



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 15 September 2022

commencing at 5:17 pm

PRESENT: Cr A Doolan (Chairperson), Cr A Iannuzzi (5.11pm) (via videolink), Cr K Brady (via videolink), Cr D Hogden, Cr Z Holcombe, Cr C Kopke, Cr J Newton, Cr K Rindfleish and Cr D Todd.

In attendance: Director Technical Services (Gary Murphy), Director Environment and Development Services (Leeanne Ryan), Acting Director Corporate and Community Services (Lindsay Mason) and Executive Assistant to the General Manager (Erin Player – Minutes).

Acknowledgement of Country

The Mayor acknowledged the Gomeroi people, the Traditional Custodians of the Land at which the meeting is held and paid respects to Elders, both past and present, of the Gomeroi Nation and extended that respect to other Aboriginal people who are present.

The Mayor called for a moment of silence in respect to the death of the Sovereign, Her Majesty Queen Elizabeth II.

Recording of Meeting

The Mayor announced that the meeting was being streamed live plus audio recorded, and that the audio recording will be published.

APOLOGIES

Nil

Confirmation of Minutes

62/2223 RESOLVED that Council confirm the Minutes of the Ordinary Council meeting held on 18 August 2022.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

The Mayor called for Disclosure of Interests

Nil

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 10 August 2022 to 7 September 2022

63/2223 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 10 August 2022 to 7 September 2022.
2. Notes the report on the Mayor's credit card expenses between 6 August 2022 and 7 September 2022 and approves the payment of expenses totalling \$42.39.

MOVED: Councillor Doolan

SECONDED: Councillor Holcombe

For – Unanimous

Item 2 Councillors' Monthly Travel Claims

64/2223 RESOLVED that the Councillors' monthly travel claims report in the amount of \$485.94 is noted.

MOVED: Councillor Hogden

SECONDED: Councillor Kopke

For – Unanimous

Item 3 Delegate's Report – Castlereagh Macquarie County Council Meeting – Monday 29 August 2022

65/2223 RESOLVED that Council notes the Delegate's Report on the Castlereagh Macquarie County Council Meeting held Monday 29 August 2022 in Coonamble.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 4 Delegate's Report – Mining and Energy Related Councils Meeting – Tuesday 30 August 2022

66/2223 RESOLVED that Council notes the Delegate's Report on the Mining and Energy Related Councils Meeting held Tuesday 30 August 2022 via Zoom.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 5 Minutes of Traffic Advisory Committee Meeting – 25 August 2022

67/2223 RESOLVED that the minutes of the Traffic Advisory Committee Meeting held on the 25 August 2022 are noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 6 Australia Day 2023

68/2223 RESOLVED that:

1. The Australia Day Award Committee be delegated the authority to select the Australia Day Award recipients.
2. The Australian Day Committee meets on Thursday 8 December 2022 to select the Award recipients.
3. Endorses the updated Terms of Reference for the Australia Day Award Committee.

4. Council participates in the 2023 *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
 - Young Environmental Citizen of the Year
 - Australia Day Award – Senior Citizen of the Year
 - Australia Day Award – Young Sportsperson of the Year
 - Australia Day Award – Cultural Achievement Award
 - Australia Day Award – Community Event of the Year
5. Funding to each of the Local Organising Committees is allocated as follows:
 - \$650 each for Baradine, Binnaway, Coolah, Dunedoo and Mendooran; and
 - \$800 for Coonabarabran.
6. Council opens public swimming pools in Baradine, Binnaway, Coolah, Coonabarabran, Dunedoo and Mendooran free of charge on Australia Day 2023.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 7 Stronger Country Communities Fund, Round 5 and Resources for Regions, Round 9

69/2223 RESOLVED that Council note that the following funding applications are to be made:

1. Stronger Country Communities – Round Five (in priority order), for funding up to:
 - i). Warrumbungle Shire Swimming Pool Upgrades \$500,000
 - ii). Warrumbungle Shire Sporting Facility Upgrades \$450,000
 - iii). Warrumbungle Shire Children’s Playground Upgrades \$450,000
2. Submit funding applications under the Resources for Regions – Round Nine for the following projects, in order of priority, for funding up to:
 - i). Bowen Oval Coolah Amenity Upgrade and storage shed \$450,000
 - ii). Coonabarabran No. 3 Oval New Amenities \$305,555
 - iii). Mendooran Oval Amenity Replacement \$600,000
 - iv). Coonabarabran Public Swimming Pool Upgrade Business Case \$200,000

MOVED: Councillor Holcombe

SECONDED: Councillor Kopke

For – Unanimous

Item 8 Council Resolutions Report

70/2223 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 9 Budget Revotes as at 30 June 2022

71/2223 RESOLVED that Council note the report on the Budget Carryover and Revotes for Financial Year 2021/22 and endorse the requested Carryover and Revote project amounts totalling \$9,527,925.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 10 Investments and Term Deposits – month ending 31 August 2022

72/2223 RESOLVED that Council accept the Investments Report for the month ending 31 August 2022 including a total balance of \$27,482,046.18 being:

- \$1,035,195.70 in at call accounts.
- \$23,000,000.00 in term deposits.
- \$3,446,850.48 cash at bank.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 11 Request to Maintain an Unformed Portion of Hotchkiss Road, Baradine

73/2223 RESOLVED that Council:

1. Grant permission for the applicant to undertake maintenance work on the unformed section of Hotchkiss Road as requested subject to the following conditions:
 - a. The property access road is constructed and maintained to a suitable standard that meets the following criteria:
 - i. Minimum road width of 4m
 - ii. Road formation promotes water drainage away from the property access road into suitable constructed drains eg. table drains.
 - iii. Vegetation removal is supported on the road and table drains though vegetation outside these areas must be limited to trees and other vegetation that pose a road safety risk.
 - b. There is a section of the proposed route that is privately owned and Council has no authority to approve or not approve the request to construct and maintain a property access road across this section. It is the landowner's responsibility to negotiate with the owner of Lot 1 DP 44858, 279 Hotchkiss Road, Baradine in regards to constructing a property access road on this section of land.

- c. That all persons that are working on the property access road in the Council owned road corridor must:
 - i. Have a current WHS Construction Induction (Whitecard) and a copy of the card must be supplied to Council before commencing work. It is a legal requirement for all construction and maintenance works as per the NSW Work Health and Safety Regulation 2017 for a worker to have a Whitecard. Refer to <https://www.safework.nsw.gov.au/licences-and-registrations/white-cards> for further details.
 - ii. Be suitably trained and experienced in road construction and maintenance.

- d. That the applicant and/or the company engaged to complete the work has suitable insurance to complete the works including:
 - i. Public Liability to the value of at least \$20 million
 - ii. Workers Compensation insurance
 - iii. Product Liability insurance for any materials that are imported to the site
 - iv. Vehicle insurance and registration suitable for working on a road corridor
 - v. Please note that farm insurance does not usually cover this type of work. The applicant is strongly encouraged to discuss the options with their insurance companies or broker.
 - vi. Copies of all documents must be supplied to Council before work commences.

- e. A Traffic Guidance Scheme (TGS) must be supplied and approved by Council before the work commences. The TGS must be set up and monitored by person/s with suitable qualifications in traffic control. Further information can be found at <https://www.safework.nsw.gov.au/licences-and-registrations/licences/traffic-controller-training>.

- f. Any proposed drainage works must not impact negatively on neighbouring properties and must be contained within the Council owned road reserve or the landowner's private property. Any works on private property other than the applicant's own must have written consent from the current owner of the property in question.

- g. That all future maintenance of the property access road is the responsibility of and funded by the applicant and/or the property owner.

- h. The applicant is approved to maintain the property access road as required but must notify Council in writing (eg. email) before commencing the work and must abide by all the conditions listed.

- i. That the applicant and/or property owner provide construction and maintenance records and provide them to Council at any time they are requested. These records may be used to prove when and who completed work on the property access road. They may also be used to help obtain external funding for the applicant and/or property owner for the repair of the property access road following a natural disaster.

- j. That at the completion of the works, Council is notified and inspects the road before opening the property access road to traffic.

- k. That Council is notified before any construction or maintenance work is completed on the road.
2. Request that the Road Network Advisory Group review the 'Upgrading of Roads Not Constructed or Maintained by Council Policy' and report back to Council.
3. That the above be subject to satisfactory legal advice and that the General Manager be delegated authority to act on that advice.

MOVED: Councillor Newton

SECONDED: Councillor Todd

For – Unanimous

Item 12 Update Report on Regional Roads Transfer and Road Classification Review 74/2223 RESOLVED that Council notes the update report on the Regional Roads Transfer and Road Classification Review.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 13 Aerodrome Certification Update Report

75/2223 RESOLVED that Council note the aerodrome certification update report.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 14 2022/23 Pool Operations and Capital Works Program

76/2223 RESOLVED that:

1. Council notes the Pools Renewal Priorities 2022/23 – 2025/26.
2. Appropriate funding opportunities are actively sought as a means to expedite the implementation of the Pools Renewal Priorities 2022/23 – 2025/26.
3. Council install continuous dosing systems at Baradine, Binnaway and Coonabarabran Pools as budgets allow with Coonabarabran being the 2022/23 priority.
4. Council note the increased water testing regime for Baradine, Binnaway and Coonabarabran Pools for the 2022/23 pool season.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 15 Review of Companion Animals Amendment (Rehoming Animals) Act 2022

77/2223 RESOLVED that Council notes the information contained in the Review of Companion Animals Amendment (Rehoming Animals) Act 2022.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 16 Public Spaces (Unattended Property) Act 2021

78/2223 RESOLVED that Council notes the information contained in the NSW Government's Public Spaces (Unattended Property) Act 2021 Report.

MOVED: Councillor Kopke

SECONDED: Councillor Rindfleish

For – Unanimous

Item 17 Central West Orana Renewable Energy Zone Community Reference Group

79/2223 RESOLVED that Council nominates Cr Rindfleish to participate in the CWO REZ Community Reference Group.

MOVED: Councillor Rindfleish

SECONDED: Councillor Newton

For – Unanimous

Item 18 Development Applications

80/2223 RESOLVED that Council notes the Applications and Certificates approved during August 2022, under Delegated Authority.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 19 Notice of Motion – Little Timor Street Plaza

81/2223 RESOLVED that Council prepare a report/provide information on Little Timor Street plaza, including information on closing road, what approvals needed to use this community space, what are remaining funds to finalise project, lights, locked boxes for outdoor chess pieces.

MOVED: Councillor Brady

SECONDED: Councillor Kopke

For – Unanimous

Item 20 Notice of Motion – Coonabarabran Community Garden

82/2223 RESOLVED that Council consult with 2357 Development Group and the sub committee of 2357 Development Group, with the aim of identifying a suitable parcel of land and entering into an agreeable lease agreement including what is required to develop a Community Garden in Coonabarabran.

MOVED: Councillor Brady

SECONDED: Councillor Kopke

For – Cr Doolan, Cr Hogden, Cr Holcombe, Cr Brady, Cr Kopke, Cr Newton, Cr Rindfleish and Cr Todd

Against – Cr Iannuzzi

Item 21 Reports to be Considered in Closed Council

83/2223 RESOLVED that:

1. Item 21.1 Human Resources Monthly Report

That the Human Resources Monthly 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).

2. Item 21.2 Three Rivers Regional Retirement Community Information Report

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.

3. Item 21.3 Dunedoo Infrastructure Renewal Project

That the Dunedoo Infrastructure Renewal Project Report be referred to Closed Council pursuant to section 10A(2)(c) 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 the council is conducting (or proposes to conduct).

4. Item 21.4 Regional Tender for Supply and Delivery of Concrete Pipes

That the Regional Tender for Supply and Delivery of Concrete Pipes Report be referred to Closed Council pursuant to section 10A(2)(c) 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 the council is conducting (or proposes to conduct).

MOVED: Councillor Holcombe

SECONDED: Councillor Kopke

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.

84/2223 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 Kopke

SECONDED: Councillor Newton

For – Unanimous

6.12 pm
Closed Council

6.14 pm
Cr Brady left the meeting and did not return

Item 21.1 Human Resources Monthly Report – August 2022

85/2223 RESOLVED that the Human Resources Monthly Report for September 2022 be noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 21.2 Three Rivers Regional Retirement Community Information Report

86/2223 RESOLVED that Council note the advice and endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 21.3 Dunedoo Infrastructure Renewal Project

87/2223 RESOLVED that Council note the information in relation to the Dunedoo Infrastructure Renewal project.

MOVED: Councillor Hogden

SECONDED: Councillor Rindfleish

For – Unanimous

Item 21.4 Regional Tender for Supply and Delivery of Concrete Pipes

88/2223 RESOLVED that:

1. The following suppliers be included on a panel for the 'Supply and Delivery of Concrete Pipes' for the period 1 October 2022 to 30 September 2024.
 - Bruno Altin & Co. Pty Ltd
 - Holcim (Australia) Pty Ltd t/as Humes
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 September 2025.

Meeting date: 15 September 2022

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

89/2223 RESOLVED that Council return to Open Council.

MOVED: Councillor Hogden

SECONDED: Councillor Holcombe

For – Unanimous

6.23 pm
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 6.25 pm.

.....
CHAIRPERSON