



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 17 October 2019

commencing at 5:00pm

PRESENT: Cr D Todd (Chairperson), 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).

The Mayor acknowledged the passing of Mr Phil Jones. Sending his deepest sympathy to the Jones and Doolan family.

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.

Recording of Meeting

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

APOLOGIES

124/1920 RESOLVED that the apology from Councillor Brady be accepted and a leave of absence granted.

MOVED: Councillor Lewis

SECONDED: Councillor Hill

For – Unanimous

Confirmation of Minutes

125/1920 RESOLVED that Council confirm the resolutions contained in the Minutes of the Ordinary Council meeting held on 19 September 2019.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

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

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 10 September to 2019

126/1920 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 2 September 2019 to 3 October 2019.
2. Notes the report on the Mayor's credit card expenses between 7 September and 9 October 2019 and approves the payment of expenses totalling \$1,592.85

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

For – Unanimous

Item 2 Councillors' Monthly Travel Claims – September 2019

127/1920 RESOLVED that the Councillors' monthly travel claims report for September 2019 in the amount of \$1,093.94 is noted.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 3 Minutes of Traffic Advisory Committee Meeting – 26 September 2019

128/1920 RESOLVED that:

1. Council accept the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 26 September 2019.
2. Approval be granted to the Coonabarabran Chamber of Commerce for the part closure of John Street and Dalgarno Street, Coonabarabran on Saturday, 11 April 2020 between the hours of 7.30am and 2.00pm to conduct the annual Easter 'Bunny Bazaar' event subject to compliance with:
 - RMS Guidelines
 - Council's Road Closure Guidelines
 - RMS Road Occupancy Licence
 - RMS Regional Special Events concurrence

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 4 Minutes of Internal Audit Committee Meeting – 17 September 2019

129/1920 RESOLVED that Council notes the Minutes of the Internal Audit Committee meeting held at Coonabarabran on 17 September 2019.

MOVED: Councillor Doolan

SECONDED: Councillor Clancy

For – Unanimous

Item 5 Minutes of Robertson Oval Advisory Committee Meeting – 2 October 2019

130/1920 RESOLVED that Council notes the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on Wednesday, 2 October 2019.

MOVED: Councillor Hill

SECONDED: Councillor Capel

For – Unanimous

Item 6 Minutes of Plant Advisory Committee Meeting – 3 October 2019

131/1920 RESOLVED That:

1. Council notes the Minutes of the Plant Advisory Committee meeting held at Coonabarabran on 3 October 2019.
2. Council purchase one (1) Mitsubishi Fuso Canter FEB71GR4SFAC Tipping Truck with Obieco body, alloy bull bar and wind over cover from JT Fossey (Sales) Pty Ltd at a price of \$71,053.00 (ex GST) and that Council trade in Plant Item No 128 to JT Fossey (Sales) Pty Ltd.
3. Council purchase one (1) Isuzu FRR107-210 LWB Tipping Truck with DND body, Hiab crane and wind over cover from Tracserv Pty Ltd at a price of \$147,704.00 (ex GST) and that Council trade in Plant Item No 140 to Tracserv Pty Ltd.
4. Council purchase one (1) Isuzu FRR107-210 LWB Tipping Truck with DND body, crane and wind over cover from Tracserv Pty Ltd at a price of \$127,904.00 (ex GST) and that Council trade in Plant Item No 145 to Tracserv Pty Ltd.
5. Council purchase one (1) Isuzu FRR107-210 LWB Tipping Truck with DND body, Hiab crane and wind over cover from Tracserv Pty Ltd at a price of \$149,704.00 (ex GST) and that Council trade in Plant Item No 147 to Tracserv Pty Ltd.

MOVED: Councillor Lewis

SECONDED: Councillor Capel

For – Unanimous

Item 7 Coonabarabran Emergency Water Supply Project – September 2019 Update

132/1920 RESOLVED that Council:

1. Notes the September 2019 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Authorises staff to install restriction devices at water meters of identified and repeat high users after giving notice and the opportunity to respond before taking action, and bills the property owner for the cost of the installation (and removal) of the restriction device.
3. Removes installed restriction devices if the property owner can demonstrate that measures have been taken to reduce consumption (such as fixing internal leaks) and after having received payment for the installation and removal of the device.
4. Engages Smart Approved Water Mark to provide leaflets and shower timers to Council for distribution to/pick up by residents, to provide accommodation kits and to provide education packs for a total cost of approximately \$21,500.

MOVED: Councillor Doolan

SECONDED: Councillor Shinton

For – Unanimous

Item 8 Raising Timor Dam Wall Feasibility Study and Dam Safety Upgrade Requirements

MOTION:

That Council:

1. Notes this report on the Raising Timor Dam Wall Feasibility Study and Dam Safety Upgrade Requirements.
2. Does not proceed with raising Timor Dam.
3. Pursues funding options as they become available to upgrade Timor Dam in accordance with WHS and Dam Safety Committee requirements.
4. Starts budgeting for required safety upgrades and activities in its capital and operational budgets.

MOVED: Councillor Clancy

SECONDED: Councillor Hill

AMENDMENT:

That:

1. An invitation be sent to the Deputy Premier John Barilaro MP to attend the Warrumbungle Shire to discuss raising Timor Dam.
2. A report be prepared for the Deputy Premier to demonstrate the technical readiness for the project.
3. A decision on the desirability of raising the dam wall be deferred until after the Deputy Premier's visit.

The amendment was then PUT and CARRIED

The amendment became the MOTION

133/1920 RESOLVED that:

1. An invitation be sent to the Deputy Premier John Barilaro MP to attend the Warrumbungle Shire to discuss raising Timor Dam.
2. A report be prepared for the Deputy Premier to demonstrate the technical readiness for the project.
3. A decision on the desirability of raising the dam wall be deferred until after the Deputy Premier's visit.

MOVED: Councillor Doolan

SECONDED: Councillor Capel

For – Unanimous

Item 9 Australia Day 2020

134/1920 RESOLVED that Council:

1. Notes that the Australia Day Award Committee has been delegated the authority to select the Australia Day Award recipients.
2. Participates in the 2020 **NSW Local Citizen of the Year Awards** by administering and presenting the *Warrumbungle Shire Council Australia Day Awards* in the following categories:
 - Citizen of the Year
 - Young Citizen of the Year
 - Sportsperson of the Year
 - Environmental Citizen of the Year
 - Australia Day Award – Senior Citizen of the Year
 - Australia Day Award – Cultural Achievement Award
 - Australia Day Award – Community Event of the Year
3. Open public swimming pools in Baradine, Binnaway, Coolah, Coonabarabran, Dunedoo and Mendooran free of charge on Australia Day 2020.
4. Authorise the Mayor to determine a date and time for the Committee to meet to determine award recipients.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Unanimous

Item 10 Council Offices Christmas Closure

135/1920 RESOLVED that Council note the closure of Coonabarabran and Coolah administration offices, including Service NSW, from 3.00pm on Tuesday 24 December 2019, reopening on Thursday 2 January 2020.

MOVED: Councillor Lewis

SECONDED: Councillor Capel

For – Unanimous

Item 11 Meeting Schedule

136/1920 RESOLVED that Council:

1. Adopts the following Meeting Schedule:
2020

February	Thursday 20	Coolah
March	Thursday 19	Coonabarabran
April	Thursday 16	Coolah
May	Thursday 21	Coonabarabran
June	Thursday 18	Coolah
July	Thursday 16	Coonabarabran
August	Thursday 20	Coolah
September	TBA	Coonabarabran
October	Thursday 15	Coolah

November
December

Thursday 19
Thursday 10

Coonabarabran
Coolah

2. That the purpose of the meeting to be held in September 2020 be an Extra Ordinary meeting to elect a Mayor and Deputy Mayor along with the appointment of Councillors as delegates and to Committees, along with other matters deemed appropriate by the General Manager.
3. Authorise the General Manager to call the September 2020 Council meeting but the meeting is to be held no later than five days after the declaration of the election.

MOVED: Councillor Capel

SECONDED: Councillor Clancy

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

Item 12 Returns Under s4.21 of the Model Code of Conduct – Disclosing of Interests of Councillors and Designated Persons

137/1920 RESOLVED that Council:

1. Acknowledge the tabling of the disclosures received under Section 4.21 of the Model Code of Conduct for Local Councils in NSW for Councillors and Designated Persons for the period 1 July 2018 to 30 June 2019.
2. Acknowledge that the disclosure of interest forms for councillors and designated persons are to be placed onto Council's website.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

For – Unanimous

Item 13 2019 National Local Roads and Transport Congress

MOTION:

That Council appoints three councillors to attend the Australian Local Government Association 2019 National Local Roads and Transport Congress to be held in in Hahndorf, South Australia from 18-20 November 2019.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

The motion was WITHDRAWN.

138/1920 RESOLVED that Council appoints Cr Todd and Cr Shinton as delegated to attend the Australian Local Government Association 2019 National Local Roads and Transport Congress to be held in in Hahndorf, South Australia from 18-20 November 2019.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Unanimous

Item 14 Council Resolutions Report October 2019

139/1920 RESOLVED that the Council Resolution Report for October 2019 be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Clancy

For – Unanimous

Item 15 Revotes Report October 2019

140/1920 RESOLVED that the Revote Report for October 2019 be noted for information.

MOVED: Councillor Hill

SECONDED: Councillor Doolan

For – Unanimous

Item 16 Delivery Program Progress Report – 30 June 2019

141/1920 RESOLVED that Council accepts the Delivery Program Progress Report for the period 1 January 2019 to 30 June 2019.

MOVED: Councillor Capel

SECONDED: Councillor Lewis

For – Unanimous

Item 17 Completion of Annual Financial Statements as at 30 June 2019

142/1920 RESOLVED that:

1. Council accepts the amended report
2. The report on amendments of Annual Financial Statements for the Warrumbungle Shire Council as at 30 June 2019 be noted; and
3. Council authorise the signing of the Statements subject to processing of feedback from audit as follows:

The General Purpose Financial Statements have been prepared in accordance with:

- The Local Government Act 1993 (NSW) (as amended) and the Regulations made thereunder,
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these Statements:

- Present fairly the Council's operating result and financial position for the year
- Accord with Council's accounting and other records.

The Special Purpose Financial Statements have been prepared in accordance with:

- The NSW Government Policy Statement "Application of National Competition Policy to Local Government".
- The Division of Local Government Guidelines "Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality".

- The Local Government Code of Accounting Practice and Financial Reporting.
- The NSW Office of Water Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these Statements:

- Present fairly the Operating Result and Financial Position for each of Council's declared business activities for the year, and
- Accord with Council's accounting and other records.
- Present overhead reallocation charges to the businesses as fair and reasonable.

4. Council authorise the lodgement of the 30 June 2019 Financial Statements to the Office of Local Government following the receipt of the Auditor Certificates.

MOVED: Councillor Lewis

SECONDED: Councillor Clancy

For – Unanimous

Item 18 Investments and Term Deposits – month ending 30 September 2019

143/1920 RESOLVED that Council note and accept the Investments and Term Deposits Report for the month ending 30 September 2019 including a total balance of \$17,200,962.50 being:

- \$4,792,222.44 in at call accounts
- \$12,000,000.00 in term deposits
- \$408,740.06 cash at bank

MOVED: Councillor Clancy

SECONDED: Councillor Capel

For – Unanimous

Item 19 Proposal to Name and Gazette Two Private Roads in Homeleigh Drive Estate, Coonabarabran

144/1920 RESOLVED that:

1. The unnamed road previously endorsed for Homeleigh Drive that extends to the east remains as Echidna Close.
2. The private road that extends north from Homeleigh Drive be named Gaba Road.
3. Formal consultation be undertaken with residents on the road north from Homeleigh Road in relation to the proposed road name, Gaba Road.

MOVED: Councillor Lewis

SECONDED: Councillor Hill

For – Unanimous

Item 20 Name Change Proposal for the Locality of Napier Lane

145/1920 RESOLVED that the locality (suburb) of Napier Lane be incorporated into either Purlewaugh, Ulamambri or Coonabarabran locality in accordance with the map provided in Attachment 1 and subject to agreement and gazettal by the Geographical Names Board.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

For – Unanimous

Item 21 Public Swimming Pools Policy

146/1920 RESOLVED that the revised Public Swimming Pool Policy as provided in Attachment 1 be adopted.

MOVED: Councillor Clancy

SECONDED: Councillor Hill

For – Unanimous

Item 22 Provision of Bitumen Sealing Services for 2019/20

147/1920 RESOLVED:

1. That delegation is provided to the General Manager to authorise expenditure up to \$250,000 for engagement of contractors to supply bitumen spray sealing services for 2019/20.
2. That public tenders are invited for supply of bitumen spray sealing services for the period 2020/21 & 2021/22.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 23 Waiving of Fees for Access to Standpipe pursuant to Section 68 Local Government Act

148/1920 RESOLVED that Council waive the s68 approval fee under the 2019/20 Operational Plan and Delivery Program for all users extracting water for household purposes from Council owned and operated standpipes until 30 June 2020.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

Item 24 Draft Charitable Collection of Funds in Warrumbungle Shire Offices Policy

149/1920 RESOLVED that:

1. Council note the report on the Draft Charitable Collection of Funds in Warrumbungle Shire Offices Policy.
2. Council places the Draft Charitable Collection of Funds in Warrumbungle Shire Offices Policy on Public Exhibition for 28 days seeking submissions on the Policy, and

3. Following Public Exhibition that a further report be presented to the next available Council Meeting together with any submission(s) received.

MOVED: Councillor Clancy
For – Unanimous

SECONDED: Councillor Lewis

Item 25 Local Heritage Places Grant

150/1920 RESOLVED that Council grant a total of \$7,637 from the Warrumbungle Shire Council Local Heritage Places Fund 2019-2020 to undertake restoration works to the following applicants:

1. Cobbora Courthouse – 14 Dunedoo Street Cobbora - \$2,842
2. 42 Binnia Street, Coolah - \$1,320
3. 54 Cassilis Street, Coonabarabran - \$1,475
4. 48 Cassilis Street, Coonabarabran - \$2,000

MOVED: Councillor Clancy

SECONDED: Councillor Hill

For – Unanimous

Item 26 Development Applications

151/1920 RESOLVED that Council notes the Applications and Certificates approved during September 2019, under Delegated Authority.

MOVED: Councillor Hill

SECONDED: Councillor Clancy

For – Unanimous

Item 27 Notice of Motion – Star Wars Themed Weekend

152/1920 RESOLVED that Warrumbungle Shire Council offers an interest-free loan to the Star Wars Weekend organising committee as follows:

- **Seed Funding** – a cash amount of \$10,000 to cover initial set up costs including:
 - Deposits to secure venues and band
 - Design and publication of promotional material and website
 - Implementation of a marketing strategy
 - Licensing fees for the use of the Star Wars brand
 - Development of “trivia night” materials
 - Deposits associated with the Drone racing
 - Other expenditure required ahead of the commencement of ticket sales and/or the receipt of grant funding
- **Financial Guarantee** – to the value of a further \$15,000 to be provided if required to underwrite the financial viability of the event.
- It is proposed that all funds be made available to, and be managed by WSC.
- All funds advanced by Council will be repayable from the proceeds of ticket sales, and/or any grant funding that might be received.
- The loan is for a period of 3 years and must be repaid in full.

- The term of the loan is 1 November 2019 – 31 October 2022.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Clancy

For – Unanimous

Item 28 Reports to be Considered in Closed Council

Item 28.1 Organisational Development Monthly Report – October 2019

153/1920 RESOLVED that the Organisational Development Monthly Report – October 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 Doolan

SECONDED: Councillor Capel

For – Unanimous

Item 28.2 Billy Kings Creek Bridge Project – Tender Assessment

154/1920 RESOLVED that Billy Kings Creek Bridge Project – Tender Assessment 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 Capel

SECONDED: Councillor Doolan

For – Unanimous

Item 28.3 Three Rivers Regional Retirement Community Information Report

155/1920 RESOLVED that the Three Rivers Regional Retirement Community Information Report 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 Doolan

SECONDED: Councillor Capel

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.

156/1920 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 Capel

SECONDED: Councillor Clancy

For – Unanimous

6.19pm
Closed Council

Item 28.1 Organisational Development Monthly Report – October 2019

157/1920 RESOLVED that the Organisation Development Monthly Report for October 2019 be noted for information.

MOVED: Councillor Capel

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 28.2 Billy Kings Creek Bridge Project – Tender Assessment

158/1920 RESOLVED that Council award the contract for design and construction of the Billy Kings Creek Bridges Project to Saunders Civilbuild Pty Ltd for \$1,105,260.53 (incl GST).

MOVED: Councillor Doolan

SECONDED: Councillor Hill

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

Item 28.3 Three Rivers Regional Retirement Community Information Report

159/1920 RESOLVED that Council endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

160/1920 RESOLVED that Council return to Open Council.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Hill

For – Unanimous

6.43pm
Open Council

Meeting date: 17 October 2019

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

There being no further business the meeting closed at 6.45pm.

.....
CHAIRPERSON