



# Minutes

**Ordinary Council Meeting held in the  
Council Chambers, Binnia Street, Coolah  
on Thursday, 16 August 2018  
commencing at 5.00pm**

**Mayor:** Cr Peter Shinton

**Councillors:** Kodi Brady  
Anne-Louise Capel  
Fred Clancy  
Ambrose Doolan  
Wendy Hill  
Aniello Iannuzzi  
Ray Lewis  
Denis Todd (Deputy Mayor)

**PRESENT:** Cr P Shinton (Chairperson), Cr K Brady, Cr AL Capel, Cr F Clancy, Cr A Doolan, Cr W Hill, Cr D Todd, Cr A Iannuzzi and Cr R Lewis.

**In attendance:** General Manager (Roger Bailey), Acting Director Corporate and Community Services (Louise Johnson), Director Technical Services (Kevin Tighe), Director Development Services (Leeanne Ryan) and Executive Assistant to General Manager (Jenni Maundrell – minutes).

**APOLOGIES:** Nil

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

**5.02 pm**

The General Manager announced that the meeting was being audio recorded.

## **REPORTS**

### **Item 1 Mayoral Minute – Mayors Activity and Log of Kilometres Travelled from 9 July 2018 to 8 August 2018**

**42/1819 RESOLVED** that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 12 July 2018 to 8 August 2018.
2. Notes the report on the Mayor's expenses between 9 June 2018 and 9 July 2018 and approve payment of expenses totalling \$1,802.28.

**MOVED:** Councillor Shinton

### **Item 2 Minutes of Ordinary Council Meeting – 19 July 2018**

**43/1819 RESOLVED** that the resolutions contained in the Minutes of the Ordinary Council meeting held on 19 July 2018 be endorsed.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

### **Supplementary Motion**

**44/1819 RESOLVED** that Council consider further information in relation to the Forensic Audit and that it be declared a matter of great urgency for discussion and that it be considered in Closed Council.

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Todd

The Mayor declared the Forensic Audit a matter of great urgency.

### **Item 3 Minutes of Traffic Advisory Committee Meeting – 26 July 2018**

**45/1819 RESOLVED** that:

1. Council accept the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 26 July 2018.
2. In principle support be granted to Mudgee Lions Club for the Ride Against Cancer Charity Horse Ride to be held on 6-12 October 2018 subject to receipt of NSW Police Conditions for the event and clarification of additional riders joining the event in the Warrumbungle Shire.
3. Approval be granted to the Leadville Community Association to close Cox Street, Leadville on 2 November 2018 between 9.00 am and 2.00 pm for the Market Day.
4. Approval be granted to the Coonabarabran Pony Club to close part Edwards Street and John Street, Coonabarabran on 5 October 2018 between 3.00 pm and 3.30 pm for the Annual Street Parade subject to compliance with Council's Standard Conditions for Road Closures and concurrence from RMS Regional Special Events.
5. The Standard Conditions for Closure or Use of a Road to Conduct a Street Event be submitted to Council for approval with the following amendments:
  - Items 1 & 2 – Traffic Management Plan changed to 'Transport Management Plan'.
  - Item 6 – Last sentence to include '... and wear highly visible clothing complying with Warrumbungle Shire Council's Personnel Protective Equipment (PPE) and Work Health and Safety (WHS) Policy.'
  - Item 9 – State or Main Road to be replaced with 'Classified Road (State or Regional)'

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Capel

#### **Item 4 Minutes of Robertson Oval Advisory Committee Meeting – 18 July 2018**

**A motion was moved by Councillor Hill and seconded by Councillor Todd that:**

1. Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on Wednesday, 18 July 2018.
2.
  - a) Due to extensive community consultation on the Robertson Oval Amenities Concept Plans a public meeting is not required.
  - b) Council adopt the Robertson Oval Amenities Concept Plans prepared by Barnson Pty Ltd subject to clarification of design items.
  - c) Council notes the estimated preliminary total cost of \$2.2M including contingencies for the Robertson Oval Amenities Concept Plans.
  - d) Council provides in principle support for Government funding of the final design and construction of the Robertson Oval Amenities in accordance with the Concept Plans.
3. Provision of disabled access to existing toilets is included in future budget considerations.

**An amendment was moved by Councillor Clancy and seconded by Councillor Doolan that:**

1. Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on Wednesday, 18 July 2018.
2. Due to extensive community consultation on the Robertson Oval Amenities Concept Plans a public meeting is not required.
3. Council notes the estimated preliminary total cost of \$2.2M including contingencies for the Robertson Oval Amenities Concept Plans.
4. Alternative options for, or a staged development of, a new Robertson Oval Amenities Building be investigated and reported to Council, including options for funding of the project.
5. Provision of disabled access to existing toilets is included in future budget considerations.

**The amendment was put and carried.  
The amendment became the substantive motion.**

**46/1819 RESOLVED** that:

1. Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on Wednesday, 18 July 2018.
2. Due to extensive community consultation on the Robertson Oval Amenities Concept Plans a public meeting is not required.
3. Council notes the estimated preliminary total cost of \$2.2M including contingencies for the Robertson Oval Amenities Concept Plans.
4. Alternative options for, or a staged development of, a new Robertson Oval Amenities Building be investigated and reported to Council, including options for funding of the project.
5. Provision of disabled access to existing toilets is included in future budget considerations.

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Todd

**Item 5 Economic Development and Tourism Advisory Committee Meeting Minutes – 23 July 2018**

**47/1819 RESOLVED** that Council:

1. Accepts the minutes of the EDT Meeting of 23 July 2018.
  2. Develops an Events, Meetings and Gatherings (but not private functions) calendar on the Council website that is easily accessible.
  3. Participates in the Easy to Do Business Program and Small Business Month of the Office of the Small Business Commissioner.
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4. Prepares a submission to the Mobile Black Spot Program.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Capel

#### **Supplementary Motion**

**48/1819 RESOLVED** that when the terms of reference of the Economic Development and Tourism Advisory Committee are next reviewed that Aboriginal representation on the committee is requested.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Capel

#### **Procedural Motion**

**49/1819 RESOLVED** that Council deal with Items 13 and 14 at this point in the meeting.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Brady

#### **Item 13 2017/18 Financial Reports**

**50/1819 RESOLVED** that:

1. In accordance with section 413(2) of the *Local Government Act 1993*, and clause 215 of the *Local Government (General) Regulation 2005*, Council resolve that the Mayor and one (1) other councillor sign the Statement by Councillors and Management for the General Purpose Financial Statements (GPFS) and Special Purpose Financial Statements (SPFS) for the year ending 30 June 2018, along with the General Manager and Responsible Accounting Officer.
2. The Pre Audit Draft Financial Reports for 2017/18 be referred to audit, as per the requirements of section 413(1) of the *Local Government Act 1993*.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Brady

#### **Item 14 Quarterly Budget Review Statement for the quarter ending 30 June 2018**

**51/1819 RESOLVED** that Council:

1. Accept the fourth quarter Quarterly Budget Review Statement for the 2017/18 financial year, as presented.
2. Include \$43,381 for smoke testing in the items to be revoted.
3. Approve the request to revote \$13,582,950 for uncompleted capital projects from the 2017/18 financial year in to the 2018/19 financial year.
4. Note and accept the information provided on the status of the rates and annual charges for the year ending 30 June 2018.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

**Item 6 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 25 July 2018**

**52/1819 RESOLVED:** that:

1. Council accept the Minutes of the Coonabarabran Swimming Pool Advisory Committee Meeting held at Coonabarabran on 25 July 2018.
2. The layout of the lap pool/program pool be rotated 180 degrees to accommodate a 4 metre concourse at the starters end.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Capel

**Item 7 Councillors' Monthly Travel Claims – July 2018**

**53/1819 RESOLVED** that the Councillors' monthly travel claims for July 2018 in the amount of \$2,096.78 is received for Council's information.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hill

**Item 8 Inland Rail Conference in Parkes – 18-19 July 2018**

**54/1819 RESOLVED** that Council notes the Delegate's Report by Cr Denis Todd in relation to the Inland Rail Conference held in Parkes on 18-19 July 2018.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Clancy

**Item 9 Country Mayors Meeting in Sydney – 3 August 2018**

**55/1819 RESOLVED** that Council notes the Delegate's Report in relation to the Country Mayors' meeting in Sydney on 3 August 2018.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

**Item 10 Circulars/Newsletters**

**56/1819 RESOLVED** that the report on Circulars/Newsletters for Council received in July 2018 be received and noted.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Capel

**Item 11 Meeting Schedule**

**57/1819 RESOLVED** that Council adopts the Meeting Schedule:

2018			
	September	Thursday 20	Coonabarabran
	October	Thursday 18	Coolah
	November	Thursday 15	Coonabarabran
	December	Thursday 13	Coolah

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2019

February	Thursday 21	Coonabarabran
March	Thursday 21	Coolah
April	Thursday 18	Coonabarabran
May	Thursday 16	Coolah
June	Thursday 20	Coonabarabran
July	Thursday 18	Coolah
August	Thursday 15	Coonabarabran
September	Thursday 19	Coolah
October	Thursday 17	Coonabarabran
November	Thursday 21	Coolah
December	Thursday 12	Coonabarabran

**MOVED:** Councillor Hill

**SECONDED:** Councillor Brady

#### **Item 12 Council Resolutions Report August 2018**

**58/1819 RESOLVED** that Council's Resolution Report for August 2018 is noted for information.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Capel

#### **Item 13 2017/18 Financial Reports was dealt with earlier in the meeting**

**Item 14 Quarterly Budget Review Statement for the quarter ending 30 June 2018 was dealt with earlier in the meeting**

#### **Item 15 Human Resources Monthly Report**

**59/1819 RESOLVED** that the Human Resources Monthly Report for August 2018 be noted for information.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

#### **Item 16 Investments and Term Deposits – month ending 31 July 2018**

**60/1819 RESOLVED** that Council note and accept the Investments and Term Deposits Report for the month ending 31 July 2018.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Todd

#### **Item 17 2019/20 Black Spot Program**

**61/1819 RESOLVED** that Council endorse the following projects submitted to the Australian Government for funding in the 2019/20 Black Spot Program:

1. Purlewaugh Road (MR129), 2km either side of Napier Lane intersection – 3m wide shoulder improvements;

2. Black Stump Way (MR55), 2km north of Leadville – curve shoulder widening over 300m;
3. Black Stump Way (MR55) – 1.2km shoulder widening on both sides south of Warrumbungle Way;
4. Intersection Dalgarno and Charles Streets, Coonabarabran – construction of kerb blisters to narrow carriageway.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Brady

#### **Item 18 Baradine Town Levee – Preliminary Design Report**

**62/1819 RESOLVED** that:

1. The Baradine Town Levee Preliminary Design Report prepared by Consultants GHD be publicly exhibited for a period of 28 days with the Council indicating a preference for the freeboard being set at 250mm above 1 in 100 year flood event level.
2. As part of the public consultation residents be invited to attend a public meeting where details of the proposal can be explained.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Lewis

#### **Item 19 Coonabarabran Emergency Water Supply Project – August 2018 Update**

**63/1819 RESOLVED** that Council note the August 2018 Update Report on the Coonabarabran Emergency Water Supply Project.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Capel

#### **Item 20 Fixing Country Roads – Round 4**

**64/1819 RESOLVED** that Council apply for funding under the NSW Restart Fixing Country Roads Program Round 4 for the following projects:

1. New bridge over Billy Kings Creek (East) on Purlewaugh Road – Estimated cost \$525,000 (funds sought \$500,000).
2. 'Coonabarabran Over Dimension Route – Rehabilitation and strengthening of failed pavement between Gardener Road and Baradine Road' – Estimated cost \$270,000 (funds sought \$250,000).
3. 'Beni Road, 65km South of Coonabarabran – Realignment of bend to improve road safety' – Estimated cost \$200,000 (funds sought \$200,000).
4. 'Warrumbungles Way, 2km East of Binnaway – Bridge to replace culvert in conjunction with railway crossing upgrade' – Estimated cost \$700,000 (funds sought \$675,000).



5. 'Black Stump Way, North of Coolah towards Warrumbungles Way – Road rehabilitation from Warrumbungles Way intersection to Deadmans Gully' – Estimated cost for Stage 1 - \$1,200,000 (funds sought \$1,100,000).
6. Bridge over unnamed creek on Warrumbungles Way (MR 396), 1km South of the intersection with the Newell Highway (commonly known as Loughnans Creek).
7. Replacement of the timber bridge on Warkton Road, known as Tannabah Bridge.
8. New bridge over Billy Kings Creek (West) on Purlewaugh Road.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Capel

### **Item 21 Mendooran Water Quality Incident Review Report Implementation**

**65/1819 RESOLVED** that Council receives and notes the quarterly report on the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Hill

### **Item 22 Status of Unnamed Watercourse in Coonabarabran**

**66/1819 RESOLVED** that Council:

1. Notes:
  - i) The status of the unnamed watercourse (locally known as School Creek) where it flows through properties between Charles Street and John Street, Coonabarabran is a 'natural watercourse'.
  - ii) The responsibility for the maintenance of the watercourse where it traverses private properties rests with the individual property owner.
2. Takes no action to maintain School Creek and its banks within private property.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hill

### **Councillor Lewis recorded his vote against the resolution**

### **Item 23 Water Softening Options for Coolah Water Supply**

**67/1819 RESOLVED** that Council:

1. Notes the report on Water Softening Options for Coolah Water Supply.
2. Makes application for grant funding for softening of the Coolah Water Supply when funding opportunities become available.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

**Item 24 2018/19 Technical Services Works Program – Road Operations, Urban Services and Water Services for Period Ending 31 July 2018**

**68/1819 RESOLVED** that the 2018/19 Works Program status report for the period ending 31 July 2018 be noted.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

**Item 25 Arts and Cultural Centre Report**

**A motion was moved by Councillor Hill and seconded by Councillor Capel** that Council not pursue the acquisition of the “old police house building” located in John Street for future Arts, Crafts and Cultural pursuits.

**On being put the motion was LOST**

**69/1819 RESOLVED** that Council approach the Local Aboriginal Land Council and the NSW Police with a view to making a joint submission to acquire the ‘Old Police House Building’ located in John Street for future Arts, Crafts and Cultural pursuits.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Brady

**Item 26 Home-based Food Businesses**

**70/1819 RESOLVED** that Council:

1. Receives the Home-Based Food Businesses report.
2. Writes to the local members and Minister strongly objecting to the new onerous requirements for home-based food businesses.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Brady

**6.36 pm**

Cr Doolan left the room

**Item 27 Three Rivers Regional Retirement Community Status Update Report**

**71/1819 RESOLVED** that Council notes the progress of the Three Rivers Regional Retirement Community project for July 2018.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Clancy

**Item 28 Development Application Statistics Report**

**72/1819 RESOLVED** that Council notes the Development Application Statistics Report.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Brady

### **Item 29 Development Applications**

**73/1819 RESOLVED** That Council notes the Applications and Certificates approved during July 2018, under Delegated Authority.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hill

### **Item 30 Reports to be Considered in Closed Council**

#### **Item 30.1 LGNSW Industrial Advice**

**74/1819 RESOLVED** that the LGNSW Industrial Advice 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).

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

#### **Item 30.2 Three Rivers Regional Retirement Community Information Report**

**75/1819 RESOLVED** that the Three Rivers Regional Retirement Community Information Report – July 2018 be referred to Closed Council pursuant to section 10A(2)(c), (g) 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 Council is conducting (or proposes to conduct) business and advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

#### **Item 30.3 Review of Organisation Structure**

**76/1819 RESOLVED** that the Review of Organisation Structure 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).

**MOVED:** Councillor Todd

**SECONDED:** Councillor Capel

#### **Item 30.4 Forensic Audit**

**77/1819 RESOLVED** that an update on the Forensic Audit be referred to Closed Council pursuant to section 10A(2)(a), (e) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors) and would, if disclosed, prejudice the maintenance of law.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

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.

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There was no response from the public.

**6.39 pm**

Cr Doolan re-joined the meeting

**78/1819 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. 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*.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Capel

**6.40 pm**

**Council went into Closed Council**

**Item 30.1 LGNSW Industrial Advice**

**79/1819 RESOLVED** that Council notes the advice by LGNSW.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Brady

**Item 30.2 Three Rivers Regional Retirement Community Project Information Report**

**80/1819 RESOLVED** that Council receive a supplementary report on the Three Rivers Regional Retirement Community Project.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

**81/1819 RESOLVED** that Council note the report and supplementary report in relation to the Three Rivers Regional Retirement Community Project Information Report.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Capel

**Procedural Motion**

**82/1819 RESOLVED** that Council deal with item 30.4 at this point in the meeting.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Capel

**Item 30.4 Forensic Audit Update**

**83/1819 RESOLVED** that the information on the Forensic Audit update be noted.  
**MOVED:** Councillor Clancy                      **SECONDED:** Councillor Todd

**Item 30.3 Review of Organisation Structure**

**84/1819 RESOLVED** that Council staff, excluding the General Manager, be excluded from the meeting to consider Item 30.3 Review of Organisation report.

**6.57 pm**

Council staff left the room

**7.47 pm**

Cr Clancy left the room

**7.51 pm**

Cr Clancy re-joined the meeting

**7.58 pm**

Cr Iannuzzi left the meeting and did not return

**85/1819 RESOLVED** that Council:

1. Note the report on the Review of the Council Organisation Structure.
2. Endorse, in principle, the Report on an Organisational Review for Warrumbungle Shire Council and the recommendations therein including Option 3 (staff structure).

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hill

**86/1819 RESOLVED** that Council return to Open Council.

**8.00pm**

**Staff and members of the public returned to the Chamber.**

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

There being no further business the meeting closed at 8.02 pm.

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**CHAIRPERSON**