



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 15 November 2018

commencing at 5.00pm

Mayor: Cr Denis Todd

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

PRESENT: Cr D Todd (Chairperson), Cr K Brady, 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), Acting Director Corporate and Community Services (Louise Johnson), Director Technical Services (Kevin Tighe), Director Development Services (Leeanne Ryan), Manager Warrumbungle Water (Cornelia Wiebels), and Executive Assistant to General Manager (Jenni Maundrell – minutes).

The General Manager announced that the meeting was being audio recorded, and that the recording will be published.

APOLOGIES

Cr AL Capel

178/1819 RESOLVED that the apologies of Councillor Capel be accepted and a leave of absence granted.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

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

Cr Lewis declared a non-pecuniary less than significant interest in Item 14 due to being Council's delegate to the Coonabarabran Showground Trust.

Cr Brady declared a non-pecuniary less than significant interest in Item 14 due to being a member of the Coonabarabran Showground Trust.

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 10 October 2018 to 8 November 2018

179/1819 RESOLVED that Council notes the report on the Mayors Activity, Log of Kilometres Travelled and Expenses from 10 October 2018 to 8 November 2018.

MOVED: Councillor Doolan

SECONDED: Councillor Lewis

Item 2 Mayoral Minute – Swimming Pool Hours of Operation

180/1819 RESOLVED that Council seek a report from staff on feasibility of increasing the unsupervised operating hours at our public pools.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

Item 3 Minutes of Ordinary Council Meeting – 18 October 2018

181/1819 RESOLVED that the resolutions contained in the Minutes of the Ordinary Council meeting held on 18 October 2018 are endorsed.

MOVED: Councillor Brady

SECONDED: Councillor Lewis

Item 4 Minutes of Plant Advisory Committee Meeting – 29 October 2018

182/1819 RESOLVED that Council:

1. Accept the Minutes of the Plant Advisory Committee meeting held at Coolah on 29 October 2018.
2. Purchase one (1) Isuzu FRR 107 Tipping Truck from Tracserv Pty Ltd at a price of \$151,337.81 (ex GST) including wind over load cover and that Council auction Plant Item No 143 at Pickles Auctions Tamworth.
3. Purchase one (1) Hino FC1124 Table Top Truck from Wideland Motor Group at a price of \$107,282.00 (ex GST) including crane swap over and that Council trade in Plant Item No 146 to Wideland Motor Group for \$29,091.00 (ex GST).
4. Purchase one (1) Volvo FM1346R Gravel Truck from JT Fossey (Sales) Pty Ltd at a price of \$253,021.00 (ex GST) and that Council trade in Plant Item No 151 to JT Fossey (Sales) Pty Ltd Tamworth for \$140,909.00.
5. Purchase one (1) DW-3 Tri Axle Low Loader from Midland Pty at a price of \$145,000.00 (ex GST) and that Council auction Plant Item No 160 at Regional Auctions Dubbo.
6. Purchase one (1) 3AD Super Dog Tipping Trailer from Sloanebuilt Trailers at a price of \$85,709.00 (ex GST) and that Council auction Plant Item No 163 at Regional Auctions Dubbo.
7. Purchase one (1) Fuso FU51 Water Truck from JT Fossey (Sales) Pty Ltd Tamworth at a price of \$220,675.00 (ex GST) and that Council auction Plant Item No 171 at Regional Auctions Dubbo.

MOVED: Councillor Lewis

SECONDED: Councillor Hill

Item 5 Councillors' Monthly Travel Claims – September 2018

183/1819 RESOLVED that the Councillors' monthly travel claims for October 2018 in the amount of \$1,012.44 is received for Council's information.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Brady

Item 6 Delegate's Report – Local Government NSW Annual Conference in Albury – 21-23 October 2018

184/1819 RESOLVED that Council notes the Delegate's Report in relation to the Local Government Annual Conference held in Albury on 21-23 October 2018.

MOVED: Councillor Todd

SECONDED: Councillor Shinton

Item 7 Delegate's Report – Country Mayors Meeting in Sydney – 1-2 November 2018

185/1819 RESOLVED that Council:

1. Notes the Delegate's Report in relation to the Country Mayors' meetings in Sydney on 1-2 November 2018.
2. Report to the December 2018 meeting on the Waste to Energy meeting held in Sydney on 1 November 2018.

MOVED: Councillor Todd

SECONDED: Councillor Shinton

Item 8 Coonabarabran Emergency Water Supply Project – November 2018 Update

186/1819 RESOLVED that Council:

1. Note the November 2018 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Endorse the expenditure to date (committed and expended) of \$2,004,546.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

5.29pm

187/1891 RESOLVED that standing orders be suspended in order to receive the Financial Statements report from the Audit Office of NSW.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

5.30pm

Presentation

Marco Monaco, Audit Office of NSW, presented the Financial Statements Report to Council.

5.48pm

188/1819 RESOLVED that standing orders be resumed.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

Item 9 2017/18 Financial Reports

189/1819 RESOLVED that Council note the information provided on Council's 2017/18 financial reports and actions taken in relation to these reports.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

Item 10 Australia Day 2019

190/1819 RESOLVED that Council:

1. Forms a section 355 Australia Day Award Committee, with membership made up of all councillors and the Director Corporate and Community Services.
2. The Australia Day Award Committee be delegated the authority to select the Australia Day Award recipients.
3. Participates in the 2019 *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
 - Australia Day Award – Senior Citizen of the Year
 - Australia Day Award – Cultural Achievement Award
 - Australia Day Award – Community Event of the Year
4. Allow free entry to the public swimming pools in Baradine, Binnaway, Coolah, Coonabarabran, Dunedoo and Mendooran on Australia Day 2019.

MOVED: Councillor Hill

SECONDED: Councillor Brady

Item 11 Internal Audit Committee

191/1819 RESOLVED that Council:

1. Establish an Internal Audit Committee.
2. Adopt the attached draft Internal Audit Committee Charter.
3. Appoint Cr Doolan as its Councillor delegate to the Internal Audit Committee.
4. Contact fellow Joint Organisation Council members and/or nearby councils with a view to sharing resources and working collaboratively together on the internal audit function.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

Item 12 Council Resolutions Report November 2018

192/1819 RESOLVED that the Council Resolution Report for November 2018 be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

Item 13 2017/18 Annual Report

193/1819 RESOLVED that Council:

1. Accepts the Annual Report as presented for the period 1 July 2017 to 30 June 2018.

2. Endorse the Annual Report for submission to the Minister for Local Government by 30 November 2018.

MOVED: Councillor Doolan

SECONDED: Councillor Clancy

Item 14 Drought Communities Programme – Extension

194/1819 RESOLVED that Council:

1. Hold a workshop on the Drought Communities Programme – Extension.
2. Endorse the establishment of a Selection Committee consisting of all councillors and the General Manager to assess and make applications for funding of activities to be funded through the Drought Communities Programme.
3. Delegate the authority to the Committee to determine funding proposals.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

6.40pm

Cr Brady left the room

Procedural Motion

195/1819 RESOLVED that Council deal with Item 15 later in the meeting with the reports to be considered in Closed Council.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Doolan

6.41pm

Cr Brady re-joined the meeting

Item 16 Investments and Term Deposits – month ending 31 October 2018

196/1819 RESOLVED that Council note and accept the Investments and Term Deposits Report for the month ending 31 October 2018 including a total balance \$13,343,820.46, being:

- \$1,706,429.46 in at call accounts
- \$10,500,002.00 in term deposits
- \$1,137,389.00 cash at bank

MOVED: Councillor Hill

SECONDED: Councillor Clancy

Item 17 Annual Code of Conduct Complaints Statistics – 1 September 2017 to 31 August 2018

197/1819 RESOLVED that the Annual Code of Conduct Complaints Statistics Report for the period 1 September 2017 to 31 August 2018 as shown in Table 1.0 is noted as information.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

Item 18 Coonabarabran Mungindi Road Upgrade Project

198/1819 RESOLVED that:

1. Funding submissions are prepared for the Coonabarabran Mungindi Road Upgrade Project subject to a partnering agreement with both Walgett Shire Council and Narrabri Shire Council.
2. The objective for Warrumbungle Shire Council in any funding submission made for the Coonabarabran Mungindi Road Upgrade Project is to upgrade the road between Coonabarabran and Baradine to road train access standard.
3. A budget allocation of \$15,000, funded from the Regional Roads Block Grant, is made for the cost of preparing funding submissions for the Coonabarabran Mungindi Road Upgrade Project.

MOVED: Councillor Hill

SECONDED: Councillor Doolan

Item 19 Cycle Path and Walkway between Coonabarabran & Gumin Gumin

199/1819 RESOLVED the Coonabarabran Landcare group is advised that Council is not in a position to action the concept of a walkway and cycleway link between Coonabarabran and Gumin Gumin at this point in time.

MOVED: Councillor Brady

SECONDED: Councillor Hill

Item 20 Napier Lane Road Closure and Opening – Transfer of Ownership

200/1819 RESOLVED that Council:

1. Authorise the transfer of ownership of the closed public road comprising Lots 41, 42, 45 and 46, DP1246975 to the adjoining owner as compensation for opening Lot 43, DP1246975 as public road.
2. Authorise the General Manager to sign all documents associated with the conveyancing transaction, including a Client Authorisation Form to Local Government Legal to effect the transaction.
3. Pay the adjoining owners' legal costs and stamp duty associated with the transfer.

MOVED: Councillor Lewis

SECONDED: Councillor Clancy

Item 21 Report on NBN Services to Warrumbungle Local Government Area

201/1819 RESOLVED that Council note the report on NBN services to the Warrumbungle Local Government Area.

MOVED: Councillor Clancy

SECONDED: Councillor Shinton

Item 22 Development Applications

202/1819 RESOLVED that Council notes the Applications and Certificates approved during October 2018, under Delegated Authority.

MOVED: Councillor Brady

SECONDED: Councillor Doolan

Item 23 Reports to be Considered in Closed Council

Item 15 Human Resources Monthly Report – October 2018

203/1819 RESOLVED that the Human Resources Monthly Report for October 2018 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

Item 23.1 Castlereagh Family Day Care

204/1819 RESOLVED that the Castlereagh Family Day Care 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 Brady

SECONDED: Councillor Iannuzzi

Item 23.2 Coonabarabran Administration Building

205/1819 RESOLVED that the Coonabarabran Administration Building 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.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Brady

Item 23.3 Three Rivers Regional Retirement Community Information Report

206/1819 RESOLVED that the Three Rivers Regional Retirement Community Information Report – July 2018 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 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 Brady

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.

A member of the public made an objection to Item 23.1 being considered in closed council on the grounds that interested parties were unable to participate in proceedings.

207/1819 RESOLVED that a Public Forum be held at this point of the meeting to allow a member of the public to address Council regarding Item 23.1 Castlereagh Family Day Care.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Doolan

Public Forum

Ellen Mahne addressed Council regarding Castlereagh Family Day Care.

7.08pm

Cr Clancy left the room

Burt Swanson addressed Council regarding Castlereagh Family Day Care.

208/1819 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. 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 Doolan

SECONDED: Councillor Hill

7.10pm

Cr Clancy re-joined the meeting

Closed Council – 7.11pm

Item 15 Human Resources Monthly Report – October 2018

209/1819 RESOLVED that the Human Resources Monthly Report for October 2018 be noted for information.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Doolan

Item 23.1 Castlereagh Family Day Care

7.41pm

Cr Clancy left the room and did not return

210/1819 RESOLVED that Council note the information provided in response to a complaint received by Family Day Care educators serviced by Castlereagh Family Day Care.

MOVED: Councillor Brady

SECONDED: Councillor Hill

Item 23.2 Coonabarabran Administration Building

7.45

Cr Brady left the room

7.46

Cr Brady re-joined the meeting

211/1819 RESOLVED that Council:

1. Note the report on the Coonabarabran Administration Building.
2. Authorise for the funds from the existing allocation for the Coonabarabran Administration Building Roof Replacement project to be utilised to address the building matters outlined in the report.

MOVED: Councillor Hill

SECONDED: Councillor Shinton

Cr Iannuzzi recorded his vote **against** the motion

Item 23.3 Three Rivers Regional Retirement Community Information Report

212/1819 RESOLVED that Council note the report in relation to the Three Rivers Regional Retirement Community Project Information Report.

MOVED: Councillor Hill

SECONDED: Councillor Shinton

213/1819 RESOLVED that Council return to Open Council.

MOVED: Councillor Doolan

SECONDED: Councillor Brady

7.54pm

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 7.56pm.

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CHAIRPERSON