



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 18 February 2021

commencing at 5:14pm

PRESENT: Cr A Doolan (Chairperson), Cr A Iannuzzi, Cr K Brady, Cr A-L Capel, Cr W Hill, Cr R Lewis, Cr P Shinton and Cr D Todd.

In attendance: General Manager (Roger Bailey), Director Technical Services (Kevin Tighe), Director Environment and Development (Leeanne Ryan), Director Corporate and Community Services (Kim Parker) and Executive Assistant to the General Manager (Erin Player – Minutes).

Acknowledgement of Country

Cr Capel 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

212/2021 RESOLVED that the apology from Cr F Clancy be accepted and a leave of absence be granted.

MOVED: Councillor Todd

SECONDED: Councillor Capel

For – Unanimous

Confirmation of Minutes

213/2021 RESOLVED that Council confirm the resolutions contained in the Minutes of the Ordinary Council meeting held on 10 December 2020.

MOVED: Councillor Hill

SECONDED: Councillor Shinton

For – Unanimous

The Mayor called for Disclosure of Interests

Nil

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 3 December 2020 to 8 February 2021

214/2021 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 3 December 2020 to 8 February 2021.
2. Notes the report on the Mayor's credit card expenses between 4 December 2020 to 8 February 2021 and approves the payment of expenses totalling \$297.27.

MOVED: Councillor Doolan

SECONDED: Councillor Todd

For – Unanimous

Item 2 Mayoral Minute – Health and Hospital Services in the Warrumbungle Shire 215/2021 RESOLVED that Council hold a public meeting to consider health related issues for the communities of Coolah and Dunedoo.

MOVED: Councillor Doolan

SECONDED: Councillor Todd

For – Unanimous

Item 3 Councillors' Monthly Travel Claims – December 2020

216/2021 RESOLVED that the Councillors' monthly travel claims report for December 2020 in the amount of \$2,133.92 is noted.

MOVED: Councillor Hill

SECONDED: Councillor Iannuzzi

For – Unanimous

PROCEDURAL MOTION

That Council deal with Item 31.2 considered in Closed Council at this point of the meeting.

MOVED: Councillor Todd

SECONDED: Councillor Brady

For – Unanimous

Item 31.2 Three Rivers Regional Retirement Community Information Report

217/2021 RESOLVED 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.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

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.

218/2021 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 Capel

For – Unanimous

5.30pm

Closed Council

219/2021 RESOLVED that Council return to Open Council.

MOVED: Councillor Hill

SECONDED: Councillor Todd

For – Unanimous

6.15 pm

Open Council

Item 31.2 Three Rivers Regional Retirement Community Information Report

220/2021 RESOLVED that Council note the advice provided by legal counsel during Closed Council in relation to the Three Rivers Regional Retirement Community.

MOVED: Councillor Brady

SECONDED: Councillor Capel

For – Unanimous

Item 4 Delegate's Report – Newell Highway Taskforce Committee Meeting held on 9 February 2021

221/2021 RESOLVED that Council notes the Delegate's Report in relation to the Newell Highway Taskforce Committee meeting held at Parkes on Tuesday 9 February 2021.

MOVED: Councillor Capel

SECONDED: Councillor Todd

For – Unanimous

Item 5 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 1 December 2020

222/2021 RESOLVED that Council notes the minutes of the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on the 1 December 2020.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Unanimous

Item 6 Minutes of Traffic Advisory Committee Meeting – 3 December 2020
223/2021 RESOLVED that:

1. 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 Wednesday, 26 May 2021 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:
 - RMS Guidelines
 - Council's Road Closure Guidelines
 - RMS Road Occupancy Licence
 - RMS Regional Special Events concurrence
 - Receipt of current Public Liability Insurance.

2. Approval be granted to close the following roads on Sunday, 25 April 2021 for the purpose of conducting an ANZAC Day March and Ceremony, subject to compliance with RMS Guidelines, Council's Road Closure Guidelines, Transport for NSW Road Occupancy Licence for State Roads, Transport for NSW Regional Special Events concurrence for State Roads that are closed, Transport for NSW 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 between 10.00am and 12.30pm.
 - Coonabarabran RSL Sub Branch – John Street between Edwards Street and Essex Street between 10.00am and 1.00pm.
 - Dunedoo/Leadville RSL Sub Branch – Bolaro Street between Wargundy Street and Merrygoen Street between 10.00am and 12.00pm.
 - Mendooran RSL Sub Branch – Bandulla Street between Yalcogrin Street and Napier Street between 9.00am and 12.00pm.
 - Binnaway RSL Sub Branch – Renshaw Street between Bullinda Street and Yarran Street between 9.30am and 12.00pm.
 - Baradine RSL Sub Branch – Wellington Street and Narran Street between 10.00am and 12.30pm.

3. Approval be granted to the Coonabarabran RSL Sub Branch for part closure of John and Dalgarno Streets, Coonabarabran on Thursday, 11 November 2021 between 11.00am and 11.10am to conduct the Annual Remembrance Day Service subject to compliance with:
 - RMS Guidelines
 - Council's Road Closure Guidelines
 - RMS Road Occupancy Licence
 - RMS Regional Special Events concurrence
 - Receipt of current Public Liability Insurance.

4. Approval be granted to the Coonabarabran Chamber of Commerce for part closure of John Street and Dalgarno Street, Coonabarabran on Saturday, 3 April 2021

between the hours of 7.30am and 2.00pm to conduct the Annual Easter Bunny Bazaar event subject to compliance with:

- RMS Guidelines
- Council's Road Closure Guidelines
- RMS Road Occupancy Licence
- RMS Regional Special Events concurrence.

MOVED: Councillor Shinton

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 7 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 7 December 2020

224/2021 RESOLVED that Council notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on the 7 December 2020.

MOVED: Councillor Brady

SECONDED: Councillor Hill

For – Unanimous

Item 8 Robertson Oval Building Project and Minutes of Advisory Committee Meeting – 9 December 2020

225/2021 RESOLVED that Council notes the minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on the 9 December 2020.

MOVED: Councillor Hill

SECONDED: Councillor Todd

For – Unanimous

Item 9 Building Better Regions Fund – Community Investments Stream – Round Five

226/2021 RESOLVED that Council endorse the action taken to submit applications under the Building Better Regions Fund (BBRF) Round 5 for the following projects:

- Coonabarabran Pool Upgrade
- Extending sewer to Camp Cypress, Baradine

MOVED: Councillor Todd

SECONDED: Councillor Hill

For – Unanimous

Item 10 Councillor Induction and Professional Development Policy

227/2021 RESOLVED that Council:

1. Place the Councillor Induction and Professional Development Policy on public display for community consultation.
2. Authorise the General Manager to conduct a Councillor Pre-Election Candidate Information program in the lead up to the 2021 Council elections.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Unanimous

Item 11 Office of Local Government S430 Report

228/2021 RESOLVED that Council:

1. Submits the Draft Council submission on the Section 430 Report as required by the Minister for Local Government.
2. Authorises the Mayor to make a submission to the Minister in response to the S.438A notice.

MOVED: Councillor Todd

SECONDED: Councillor Hill

For – Unanimous

Item 12 Coolah Youth and Community Centre Building

229/2021 RESOLVED that Council advise the Coolah Youth and Community Centre Incorporated that it does not have an interest in accepting the transfer of ownership of the Coolah Youth and Community Centre.

MOVED: Councillor Shinton

SECONDED: Councillor Todd

For – Cr Doolan, Cr Shinton, Cr Iannuzzi, Cr Lewis and Cr Hill
Against – Cr Todd, Cr Brady and Cr Capel

Item 13 Council Resolutions Report

230/2021 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Unanimous

Item 14 Revotes and High Value Projects Report

231/2021 RESOLVED that the Revote and High Value Projects Report be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 15 Customer Service Charter

232/2021 RESOLVED that Council:

1. Places the draft *Customer Service Charter* on public exhibition for a period of 28 days, with submissions invited from members of the public for 42 days.

2. Considers any submissions received before formal adoption of the *Customer Service Charter*.

MOVED: Councillor Brady

SECONDED: Councillor Capel

For – Unanimous

Item 16 Public Forum Policy

233/2021 RESOLVED that Council adopts the *Public Forum Policy*.

MOVED: Councillor Todd

SECONDED: Councillor Capel

For – Unanimous

Item 17 Delivery Program Progress Report – 31 December 2020

234/2021 RESOLVED that Council endorses the Delivery Program Progress Report for the period 1 October 2020 to 31 December 2020.

MOVED: Councillor Capel

SECONDED: Councillor Brady

For – Unanimous

Item 18 Investments and Term Deposits – month ending 31 December 2020

235/2021 RESOLVED that Council accept the Investments Report for the month ending 31 December 2020 including a total balance of \$21,634,057.11 being:

- \$1,994,340.03 in at call accounts.
- \$19,000,000.00 in term deposits.
- \$639,717.08 cash at bank.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Hill

For – Unanimous

Item 19 Investments and Term Deposits – month ending 31 January 2021

236/2021 RESOLVED that Council accept the Investments Report for the month ending 31 January 2021 including a total balance of \$22,262,534.26 being:

- \$4,861,452.08 in at call accounts.
- \$17,000,000.00 in term deposits.
- \$401,082.18 cash at bank.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Unanimous

6.48pm

Cr Brady left the meeting.

Item 20 Binnaway Sewerage Scheme Project Progress Report

6.49pm

Cr Brady returned to the meeting.

237/2021 RESOLVED that Council:

1. Notes the information contained in the Binnaway Sewerage Scheme Project Progress Report.
2. Finalises the options study and continues to progress phase 2 of this project as outlined in the Funding Deed with DPIE.
3. Receive a further update report on this project once the outcome of Council's request to review the Risk score from 2 to 5 is known.

MOVED: Councillor Todd

SECONDED: Councillor Hill

For – Unanimous

Item 21 Mendooran Water Quality Incident Review Report Implementation – January 2021 Progress Update

238/2021 RESOLVED that Council receives and notes this six-monthly report on the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Unanimous

Item 22 Recreational Use of Timor Dam

239/2021 RESOLVED that Council:

1. Notes the information contained in the Recreational Use of Timor Dam report
2. Does not further consider the use of Timor Dam and grounds for recreational activities.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Cr Doolan (Chair and casting vote), Cr Shinton, Cr Hill and Cr Todd

Against – Cr Iannuzzi, Cr Lewis, Cr Brady and Cr Capel

Item 23 Draft Business Use of Footpath Policy

240/2021 RESOLVED that Council:

1. Notes the information contained in the Draft Business Use of Footpaths Policy report.
2. Adopts the Draft Business Use of Footpaths Policy and associated documents.

3. Rescinds the current Street Stall Policy.
4. Waives the administration and Section 68 fees until 30 June 2022.

MOVED: Councillor Hill **SECONDED:** Councillor Todd

For – Unanimous

**Item 24 Natural Disasters Local Environmental Plan Clause
241/2021 RESOLVED** that Council:

1. Notes the information contained in the Natural Disasters Local Environmental Plan Clause report
2. Formally agrees to have the final natural disaster clause inserted into the Warrumbungle Local Environmental Plan to apply to landuse zones RU1 (Rural Land), R5 (Large Lot Residential) and RU5 (Village) by way of the Amending SEPP, that will be progressed by the Department of Planning.

MOVED: Councillor Capel **SECONDED:** Councillor Todd

For – Unanimous

**Item 25 Economic Development and Tourism Strategy Action Report
242/2021 RESOLVED** that Council adopts the Action Plan from Economic Development and Tourism Strategy as per Attachment 1.

MOVED: Councillor Capel **SECONDED:** Councillor Hill

For – Unanimous

**Item 26 Shop Local Community Gift Cards
243/2021 RESOLVED** that Item 26 Shop Local Community Gift Cards be deferred until the March Council Meeting to allow staff to consult with community groups on managing the program.

MOVED: Councillor Brady **SECONDED:** Councillor Capel

For – Unanimous

**Item 27 Inland Rail Update Report – February 2021
244/2021 RESOLVED** that Council:

1. Notes the information in the Inland Rail Update Report.
2. Endorses the submission lodged on 5 February 2021.

MOVED: Councillor Todd **SECONDED:** Councillor Shinton

For – Unanimous

Item 28 Development Applications

245/2021 RESOLVED that Council notes the Applications and Certificates approved during December 2020 and January 2021, under Delegated Authority.

MOVED: Councillor Brady

SECONDED: Councillor Capel

For – Unanimous

Item 29 Notice of Motion – Funds received from Council House Sale

MOTION

That the funds received from the sale of Warrumbungle Shire Council houses: 4 Irwin Street, Coolah and 84 Martin Street Coolah be placed into a restricted fund to be used for co-funding grant applications for new or replacement of community infrastructure in what was the Coolah shire Council zone of the Warrumbungle Shire.

MOVED: Councillor Capel

SECONDED: Councillor Hill

AMENDMENT

That the funds received from the sale of Warrumbungle Shire Council houses: 4 Irwin Street, Coolah and 84 Martin Street Coolah be placed into a restricted fund to be used for co-funding grant applications for new or replacement community infrastructure.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

The amendment was put and became the MOTION

246/2021 RESOLVED that the funds received from the sale of Warrumbungle Shire Council houses: 4 Irwin Street, Coolah and 84 Martin Street Coolah be placed into a restricted fund to be used for co-funding grant applications for new or replacement community infrastructure.

For – Unanimous

Item 30 Notice of Motion – Trades and Service Register

247/2021 RESOLVED that Council establish a Trades and Service Register for our LGA and that this register be freely available to the public via the Council website.

MOVED: Councillor Lewis

SECONDED: Councillor Brady

For – Unanimous

Item 31 Reports to be Considered in Closed Council

248/2021 RESOLVED that:

1. Item 31.1 Organisational Development Monthly Report – December 2020 – January 2021

That the Organisational Development Monthly Report December 2020 – January 2021 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 31.2 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 31.3 Tenders for Hire of Various Plant Items on a Casual Basis – 2021

That the Tenders for Hire of Various Plant Items on a Casual Basis – 2021 report be referred to Closed Council pursuant to section 10A(2)(c)-(d) 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) business, commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

4. Item 31.4 Support and Maintenance End User Support Agreement

That the Support and Maintenance End User Support Agreement report be referred to Closed Council pursuant to section 10A(2)(d)(i) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

MOVED: Councillor Brady

SECONDED: Councillor Capel

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.

249/2021 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 Todd

SECONDED: Councillor Capel

For – Unanimous

7.43pm
Closed Council

Item 31.1 Organisational Development Monthly Report – December 2020 – January 2021

250/2021 RESOLVED that the Organisation Development Monthly Report for December 2020-January 2021 be noted for information.

MOVED: Councillor Brady

SECONDED: Councillor Hill

For – Unanimous

Item 31.2 Three Rivers Regional Retirement Community Information Report

251/2021 RESOLVED that Council endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.

MOVED: Councillor Hill

SECONDED: Councillor Capel

For – Unanimous

Item 31.3 Tenders for Hire of Various Plant Items on a Casual Basis – 2021

252/2021 RESOLVED that:

1. Tendered rates for casual plant hire for the period 1 March 2021 to 28 February 2022 under the hourly rate schedule be accepted in accordance with Schedule 1.0 (Attachment 1).
2. Council advise contractors that the rates for supply of trucks under the hourly rate and distance schedule will be accepted for the period 1 March 2021 to 28 February 2022 in accordance with Schedule 2.0 (Attachment 2).
3. Council advise contractors that the rates for supply of trucks under the float hourly rate and distance schedule will be accepted for the period 1 March 2021 to 28 February 2022 in accordance with Schedule 3.0 (Attachment 3).
4. Council advise Contractors that the rates for supply of trucks under the quantity and distance schedule for the period 1 March 2021 to 28 February 2022 will be accepted in accordance with Schedule 4.0 (Attachment 4).

MOVED: Councillor Todd

SECONDED: Councillor Lewis

For – Unanimous

Item 31.4 Support and Maintenance End User Support Agreement

253/2021 RESOLVED that Council enters into the Managed services – Support & Maintenance IT End User Support Agreement 1 January 2021 to 1 January 2022 with Tamworth Regional Council for the provision of Information Technology services.

MOVED: Councillor Brady

SECONDED: Councillor Hill

For – Unanimous

254/2021 RESOLVED that Council return to Open Council.

MOVED: Councillor Capel

SECONDED: Councillor Todd

For – Unanimous

**7.53 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 7.56 pm.

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CHAIRPERSON