into negotiations with CONVIC Pty Ltd for the construction of the Skate Park project at Baradine.
3. Should negotiations be successful then Council authorise the General Manager to accept the tender.
4. The General Manager report to Council on the tender negotiations.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Clancy

For – Unanimous

**Item 23.4 Tender for Screening and Crushing at Warrumbungle Quarry**

**70/1920 RESOLVED** that Council accept, BMR Quarries Pty Ltd, as the preferred supplier of rock screening and crushing services at Warrumbungle hard rock quarry until 30 June 2021, at an estimated annual price of \$392,250 (incl GST). Should the preferred supplier not be available at any stage, then Council accept Maas Group as the alternate supplier, at an estimated annual price of \$400,950 (incl GST).

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Clancy

For – Unanimous

**71/1920 RESOLVED** that Council return to Open Council.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Capel

**7.36pm**  
**Open Council**

**7.37pm**  
Cr Iannuzzi left the meeting.

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

**Late Mayoral Minute – Drought Assistance**

**72/1920 RESOLVED** that Council:

1. Identify a 'rate rebate' as the highest priority for drought assistance if the Federal Government is to offer a second round of Drought Communities Programme funding.
2. Make representations to the Federal Member for Parkes to pursue such assistance.
3. Consider further ways in which State Government can best provide drought assistance / relief and provide advice to the Council General Manager on these.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Lewis

For – Unanimous

There being no further business the meeting closed at 7.44pm.

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**CHAIRPERSON**