



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 16 February 2023

commencing at 5:17 pm

PRESENT: Cr A Doolan (Chairperson), Cr A Iannuzzi (via Zoom), Cr K Brady, Cr D Hogden, Cr Z Holcombe, Cr C Kopke (via Zoom), 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 Executive Assistant to the General Manager (Erin Player – Minutes).

Acknowledgement of Country

Cr Rindfleish 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.

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

205/2223 RESOLVED that Council confirm the Minutes of the Ordinary Council meeting held on 8 December 2022.

MOVED: Councillor Newton

SECONDED: Councillor Holcombe

For – Unanimous

The Mayor called for Disclosure of Interests

Cr Doolan declared a less than significant conflict of interest in Item 31 Development Applications due to his wife being an applicant for a development of a new shed.

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 2 December 2022 to 7 February 2023

206/2223 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 8 December 2022 to 7 February 2023.
2. Notes the report on the Mayor's credit card expenses between 2 December 2022 and 11 January 2023 and approves the payment of expenses totalling \$467.08.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

For – Unanimous

Item 2 Councillors' Monthly Travel Claims

207/2223 RESOLVED that the Councillors' monthly travel claims report in the amount of \$1,127.88 be noted for information.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 3 Minutes of Alliance of Western Councils (AWC) Board Meeting 9 December 2022

208/2223 RESOLVED that Council note the Delegate's Report in relation to Alliance of Western Councils (AWC) Board meeting held in Narromine on Friday 9 December 2022.

MOVED: Councillor Doolan

SECONDED: Councillor Rindfleish

For – Unanimous

Item 4 Delegate's Report – Castlereagh Macquarie County Council Meeting 19 December 2022

209/2223 RESOLVED that Council notes the Delegate's Report on the Castlereagh Macquarie County Council held 19 December 2022.

MOVED: Councillor Holcombe

SECONDED: Councillor Todd

For – Unanimous

Item 5 Minutes of Audit, Risk and Improvement Committee Meeting – 15 November 2022

210/2223 RESOLVED that Council:

1. Notes the minutes of the Audit, Risk and Improvement Committee meeting held at Coonabarabran on 15 November 2022.
2. Seeks expressions of interest for an independent member to fill a casual vacancy on the Audit, Risk and Improvement Committee.

MOVED: Councillor Holcombe

SECONDED: Councillor Rindfleish

For – Unanimous

Item 6 Robertson Oval Building Project and Minutes of Advisory Committee Meeting – 6 December 2022

211/2223 RESOLVED that Council:

1. Notes the minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 6 December 2022.
2. Due to competing priorities that the Committee meets six monthly, additional meetings may be held with the prior approval of the Mayor.

MOVED: Councillor Hogden

SECONDED: Councillor Todd

For – Unanimous

Item 7 Minutes for the Australia Day Awards 2023 Committee Meeting 8 December 2022

212/2223 RESOLVED that Council notes the selection of Australia Day Award recipients for 2023.

MOVED: Councillor Doolan

SECONDED: Councillor Todd

For – Unanimous

Item 8 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 16 January 2023

213/2223 RESOLVED that Council:

1. Notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on 16 January 2023.
2. Due to competing priorities that the Committee meets six monthly, additional meetings may be held with the prior approval of the Mayor.

MOVED: Councillor Brady

SECONDED: Councillor Holcombe

For – Unanimous

Item 9 Minutes of Warrumbungle Road Network Advisory Group Meeting – 17 January 2023

214/2223 RESOLVED that:

1. Council notes the minutes of the Warrumbungle Road Network Advisory Group meeting held at Coonabarabran on 17 January 2023.
2. The Roads and Roads Related Private Works Program be reduced to only undertaking private works for other Government Organisations and works on public assets for the next 24 months.

MOVED: Councillor Newton

SECONDED: Councillor Todd

For – Unanimous

Item 10 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 1 February 2023

215/2223 RESOLVED that Council:

1. Notes the minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 1 February 2023.

2. Due to competing priorities that the Committee meets six monthly, additional meetings may be held with the prior approval of the Mayor.

MOVED: Councillor Brady

SECONDED: Councillor Newton

For – Unanimous

Item 11 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 18 January 2023

216/2223 RESOLVED that Council:

1. Notes the minutes of the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on 18 January 2023.
2. Due to competing priorities that the Committee meets six monthly, additional meetings may be held with the prior approval of the Mayor.

MOVED: Councillor Brady

SECONDED: Councillor Rindfleish

For – Unanimous

Item 12 Guidelines on the Recruitment of Senior Council Executives

217/2223 RESOLVED that the Guidelines on the Recruitment of Senior Council Executives Report be noted for information.

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 13 Council Resolutions Report

218/2223 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Holcombe

SECONDED: Councillor Brady

For – Unanimous

Item 14 Revotes and High Value Projects Report

219/2223 RESOLVED that the Revote and High Value Projects Report be noted for information.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 15 Accessible Residential Housing

220/2223 RESOLVED that Council notes the information contained in the report.

MOVED: Councillor Brady

SECONDED: Councillor Todd

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

Item 16 Code of Meeting Practice

221/2223 RESOLVED that Council adopts the reviewed Code of Meeting Practice.

MOVED: Councillor Newton

SECONDED: Councillor Brady

For – Unanimous

Item 17 Code of Conduct

222/2223 RESOLVED that Council adopts the:

1. Reviewed Code of Conduct.
2. Draft Procedures for the Administration of the Code of Conduct.

MOVED: Councillor Newton

SECONDED: Councillor Holcombe

For – Unanimous

Item 18 Complaint Handling Framework

223/2223 RESOLVED that Council:

1. Endorses the draft Complaint Handling Framework.
2. Places the draft Complaint Handling Framework on public exhibition for a period of at least 28 days, with submissions invited from members of the public.
3. Receives a further report on the draft Complaint Handling Framework following the public exhibition period.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 19 Delivery Program Progress Report – 2nd Quarter 2022/23

224/2223 RESOLVED that Council endorses the Delivery Program Progress Report for the period 1 July 2022 to 31 December 2022.

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 20 Quarterly Budget Review Statement for the 2nd Quarter Ending 31 December 2022

225/2223 RESOLVED that Council:

1. Accept the 2nd quarter Quarterly Budget Review Statement for the 2022/23 financial year, as presented;
2. Approve the variations as described in Table 1a, being an increase of \$1,721,067 in consolidated operating expenditure, a decrease of \$1,883,742 in consolidated capital expenditure, an increase of \$2,674,995 in consolidated revenue; and,
3. Note and accept the information provided on the status of the rates and annual charges for the period ending 31 December 2022.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Newton

For – Unanimous

Item 21 Investments and Term Deposits – month ending 31 December 2022

226/2223 RESOLVED that Council accept the Investments Report for the month ending 31 December 2022 including a total balance of \$30,006,125.03 being:

- \$1,111,699.89 in at call accounts.
- \$28,500,000.00 in term deposits.
- \$394,425.14 cash at bank.

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 22 Investments and Term Deposits – month ending 31 January 2023

227/2223 RESOLVED that Council accept the Investments Report for the month ending 31 January 2023 including a total balance of \$30,326,721.19 being:

- \$1,112,761.62 in at call accounts.
- \$28,500,000.00 in term deposits.
- \$713,959.57 cash at bank.

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 23 Coonabarabran Mungindi Road Upgrade Project Steering Committee

228/2223 RESOLVED that Council:

1. Note the report on the Coonabarabran Mungindi Road Upgrade Project Steering Committee.
2. Re-establish the Coonabarabran Mungindi Road Upgrade Project Steering Committee with Warrumbungle, Narrabri and Walgett Shire Council representatives attending future meetings to solidify the plan and objectives, however Warrumbungle Council not be the lead Council in this project.
3. Nominate Councillor Todd to represent Council on the Coonabarabran Mungindi Road Upgrade Project Steering Committee.

MOVED: Councillor Doolan

SECONDED: Councillor Todd

For – Unanimous

Item 24 Service Levels for Public Toilets and CBD Areas, and Installation of Grab Rails and Sanitary Incontinence Bins in Public Toilets

229/2223 RESOLVED that:

1. Council note the report and consider the increase in the levels of service as part of the budget process.
2. A workshop be held with Councillors on service levels for public toilets.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 25 Naming Proposal for the New Warkton Road Bridge

230/2223 RESOLVED that Council:

1. Notes the report and submissions received on the naming proposal for the new Warkton Road Bridge.
2. Names the new Warkton Road Bridge in Coonabarabran the John Knight Bridge.
3. Advertises the endorsed bridge name in the local newspaper and on Council's website following approval from Transport for NSW.
4. Corresponds with applicants and property owners on Warkton Road of Council's decision to name the new Warkton Road Bridge the John Knight Bridge.
5. Updates its bridge records and arranges for the appropriate signage to be installed.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 26 Natural Disaster Response and Recovery Monthly Report for January 2023

231/2223 RESOLVED that:

1. Council notes the Natural Disaster Response and Recovery Monthly Report for January 2023.
2. The following projects as listed in order of priority be submitted under the Local Government Recovery Grant Program.
 - Coolah Rising Main – Coolaburragundy River Crossing
 - Coolah Rising Main – Saleyards Creek Crossing
 - Fixed Road Closure Barriers
 - Neible Siding Box Culvert

- Coolah Sewer Treatment Plant (STP) Fencing Upgrade
- Coonabarabran Swimming Pool Complex Flood Mitigation
- Coolah STP Flood Levee

MOVED: Councillor Newton

SECONDED: Councillor Brady

For – Unanimous

Item 27 Bore Condition Assessment Project Report

232/2223 RESOLVED that Council:

1. Notes the information contained in the Bore Condition Assessment Project Update Report.
2. Allocates funding of \$530,000 for the refurbishment of Dunedoo Bore, Baradine Backup Bore and the Baradine Main Bore as a matter of priority in the 2022/23 FY through QBRS 2 adjustments to Capital Works Program as follows: \$400,000 from Timor Dam Safety Upgrades, and \$130,000 from Baradine Water Treatment Plant Upgrade Project.
3. Proceed to tender to refurbish the Dunedoo Town Wells, Baradine Backup Bore and the Baradine Main Bore via relining.
4. Considers options for the Kenebri and Bugaldie water supply schemes, including if Council continues to operate the schemes.
5. Does not refurbish Coonabarabran Bore 2 due to the availability of alternative infrastructure.

MOVED: Councillor Todd

SECONDED: Councillor Holcombe

For – Unanimous

Item 28 SCADA and Telemetry Network Upgrade – Finalisation Report

233/2223 RESOLVED that Council notes the information contained in the SCADA and Telemetry Network Upgrade Finalisation Report.

MOVED: Councillor Brady

SECONDED: Councillor Newton

For – Unanimous

Item 29 Managing Conflicts of Interest for Council-related Development Policy Report

234/2223 RESOLVED that:

1. Council endorses the Draft *Managing Conflicts of Interest for Council-related Development Policy* for the purpose of public exhibition for a minimum of 28 days;
2. A further report be presented to Council on the Draft *Managing Conflicts of Interest for Council-related Development Policy* after the public exhibition period is completed.

MOVED: Councillor Hogden

SECONDED: Councillor Newton

For – Unanimous

Item 30 Review of the Warrumbungle Shire Councils Development Control Plan 2015 235/2223 RESOLVED that:

1. Council endorse the amendments to the *Warrumbungle Shire Council Development Control Plan 2015* for the purpose of public exhibition for a minimum of 28 days;
2. A further report be presented to Council on the *Warrumbungle Shire Council Development Control Plan 2015* after the public exhibition period is completed.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Newton

For – Unanimous

Item 31 Development Applications

236/2223 RESOLVED that Council notes the Applications and Certificates approved during November 2022 to January 2023, under Delegated Authority.

MOVED: Councillor Brady

SECONDED: Councillor Holcombe

For – Unanimous

Item 32 Notice of Motion – Australia Day Awards

237/2223 RESOLVED that Council change the Australia Day Awards to include an Australia Day Certificate of Recognition for all nominees if they don't get the major award for each category.

MOVED: Councillor Todd

SECONDED: Councillor Newton

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

Item 33 Reports to be Considered in Closed Council

238/2223 RESOLVED that:

1. Item 33.1 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 33.2 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 33.3 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 33.4 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 Hogden

SECONDED: Councillor Brady

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.

239/2223 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 Rindfleish

SECONDED: Councillor Newton

For – Unanimous

6.04 pm
Closed Council

Item 33.1 Human Resources Monthly Report – January 2023

240/2223 RESOLVED that the Human Resources Monthly Report for February 2023 be noted for information.

MOVED: Councillor Rindfleish

SECONDED: Councillor Holcombe

For – Unanimous

Item 33.3 2 – 4 Digilah Street, Dunedoo

MOTION

That Council:

1. Obtain a valuation for the sale of 2-4 Digilah Street Dunedoo.
2. Dispose of 2-4 Digilah Street Dunedoo.
3. Authorise the General Manager to negotiate and accept a price offer in accordance with the land valuation.

MOVED: Councillor Holcombe

SECONDED: Councillor Newton

AMENDMENT

That Council take no action to sell 2-4 Digilah Street Dunedoo.

MOVED: Councillor Hogden

SECONDED: Councillor Todd

The amendment was put and became the MOTION

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

Against – Cr Kopke

241/2223 RESOLVED that Council take no action to sell 2-4 Digilah Street Dunedoo.

MOVED: Councillor Hogden

SECONDED: Councillor Todd

For – Cr Doolan, Cr Hogden, Cr Brady, Cr Iannuzzi, Cr Newton, Cr Rindfleish, Cr Todd

Against – Cr Kopke and Cr Holcombe

Item 33.2 Three Rivers Regional Retirement Community Information Supplementary Report

242/2223 RESOLVED that Council receive the Three Rivers Regional Retirement Community Project Supplementary Report.

MOVED: Councillor Hogden

SECONDED: Councillor Holcombe

For – Unanimous

6.25pm

Cr Iannuzzi left the meeting and did not return.

243/2223 RESOLVED Council:

1. Note the advice and endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project; and

2. Authorise the action and delegation as outlined under the sub heading of “Recommendation Based on Legal Advice” identified as i., ii. and iii. within the Three Rivers Regional Retirement Community Project Supplementary report.

MOVED: Councillor Hogden

SECONDED: Councillor Newton

For – Unanimous

**Item 33.4 Netwaste Tender for Processing Garden Organics, Wood and Timber
244/2223 RESOLVED** that Council:

1. Accepts the tender for the Processing of Garden Organics, Wood and Timber from Davis Earthmoving Pty Ltd for \$5.50 per cubic metre for 100mm coarse mulch as set out in this report for the initial two (2) year term with the option of two (2) x 12-month available extensions.
2. Delegates the authority to execute the contracts for the Processing of Garden Organics, Wood and Timber to the General Manager and permission be granted for the use of the Council Seal on any relevant document if required.

MOVED: Councillor Newton

SECONDED: Councillor Hogden

For – Unanimous

245/2223 RESOLVED that Council return to Open Council.

MOVED: Councillor Hogden

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 6.54 pm.

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CHAIRPERSON