



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 19 March 2020

commencing at 5:20pm

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), Director Corporate and Community Services (Kim Parker), and Executive Assistant to the General Manager (Erin Player – Minutes).

Acknowledgement of Country

Council acknowledged the Gomeri 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 Gomeri 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

Nil

Confirmation of Minutes

314/1920 RESOLVED that Council confirm the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 February 2020.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

For – Unanimous

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

Cr Doolan declared a non pecuniary less than significant interest in item 35 Notice of Motion – Coonabarabran Golf Club refund of non-compliant discharge fees due to being a member of the Golf Club and his wife being the ladies captain.

Cr Shinton declared a pecuniary interest in item 35 Notice of Motion – Coonabarabran Golf Club refund of non-compliant discharge fees due to his wife being the treasurer of Coonabarabran Golf Club.

5.24pm

Roy Butler MP addressed the meeting.

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 7 February 2020 to 5 March 2020

315/1920 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 7 February 2020 to 5 March 2020.
2. Notes the report on the Mayor's credit card expenses between 8 February 2020 and 9 March 2020 and approves the payment of expenses totalling \$1,040.65.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

For – Unanimous

Item 2 Councillors' Monthly Travel Claims – February 2020

316/1920 RESOLVED that the Councillors' monthly travel claims report for February 2020 in the amount of \$658.52 is noted.

MOVED: Councillor Capel

SECONDED: Councillor Clancy

For – Unanimous

Item 3 Delegate's Report – Central West Regional Weeds Meeting held Tuesday 18 February in Dubbo

317/1920 RESOLVED that Council notes the Delegate's Report in relation to the Central West Regional Weeds Meeting held in Dubbo on Tuesday 18 February 2020.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

For – Unanimous

Item 4 Delegate's Report – Mining and Energy Related Council Meeting held in Sydney on 5 March 2020

318/1920 RESOLVED that Council notes the Delegate's Report in relation to the Mining and Energy Related Council Meeting held in Sydney on 5 March 2020.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Unanimous

Item 5 Delegate's Report – Country Mayors' Association Meeting held in Sydney on 6 March 2020

319/1920 RESOLVED that Council notes the Delegate's Report in relation to the Country Mayors Association meeting held at Parliament House, Sydney on Friday 6 March 2020.

MOVED: Councillor Todd

SECONDED: Councillor Capel

For – Unanimous

Item 6 Minutes of Traffic Advisory Committee Meeting – 27 February 2020

320/1920 RESOLVED that:

1. Council accept the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 27 February 2020.
2. Approval be granted to Coonabarabran Pony Club for the part closure of Reservoir Street, Coonabarabran on Sunday, 9 April 2020 to conduct the Cross Country One Day Event subject to compliance with Council's Road Closure Guidelines.
3. Approval be granted to Coonabarabran RSL Sub Branch for the part closure of John Street, Coonabarabran at the intersection of Dalgarno Street and John Street on Saturday, 25 April 2020 between 5.57am and 6.15am for the ANZAC Day Dawn Service subject to compliance with:

- TfNSW Guidelines

- Council's Road Closure Guidelines
 - TfNSW Road Occupancy Licence
 - TfNSW Regional Special Events concurrence.
4. Approval be granted to the Women in Super Coonabarabran Mother's Day Classic Committee for the part closure of Horsley Street, Coonabarabran between Drummond Street and Newell Highway on Sunday, 10 May 2020 between 9.00am and 11.00am to conduct the Coonabarabran Mother's Day Classic Fun Run Event subject to compliance with Council's Road Closure Guidelines.
5. In principal support be granted to the Coonabarabran Rotary Club to conduct the Tour de Warrumbungles Bike Ride Event in Coonabarabran on Sunday, 4 October 2020 subject to compliance with Council's Road Closure Guidelines and the following conditions:
- Clarification as to whether or not the bike ride is a timed event
 - The tail vehicle cannot act as the support vehicle
 - Authorisation of the Traffic Control Plan
 - Traffic controllers to be qualified.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 7 Minutes of Warrumbungle Aerodromes Advisory Committee Meeting – 13 February 2020

321/1920 RESOLVED that Council accept the Minutes of the Warrumbungle Aerodromes Advisory Committee meeting held at Baradine on 13 February 2020.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

Item 8 Minutes of Local Emergency Management Committee Meeting – 17 February 2020

322/1920 RESOLVED that Council notes the minutes from the Local Emergency Management Committee held on 17 February 2020 at Coonabarabran.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

For – Unanimous

Item 9 Minutes of Robertson Oval Advisory Committee Meeting – 26 February 2020

323/1920 RESOLVED that:

1. Council accept the Minutes of the Robertson Oval Advisory Committee Meeting held at Dunedoo on 26 February 2020.
2. Council consider a 2019/20 budget allocation of \$110,000 for upgrading existing toilets in Robertson Oval is set aside in restricted assets and used as a contribution towards future construction of a new Robertson Oval Sports Building.

3. A Development Application be submitted for the Robertson Oval Sports Building based on the concept plans presented to the Robertson Oval Advisory Committee on the 26 February 2020.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

For – Unanimous

Item 10 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 27 February 2020

324/1920 RESOLVED that:

1. Council accept the Minutes of the Coonabarabran Town Beautification Advisory Committee Meeting held at Coonabarabran on 27 February 2020.
2. That a maintenance strategy be prepared for the existing trees in the centre of John Street, which includes removing 30% of the tree canopy and replacing dead trees with young trees of the same species.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

For – Unanimous

Item 11 Minutes of Internal Audit Committee Meeting – 19 December 2019

325/1920 RESOLVED that Council notes the minutes of the Internal Audit Committee meeting held on 19 December 2019.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

Item 12 2020 ALGA National General Assembly of Local Government

326/1920 RESOLVED that Council nominates Councillor Doolan to attend the 2020 Australian Local Government Association National General Assembly with the Mayor in Canberra from 14-17 June 2020.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

Item 13 Drought Communities Programme – Extension

327/1920 RESOLVED that Council:

1. Notes the successful application for funding under the Drought Communities Program Extension.
2. Approves the amendment of the application by removing the Free Drinking Water project component and seek approval for the refurbishment of the Coonabarabran Basketball Courts project.

MOVED: Councillor Capel

SECONDED: Councillor Brady

For – Unanimous

Item 14 2020 Local Government Elections

328/1920 RESOLVED that Council:

1. Note the report on the 2020 Local Government Elections.
2. Authorise the General Manager to undertake media to promote the election.
3. Hold a Candidate Briefing Workshop.

MOVED: Councillor Capel

SECONDED: Councillor Shinton

For – Unanimous

Item 15 Citizenship Ceremony Dress Code Policy

329/1920 RESOLVED that Council adopt the Citizenship Ceremony Dress Code Policy and provide a copy of the Code to the Australian Government Department of Home Affairs.

MOVED: Councillor Hill

SECONDED: Councillor Capel

For – Unanimous

Item 16 Employee Benefits and On-Costs

6.07pm

Cr Brady left the meeting.

6.08pm

Cr Brady returned to the meeting.

330/1920 RESOLVED that Council note the report on Employee Benefits and On-costs.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Unanimous

Item 17 Delegations of Authority to the General Manager

331/1920 RESOLVED that:

1. Council delegate to the functions of the General Manager the Acts and Regulations as prescribed in the Delegation to the General Manager dated 19 March 2020 (Attachment 1) as listed to Mr Roger William Bailey from 19 March 2020, and
2. Any amendments to Acts and Legislation is automatically bestowed to the General Manager however, any new Legislation is to be endorsed by Council.
3. If the need arises and subject to consultation with the Mayor and Deputy Mayor that the General Manager be authorised to shut services considered non-essential.
4. In addition to the existing delegations made to the Mayor, Deputy Mayor and General Manager that the following additional functions be delegated:

- (a) That Council pursuant to Section 226(d) and Section 377 of the Local Government Act 1993, delegate authority to the Mayor and the General Manager (or their delegates) jointly to exercise any functions of Council that may lawfully be delegated under Section 377 of the Local Government Act. This should be enacted in the event that the need arises which would limit the orderly operations of Council in regards to the operation of the governing body of elected members, including the ability to convene Ordinary and Extraordinary meetings and subject to the restrictions outlined in point (b) and point (c) below.
- (b) That a list of any matters considered under such delegated authority be submitted for Council's information via email as soon as possible following the execution of such delegation and be formally reported to the next available schedule Ordinary Meeting of Council.
- (c) That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus. Further that this temporary delegation be put into effect if Council is unable to conduct ordinary meetings of Council due to restrictions imposed by relevant authorities and if no reasonable alternative or provision is made through the Office of Local Government in relation to the conduct of meetings i.e. via the use of technology.
- (d) That this temporary delegation also apply in light of any legislative change, direction or advice arising as a direct result of the COVID-19 situation.
- (e) That further, to ensure continuity of the role of the General Manager and pursuant to Section 351 of the Act, that Council endorse the following.
 - i. That on and from the date of this resolution, until 30 September 2020, if the appointed General Manager is sick or otherwise absent from work for a period of 2 consecutive business days, the person holding the position of Director Environment and Development be temporarily appointed to the position of General Manager, on and from the following day, such appointment being subject to:
 - (a) the maximum period of appointment being the period so specified by Section 351(2) of the Local Government Act,
 - (b) the appointment terminating on the day prior to the day that the General Manager returns to work;
 - (c) the person not being unable or unwilling to be so appointed.
 - ii. That if the person specified in paragraph 2 is unable or unwilling to act as General Manager, the person holding the position of Director Technical Services be appointed, subject to paragraph i), as alternate.
 - iii. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager, the person holding the position of Director Corporate and Community Services be appointed, subject to paragraph i), as alternate.

That a person temporarily appointed as General Manager in accordance with this resolution to have, during that period, all the delegations of the General Manager given by the Council.

MOVED: Councillor Brady

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 18 Council Resolutions Report March 2020

332/1920 RESOLVED that the Council Resolution Report for March be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

For – Unanimous

Item 19 Revotes Report

333/1920 RESOLVED that the Revote Report be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 20 Draft Community Engagement Strategy

334/1920 RESOLVED that Council adopts the revised Community Engagement Strategy 2020-2024.

MOVED: Councillor Brady

SECONDED: Councillor Capel

For – Unanimous

Item 21 Community Liaison and Communication Policy

335/1920 RESOLVED that Council adopts the Community Liaison and Communication Policy.

MOVED: Councillor Capel

SECONDED: Councillor Brady

For – Unanimous

Item 22 Investments and Term Deposits – month ending 29 February 2020

336/1920 RESOLVED that Council accept the Investments Report for the month ending 29 February 2020 including a total balance of \$15,597,796.53 being:

- \$2,644,817.03 in at call accounts.
- \$10,500,000.00 in term deposits.
- \$2,452,979.50 cash at bank.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Capel

For – Unanimous

Item 23 Home for Coolah Historical Society and Coolah Men's Shed

337/1920 RESOLVED that:

1. The Coolah Men's Shed is given access to the old VRA shed in Campbell Street, Coolah subject to the following conditions:
 - a. Written confirmation from the Coolah Men's Shed that the site is suitable for their needs.

- b. A change of use Development Application is submitted and paid for by the Coolah Men's Shed.
 - c. A licence agreement is in place before the site is occupied by the Coolah Men's Shed. Occupation of the site will not take place until the VRA has vacated the site.
 - d. The Coolah Men's Shed is responsible for legal costs associated with preparing the licence agreement. The rental fee is \$1.00 per year.
 - e. The Coolah Men's Shed as tenant is responsible for all utility charges, maintenance expenses and building improvements associated with the old VRA building in Campbell Street, Coolah.
 - f. The period of the licence agreement is two (2) years renewable for a further two (2) years upon application to Council.
2. The Coolah & District Historical Society is required to vacate the old VRA building in Campbell Street, Coolah within six months.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Unanimous

Item 24 Coonabarabran Bypass – Update on Designs

338/1920 RESOLVED that the report on the Coonabarabran Bypass update be noted including geometric design proposals for intersections.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Capel

For – Unanimous

Item 25 McMasters Park Toilets

339/1920 RESOLVED that the old toilet facility in McMasters Park be demolished.

MOVED: Councillor Capel

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 26 Coonabarabran Emergency Water Supply Project – February 2020 Update

340/1920 RESOLVED that Council:

1. Notes the January 2020 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Receives these reports on a bi-monthly basis as an Emergency situation no longer prevails.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Capel

For – Unanimous

Item 27 Water Restrictions across the Local Government Area

MOTION

That Council:

1. Notes this report on water restrictions across the Local Government Area.

2. Adopts the introduction of modified level 1 water restrictions as a minimum permanently across its six towns of Baradine, Binnaway, Coolah, Coonabarabran, Dunedoo and Mendooran with the exceptions/modifications being:
 - i. Watering of gardens is permitted outside the designated water hours during the establishment of new garden beds/plants.
 - ii. Washing of cars is permitted in the driveway when using a high pressure water cleaner.
 - iii. Cleaning of paved surfaces/walls is permitted as required when using a high pressure water cleaner

MOVED: Councillor Capel

SECONDED: Councillor Shinton

AMENDMENT

That Council notes the report on water restrictions across the Local Government Area.

MOVED: Councillor Lewis

SECONDED: Councillor Brady

**The amendment was then PUT and CARRIED
The amendment became the MOTION**

6.48pm

Cr Clancy left the meeting

341/1920 RESOLVED that Council notes this report on water restrictions across the Local Government Area.

MOVED: Councillor Lewis

SECONDED: Councillor Brady

For – Unanimous

6.51pm

Cr Clancy returned to the meeting

Item 28 Condition Assessment of Existing Groundwater Bores Project

342/1920 RESOLVED that Council:

1. Notes the report on the Condition Assessment of Existing Ground Water Bores Project.
2. Authorises the additional expenditure estimated to be \$68,226 with the next Quarterly Budget Review.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 29 Dunedoo Sewer – Not Charged Connected and Not Connected Properties

343/1920 RESOLVED that Council:

1. Notes the report on Dunedoo Sewer – Not Charged Connected and Not Connected Properties.
2. After giving notice to relevant rate payers, commences charging the ten (10) connected properties for this Financial Year and request back pay for the last three (3) Financial Years.

3. Advertises the existing sewer mains in the Gazette and then starts charging the four (4) not connected properties.

MOVED: Councillor Hill

SECONDED: Councillor Clancy

For – Unanimous

Item 30 Inland Rail Update Report, March 2020

344/1920 RESOLVED that Council notes the Inland Rail Update Report.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Capel

For – Unanimous

Item 31 Land Use Planning Changes to Assist Communities Recover from NSW Bushfires

345/1920 RESOLVED that Council notes the content of the report on the Land Use Planning Changes to Assist Communities Recover from NSW Bushfires.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Hill

For – Unanimous

Item 32 Notice of Motion – Management of Trees along Council roads

MOTION

That Council:

1. Be provided with a report from staff that outlines Council's current policy/practice for the management of trees overhanging roadways; the management of growth of timber along road edges; and the removal of fallen timber on road reserves.
2. Consider in the budget preparations an allocation of \$100,000 for an annual program to remove tree branches overhanging roads and ensuring that no new growth be allowed within 6 meters of edge of road pavement.

MOVED: Councillor Lewis

SECONDED: Councillor Brady

AMENDMENT

That Council be provided with a report from staff that outlines Council's current policy/practice for the management of trees overhanging roadways; the management of growth of timber along road edges; and the removal of fallen timber on road reserves.

MOVED: Councillor Doolan

SECONDED: Councillor Lewis

The amendment was then PUT and CARRIED

The amendment became the MOTION

346/1920 RESOLVED that Council be provided with a report from staff that outlines Council's current policy/practice for the management of trees overhanging roadways; the management of growth of timber along road edges; and the removal of fallen timber on road reserves.

MOVED: Councillor Doolan

SECONDED: Councillor Lewis

For – Unanimous

Item 33 Notice of Motion – Water Tanks and Plumbing at Coonabarabran Fringe RFS

347/1920 RESOLVED that Council seeks funding for water tanks and plumbing at the Coonabarabran Fringe Rural Fire Brigade Station to help drought proof that facility. The Brigade needs water for:

- Cleaning trucks and equipment especially hoses.
- Wash down after incidents.
- Shed cleanliness.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

For – Unanimous

Item 34 Notice of Motion – Coonabarabran History Group Tenancy at Coonabarabran VIC

348/1920 RESOLVED that the Coonabarabran History Group be charged a pepper corn rent of \$1 per annum to occupy their agreed area of the Coonabarabran Visitor Information Centre and that a standard lease be designed to reflect the agreed requirements of both parties.

MOVED: Councillor Shinton

SECONDED: Councillor Clancy

For – Unanimous

7.15pm

Cr Shinton had previously declared a Pecuniary Interest and left the meeting.

Item 35 Notice of Motion – Coonabarabran Golf Club refund of Non-Compliant Discharge Fees

349/1920 RESOLVED that Council advertise its interest to donate \$2,948 to the Coonabarabran Golf Club due to the financial hardship of the Club and to assist in its compliance with the liquid trade waste requirements.

MOVED: Councillor Brady

SECONDED: Councillor Hill

For – Unanimous

7.22pm

Cr Shinton returned to the meeting.

Item 36 Reports to be Considered in Closed Council

Item 36.1 Organisational Development Monthly Report – March 2020

350/1920 RESOLVED that the Organisational Development Monthly Report – March 2020 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 Hill

For – Unanimous

Item 36.2 Mayoral Minute – General Manager’s Interim Performance Review

351/1920 RESOLVED that the Mayoral Minute – General Manager’s Interim 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 Iannuzzi

SECONDED: Councillor Doolan

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.

352/1920 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 Lewis

For – Unanimous

7.21pm

Closed Council

Item 36.1 Organisational Development Monthly Report – March 2020

353/1920 RESOLVED that the Organisation Development Monthly Report for March 2020 be noted for information.

MOVED: Councillor Lewis

SECONDED: Councillor Hill

For – Unanimous

7.22pm

354/1920 RESOLVED that Council staff leave the Chamber for consideration of this item.

MOVED: Councillor Capel

SECONDED: Councillor Brady

For – Unanimous

Item 36.2 Mayoral Minute – General Manager’s Interim Performance Review

355/1920 RESOLVED that:

1. the information contained in the Mayoral Minute – Interim General Manager’s Performance Review be noted, and
2. the General Manager be offered a 4 year contract.

MOVED: Councillor Doolan

SECONDED: Councillor Lewis

For – Unanimous

7.55pm

All of the aforementioned, Council staff returned to the Chambers.

355/1920 RESOLVED that Council return to Open Council.

MOVED: Councillor

SECONDED: Councillor

7.59pm

Open Council

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

There being no further business the meeting closed at 8.00pm.

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CHAIRPERSON