



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 8 December 2022

commencing at 5:04 pm

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

In attendance: General Manager (Roger Bailey), Director Technical Services (Gary Murphy), Director Environment and Development Services (Leeanne Ryan), Director Corporate and Community Services (Lindsay Mason) and Manager Corporate Services (Jenni Maundrell – Minutes).

Acknowledgement of Country

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

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

164/2223 RESOLVED that the apology from Councillor D Hogden be accepted and a leave of absence be granted.

MOVED: Councillor Kopke

SECONDED: Councillor Brady

For – Unanimous

Confirmation of Minutes

165/2223 RESOLVED that Council confirm the Minutes of the Ordinary Council meeting held on 16 November 2022.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

The Mayor called for Disclosure of Interests

Cr Rindfleish declared a less than significant conflict of interest in Item 32.3 2-4 Digilah Street, Dunedoo due to owning a similar business and item 32.4 Coolah Sewerage Treatment Plant Replacement – Project Update due to a family member being on the Committee.

Cr Kopke declared a less than significant conflict of interest in Item 25 Naming Proposal for the New Warkton Road Bridge due to being friends with the family who made the application.

MOVED: Councillor Brady

SECONDED: Councillor Holcombe

For – Unanimous

PROCEDURAL MOTION

That Council deal with Item 22 Presentation of 2021/22 External Audited Annual Financial Statements as at 30 June 2022 at this point of the meeting.

MOVED: Councillor Doolan

SECONDED: Councillor Todd

For – Unanimous

Item 22 Presentation of 2021/22 External Audited Annual Financial Statements as at 30 June 2022

166/2223 RESOLVED that Council:

1. Notes the report on completion and presentation of the 2021/22 Audited Annual Financial Statements for the Warrumbungle Shire Council as at 30 June 2022.
2. Suspend standing orders to allow for a presentation by the Auditor.

MOVED: Councillor Holcombe

SECONDED: Councillor Newton

For – Unanimous

PROCEDURAL MOTION

That Council resume standing orders.

MOVED: Councillor Holcombe

SECONDED: Councillor Newton

For – Unanimous

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 9 November 2022 to 28 November 2022

167/2223 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 9 November 2022 to 28 November 2022.
2. Notes the report on the Mayor's credit card expenses between 9 November 2022 and 23 November 2022 and approves the payment of expenses totalling \$615.79.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

For – Unanimous

Item 2 Mayoral Minute – Little Timor Street Plaza

168/2223 RESOLVED that Council:

1. Thanks the members of the Coonabarabran Town Beautification Advisory Committee for their contribution towards the preparation of the Streets as Shared Spaces funding application and the ongoing beautification of the Little Timor Street Plaza.

2. Notes the Guidelines for use of Little Timor Street Plaza for organised events.
3. Notes that fees have not been charged for the use of the Little Timor Street Plaza.
4. Undertakes to propose to close Little Timor Street between John Street and the laneway in the area known as Little Timor Street Plaza and maintain the plaza as a permanent structure that will be classified as community land.

MOVED: Councillor Doolan

SECONDED: Councillor Todd

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

Item 3 Councillors' Monthly Travel Claims

169/2223 RESOLVED that the Councillors' monthly travel claims report in the amount of \$1,737.06 is noted.

MOVED: Councillor Kopke

SECONDED: Councillor Brady

For – Unanimous

Item 4 Minutes of Country Mayors Meetings 18 November 2022

170/2223 RESOLVED that Council notes the Delegate's Report in relation to Country Mayors Association meetings held in Sydney on Friday 18 November 2022.

MOVED: Councillor Doolan

SECONDED: Councillor Newton

For – Unanimous

Item 5 Delegate's Report – Castlereagh Macquarie County Council Meeting – 7 November 2022

171/2223 RESOLVED that Council notes the Delegate's Report on the Castlereagh Macquarie County Council Meeting held Monday 7 November 2022.

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 6 Community Consultation Meetings

172/2223 RESOLVED that Council:

1. Notes the draft Minutes from the six Community Consultation Meetings held in October and November 2022 for Round 1 2022/2023.
2. Notes that Minutes from the Community Consultation Meetings held in October and November 2022 for Round 1 2022/2023 will now be released to meeting attendees and placed on Council's website.
3. Endorse the meeting dates for Round 2 2022/2023 as:

- Mullaley Monday, 20 March 2023
- Coonabarabran Tuesday, 21 March 2023
- Coolah Monday, 27 March 2023
- Baradine Tuesday, 28 March 2023
- Dunedoo Monday, 3 April 2023
- Binnaway Tuesday, 4 April 2023
- Mendooran Wednesday, 12 April 2023

MOVED: Councillor Holcombe

SECONDED: Councillor Newton

For – Unanimous

Item 7 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 9 November 2022

173/2223 RESOLVED that Council notes the minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 9 November 2022.

MOVED: Councillor Brady

SECONDED: Councillor Newton

For – Unanimous

Item 8 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 10 November 2022

174/2223 RESOLVED that Council:

1. Notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on 10 November 2022.
2. Consider a budgetary allocation in the 2023/2024 Operational Plan for the purpose of finalising the Coonabarabran Town Beautification Masterplan.
3. Notes the resignation of Ms Emma McDonald from the Coonabarabran Town Beautification Advisory Committee and in accordance with the Terms of Reference Council not fill the position.

MOVED: Councillor Brady

SECONDED: Councillor Kopke

For – Unanimous

Item 9 Minutes of Economic Development and Tourism Meeting

175/2223 RESOLVED that Council notes the minutes of the Economic Development and Tourism Committee meeting held on 23 November 2022.

MOVED: Councillor Brady

SECONDED: Councillor Kopke

For – Unanimous

Item 10 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 23 November 2022

176/2223 RESOLVED that Council notes the minutes of the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on 23 November 2022.

MOVED: Councillor Kopke

SECONDED: Councillor Rindfleish

For – Unanimous

Item 11 Minutes of Health Advisory Committee Meeting – 23 November 2022

177/2223 RESOLVED that Council notes the minutes of the Health Advisory Committee meeting held via Zoom on 23 November 2022.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Todd

For – Unanimous

Item 12 Minutes of Traffic Advisory Committee Meeting – 24 November 2022

178/2223 RESOLVED that:

1. The minutes of the Traffic Advisory Committee Meeting held on the 24 November 2022 are noted for information.
2. Approval be granted to the Coonabarabran Chamber of Commerce for part closure of John Street and Dalgarno Street, Coonabarabran on Saturday, 8 April 2023 between 7.30am and 2.00pm to conduct the Annual Easter Bunny Bazaar event subject to compliance with and receipt of:
 - Risk Assessment
 - Traffic Management Plan
 - Traffic Guidance Scheme
 - Council's Road Closure Guidelines
 - TfNSW Road Occupancy Licence
 - TfNSW Special Events Guide
 - Current Public Liability Insurance.
3. Approval be granted to close the following roads on Tuesday, 25 April 2023 for the purpose of conducting an ANZAC Day March and Ceremony, subject to compliance with TfNSW Special Events Guide, Council's Road Closure Guidelines, TfNSW Road Occupancy Licence for State Roads that are closed, TfNSW Western Region concurrence for Regional Roads that are closed and receipt of current Public Liability Insurance.
 - Coolah RSL Sub Branch - Binnia Street between Booyamurra Street and Campbell Street from 10.00am to 12.30pm.
 - Coonabarabran RSL Sub Branch – John Street between Edwards Street and Essex Street from 10.00am to 1.00pm.
 - Dunedoo Leadville RSL Sub Branch – Bolaro Street between Wargundy Street and Merrygoen Street from 10.00am to 12.00pm.
 - Mendooran RSL Sub Branch – Bandulla Street between Pampoo Street and Napier Street from 9.00am to 12.00pm.

- Binnaway RSL Sub Branch – Renshaw Street between Bullinda Street and Yarran Street from 9.30am to 12.00pm.
 - Baradine RSL Sub Branch – Wellington Street and Narran Street from 10.00am to 12.30pm.
4. Approval be granted to Coonabarabran RSL Sub Branch for part closure of John Street, Coonabarabran between 5.57am and 6.15am on Tuesday, 25 April 2023 to conduct the Annual ANZAC Dawn Service subject to compliance with:
- Traffic Management Plan
 - Traffic Guidance Scheme
 - Council’s Road Closure Guidelines
 - TfNSW Road Occupancy Licence
 - TfNSW Special Events Guide
 - Receipt of current Public Liability Insurance.
5. Consent be granted to Coonabarabran Local Aboriginal Land Council for the Annual Sorry Day March for part closure of John Street, Coonabarabran from the Tennis Club to the Town Hall on Friday, 26 May 2022 between 10.30am and 10.45am, subject to NSW Police implementing a ‘rolling road opening’ on the southbound lane between the Mary Jane Cain Bridge and the Town Hall, and compliance with:
- Traffic Management Plan
 - Traffic Guidance Scheme
 - Council’s Road Closure Guidelines
 - TfNSW Road Occupancy Licence
 - TfNSW Special Events Guide
 - Receipt of current Public Liability Insurance.
6. Approval be granted to the Coonabarabran RSL Sub Branch for part closure of John Street and Dalgarno Street, Coonabarabran on Saturday, 11 November 2023 between 11.00am and 11.10am to conduct the Annual Remembrance Day Service subject to compliance with:
- Traffic Management Plan
 - Traffic Guidance Scheme
 - Council’s Road Closure Guidelines
 - TfNSW Road Occupancy Licence
 - TfNSW Special Events Guide
 - Receipt of current Public Liability Insurance.
7. Council notes the traffic and pedestrian hazards arising from the presence of protesters at the intersection of Johns Street and Cassilis Street, Coonabarabran that breach legislation including sections within the NSW Summary Offences Act 1988 being Section 6 ‘Obstructing Traffic’ and Section 23 ‘Authorised Public Assemblies’ as well as Australian Performing Rights Association (APRA) permit for music.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

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

Item 13 Delegations of Authority to the General Manager

179/2223 RESOLVED that:

1. Council delegates to the General Manager the functions of the Acts and Regulations as prescribed in the Delegation to the General Manager dated 8 December 2022 (Attachment 1) as listed to Mr Roger William Bailey from 8 December 2022, which includes the new legislation, Public Spaces (Unattended Property) Act 2021 and Public Spaces (Unattended Property) Regulation 2022.
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. Council notes that this action will satisfy the requirement of Section 380 of the NSW Local Government Act 1993.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 14 Council Meeting Schedule

180/2223 RESOLVED that Council adopts the following Meeting Schedule for 2023:

February 2023	Thursday 16	Coonabarabran
March 2023	Thursday 16	Coolah
April 2023	Thursday 20	Coonabarabran
May 2023	Thursday 18	Coolah
June 2023	Thursday 15	Coonabarabran
July 2023	Thursday 20	Coolah
August 2023	Thursday 17	Coonabarabran
September 2023	Thursday 21	Coolah
October 2023	Thursday 19	Coonabarabran
November 2023	Thursday 16	Coolah
December 2023	Thursday 14#	Coonabarabran

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 15 2024 Local Government Elections

181/2223 RESOLVED that Council:

1. Pursuant to s.296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 16 Council Resolutions Report

182/2223 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 17 Revotes and High Value Projects Report

183/2223 RESOLVED that the Revote and High Value Projects Report be noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 18 Reviewed Policies

184/2223 RESOLVED that Council adopts the reviewed policies for:

1. Asset Management.
2. Capital Funds Allocation.
3. Debt Recovery and Financial Hardship.
4. Excessive Water Usage Reduction for Breakages.
5. Investment.

MOVED: Councillor Newton

SECONDED: Councillor Brady

For – Unanimous

Item 19 Disposal of Council Assets Policy

185/2223 RESOLVED that Council adopts the reviewed Disposal of Council Assets Policy.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 20 Delivery Program Progress Report 1st Quarter Ending 30 September 2022

186/2223 RESOLVED that Council endorses the Delivery Program Progress Report for the period 1 July 2022 to 30 September 2022.

MOVED: Councillor Holcombe **SECONDED:** Councillor Brady

For – Unanimous

Item 21 Quarterly Budget Review Statement for the 1st Quarter Ending 30 September 2022

187/2223 RESOLVED that Council:

1. Accept the 1st quarter Quarterly Budget Review Statement for the 2022/23 financial year, as presented;
2. Approve the variations as described in Table 1a; and
3. Notes and accept the information provided on the status of the rates and annual charges for the period ending 30 September 2022.

MOVED: Councillor Kopke **SECONDED:** Councillor Newton

For – Unanimous

Item 22 Presentation of 2021/22 External Audited Annual Financial Statements as at 30 June 2022

This item was dealt with earlier in the meeting.

Item 23 Investments and Term Deposits – month ending 25 November 2022

188/2223 RESOLVED that Council accept the Investments Report for the month ending 25 November 2022 including a total balance of \$27,696,387.94 being:

- \$1,711,294.42 in at call accounts.
- \$23,000,000.00 in term deposits.
- \$2,985,093.52 cash at bank.

MOVED: Councillor Kopke **SECONDED:** Councillor Newton

For – Unanimous

Item 24 Update Report on Coonabarabran Mungindi Road Upgrade Project

189/2223 RESOLVED that Council notes the Update Report on the Coonabarabran Mungindi Road Upgrade Project.

MOVED: Councillor Todd **SECONDED:** Councillor Newton

For – Unanimous

Item 25 Naming Proposal for the New Warkton Road Bridge

190/2223 RESOLVED that Council supports the proposal to name the new bridge on Warkton Road, Coonabarabran located 2.5km from the Newell Highway and seeks community feedback on the proposal through the following mechanisms:

- i. Write to the property owners on Warkton Road, Coonabarabran.
- ii. Advertise in the local newspaper and on Council's website seeking naming submissions from members of the public.
- iii. Write to the Coonabarabran Historical Society.

MOVED: Councillor Newton

SECONDED: Councillor Todd

For – Unanimous

Item 26 Project Management Strategic Policy

191/2223 RESOLVED that Council adopt the Project Management Strategic Policy.

MOVED: Councillor Newton

SECONDED: Councillor Rindfleish

For – Unanimous

Item 27 Natural Disaster Response and Recovery Monthly Report for December 2022

192/2223 RESOLVED that

1. Council notes the Natural Disaster Response and Recovery Monthly Report for December 2022.
2. Council acknowledges the good work done being done by staff in restoring roads.

MOVED: Councillor Rindfleish

SECONDED: Councillor Newton

For – Unanimous

Item 28 Drinking Water Management System Improvement Plan Implementation – November 2022 Update Report

193/2223 RESOLVED that Council notes the Drinking Water Management System Improvement Plan Implementation – November 2022 Update Report.

MOVED: Councillor Kopke

SECONDED: Councillor Brady

For – Unanimous

Item 29 Mendooran Water Quality Incident Review Report Implementation – November 2022 Progress Update

194/2223 RESOLVED that Council notes the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

MOVED: Councillor Kopke

SECONDED: Councillor Rindfleish

For – Unanimous

Item 30 Central-West Orana Renewable Energy Zone Report – December 2022

195/2223 RESOLVED that Council:

1. Notes the information in the Central-West Orana Renewable Energy Zone Report – December 2022.
2. Endorses the actions taken in relation to the submissions on Spicers Creek Wind Farm, Sandy Creek Solar Farm, Valley of the Winds Wind Farm, Central-West Orana REZ Transmission Line, Liverpool Range Wind Farm, Birriwa Solar Farm, and Tallawang Solar Farm.

MOVED: Councillor Rindfleish

SECONDED: Councillor Kopke

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

Item 31 Inland Rail Update Report – December 2022

196/2223 RESOLVED that Council notes the information in the Inland Rail Update Report – December 2022.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 32 Reports to be Considered in Closed Council

197/2223 RESOLVED that:

1. Item 32.1 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 32.2 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 32.3 2– 4 Digilah Street, Dunedoo

That the 2-4 Digilah Street 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 32.4 Coolah Sewerage Treatment Plant Replacement - Project Update

That the Coolah Sewerage Treatment Plant Replacement – Project Update 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).

5. Item 32.5 Netwaste Tender for Processing Garden Organics, Wood and Timber

That the Netwaste Tender for Processing Garden Organics, Wood and Timber 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 Iannuzzi

SECONDED: Councillor Rindfleish

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.

198/2223 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 Brady

SECONDED: Councillor Holcombe

For – Unanimous

6.22 pm
Closed Council

Item 32.1 Human Resources Monthly Report – November 2022

199/2223 RESOLVED that the Human Resources Monthly Report for December 2022 be noted for information.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Kopke

For – Unanimous

Item 32.2 Three Rivers Regional Retirement Community Information Report

200/2223 RESOLVED that Council notes the advice and endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 32.3 2 – 4 Digilah Street, Dunedoo

201/2223 RESOLVED that Council defer the matter until the February 2023 Council meeting.

MOVED: Councillor Rindfleish

SECONDED: Councillor Todd

For – Unanimous

Item 32.4 Coolah Sewerage Treatment Plant Replacement – Project Update

202/2223 RESOLVED that Council:

1. Notes the information contained in the Coolah Sewerage Treatment Plant Replacement - Project Update.
2. Engage consultants to undertake a detailed Options Report, as outlined under the DPE Water project framework, to establish the preferred option for the replacement of the Coolah Sewage Treatment Plant and associated recycled water re-use scheme.
3. Receive a report on the outcomes of the Coolah STP Options Report following its completion in 2023.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 32.5 Netwaste Tender for Processing Garden Organics, Wood and Timber

203/2223 RESOLVED that Council notes item 32.5 Netwaste Tender for Processing Garden Organics, Wood and Timber has been withdrawn.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Brady

For – Unanimous

204/2223 RESOLVED that Council return to Open Council.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Holcombe

For – Unanimous

6.52 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 6.56 pm.

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CHAIRPERSON