



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 18 November 2021

commencing at 5:11 pm

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

In attendance: General Manager (Roger Bailey), Acting Director Technical Services (Gary Murphy) and Executive Assistant to the General Manager (Erin Player – Minutes).

Acknowledgement of Country

Cr Brady 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

125/2122 RESOLVED that the apology from Councillor Clancy be accepted and leave of absence be granted.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Shinton

For – Unanimous

Confirmation of Minutes

126/2122 RESOLVED that Council confirm the Minutes of the Ordinary Council meeting held on 21 October 2021.

MOVED: Councillor Todd

SECONDED: Councillor Capel

For – Unanimous

The Mayor called for Disclosure of Interests

Cr Capel declared a pecuniary interest in Item 27 – Development Application (DA) 11/2021 due to the potential feedlot purchasing their property.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Unanimous

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 11 October 2021 to 9 November 2021

127/2122 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 11 October 2021 to 9 November 2021.
2. Notes the report on the Mayor's credit card expenses between 8 October

2021 and 8 November 2021 and approves the payment of expenses totalling \$80.00.

MOVED: Councillor Doolan

SECONDED: Councillor Shinton

For – Unanimous

Item 2 Councillors' Monthly Travel Claims

128/2122 RESOLVED that the Councillors' monthly travel claims report for October 2021 in the amount of \$1,120.70 is noted.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 3 Delegates Report – Minutes of Country Mayors Meetings – 5 November 2021

129/2122 RESOLVED that Council note the Delegate's Report in relation to the Country Mayors Association meetings held at Sydney on Friday 5 November 2021.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Unanimous

PROCEDURAL MOTION

That Council deal with Item 27 Development Application (DA) 11/2021 – at this point of the meeting.

MOVED: Councillor Todd

SECONDED: Councillor Lewis

5.16pm

Cr Capel had previously declared a Pecuniary Interest and left the meeting.

Item 27 Development Application (DA)11/2021

130/2122 RESOLVED that Council:

1. Grant consent subject to conditions, as detailed in Annexure B of the Planning Assessment Report for DA 11/2021 for a 1000 head feedlot at Lot 2 DP 1107124, 1170 Coolah Creek Road, Coolah, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.
2. The submitters be advised in writing of Council's decision to grant consent subject to Conditions.

MOVED: Councillor Lewis

SECONDED: Councillor Shinton

For – Unanimous

5.25pm

Cr Capel returned to the meeting.

Item 4 Minutes of Traffic Advisory Committee Meeting – 28 October 2021

131/2122 RESOLVED that:

1. The Minutes of the Traffic Advisory Committee Meeting held on the 28 October 2021 are noted.
2. No action be taken in restricting heavy vehicles from parking at the eastern end of the CBD in Dalgarno Street, Coonabarabran due to the following reasons:
 - Large volumes of heavy vehicles parking in Dalgarno Street is not a regular occurrence.
 - Heavy vehicles are legally entitled to park in Dalgarno Street to comply with the conditions of fatigue legislation.
 - There is no approved signage to treat the circumstances of heavy vehicles parking in Dalgarno Street
3. The application by Warrumbungle Eventing to close part Reservoir Street, Coonabarabran on Sunday, 10 April 2022 between 9.00am and 3.00pm for the cross-country phase of the One Day Event be approved subject to compliance with Council's Road Closure Guidelines.

MOVED: Councillor Shinton

SECONDED: Councillor Todd

For – Unanimous

Item 5 Delegations for Mayor Post Election

132/2122 RESOLVED that Council:

1. Delegates to Mr Ambrose Doolan the authority to Carry out civic and ceremonial functions of the Mayoral office, between election day on Saturday 4 December 2021 and the holding of the Mayoral election after the Council election.
2. Authorises the use of a Council vehicle whilst Mr Doolan carries out the civic and ceremonial functions.

MOVED: Councillor Lewis

SECONDED: Councillor Shinton

For – Unanimous

Item 6 Council Resolutions Report

133/2122 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Todd

SECONDED: Councillor Hill

For – Unanimous

Item 7 Budget Revotes Report

134/2122 RESOLVED that the Budget Revotes Report be noted for information.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 8 2020/21 Annual Report

135/2122 RESOLVED that Council:

1. Endorses the 2020/21 Annual Report.
2. Makes the Annual Report available to the public on Council's website.
3. Submits the Annual Report to the Minister for Local Government.
4. Authorises the General Manager to make any minor amendments to the Report if necessary.

MOVED: Councillor Todd

SECONDED: Councillor Capel

For – Unanimous

Item 9 End of Term Report

136/2122 RESOLVED that Council:

1. Endorses the End of Term Report 2016-2021.
2. Makes the End of Term Report available to the public on Council's website.
3. Submits the End of Term Report as an attachment to the Annual Report to the Minister for Local Government.
4. Authorises the General Manager to make any minor amendments to the Report if necessary.
5. Includes a list of Councillor attendance at Committee Meetings during their term at Council for future Term Reports.

MOVED: Councillor Shinton

SECONDED: Councillor Lewis

For – Unanimous

Item 10 Delivery Program Progress Report – 30 September 2021

137/2122 RESOLVED that Council endorses the Delivery Program Progress Report for the period 1 July 2021 to 30 September 2021.

MOVED: Councillor Brady

SECONDED: Councillor Todd

For – Unanimous

Item 11 Youth Strategy Update

138/2122 RESOLVED that Council note the report on the Youth Strategy development and other youth related information.

MOVED: Councillor Capel

SECONDED: Councillor Shinton

For – Unanimous

Item 12 Community Development Coordinator Program – Memorandum of Understanding (MOU)

5.54pm

Cr Iannuzzi left the meeting

5.57pm

Cr Iannuzzi returned

139/2122 RESOLVED that Council endorse the Memorandum of Understanding for the Community Development Coordinator Program as a draft and seek comment from the relevant community groups.

MOVED: Councillor Todd

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 13 Draft Investments Policy

140/2122 RESOLVED that Council adopts the Investments Policy.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 14 Draft General Purpose and Special Purpose Financial Statements for the 2020/2021 Financial Year

141/2122 RESOLVED that:

1. In accordance with Section 413(2)(c) of the Local Government Act 1993:
 - a) Council resolves that, in its opinion, the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2021 and the Special Schedules are properly drawn up in accordance with the provisions of the Local Government Act 1993 and the Regulations thereunder.
 - b) Council authorises for the Financial Statements for the year ending 30 June 2021 to be certified and signed by the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer on behalf of Council.
2. The Financial Statements be referred to Council's Auditor for audit.
3. The General Manager be delegated authority to, after Council receives a copy of the Audited Financial Statements and Auditor's report, place the Audited Financial Statements on public exhibition and give notice that Council will present its Audited Financial Statements at an Extra-Ordinary Council Meeting.
4. That Council hold an Extra-Ordinary Council Meeting for the Audited Financial Statements be presented to the Council, in accordance with Section 419(1) of the Local Government Act 1993.

5. Council authorise the General Manager to call an Extra-Ordinary Council Meeting for the Council to receive the Audited Financial Statements for 2020-21.

MOVED: Councillor Capel

SECONDED: Councillor Shinton

For – Unanimous

Item 15 Investments and Term Deposits – month ending 31 October 2021

142/2122 RESOLVED that Council accept the Investments Report for the month ending 31 October 2021 including a total balance of \$19,296,350.82 being:

- \$2,515,665.18 in at call accounts.
- \$16,000,000.00 in term deposits.
- \$780,685.64 cash at bank.

MOVED: Councillor Todd

SECONDED: Councillor Capel

For – Unanimous

Item 16 Update Report on Acquisition of Land for Proposed Rocky Glen RFS Brigade Shed

143/2122 RESOLVED that:

1. Council note the update report on acquisition of land for the proposed Rocky Glen RFS Brigade shed.
2. Council accept the donation of land measuring approximately 30m x 44m from the owner of Lot 20, DP757085 for the purpose of constructing a shed for the Rocky Glen RFS Brigade.
3. Council classify the land to be acquired for the proposed Rocky Glen RFS Brigade Shed as operational land in accordance with s31(2) of the Local Government Act 1993.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

For – Unanimous

Item 17 Update Report on Coonabarabran Mungindi Road Upgrade Project

144/2122 RESOLVED that:

1. Council note the update report on Coonabarabran Mungindi Road Upgrade Project.
2. A report be prepared on the cost of preparing concept designs for a project to upgrade the road between Coonabarabran and Baradine to road train access standard.
3. Council include the development of Gardiner Street / Saleyard Road as the heavy vehicle route from Baradine Road to the Newell Highway.

MOVED: Councillor Todd

SECONDED: Councillor Shinton

For – Unanimous

Item 18 Update Report on Management of Roadside Vegetation

145/2122 RESOLVED that:

1. Council note the update report on the development of a Roadside Vegetation Management Plan.
2. When the opportunity arises, applications are made through NSW Environmental Trust for funding to prepare a Roadside Vegetation Management Plan.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Capel

For – Unanimous

Item 19 Update Report on Classification and Categorisation of Crown Reserves

146/2122 RESOLVED that:

1. Council note the update report on Classification and Categorisation of Crown Reserves.
2. In accordance with Section 3.23 of the Crown Land Management Act 2016, notification be provided to the Minister of Council's categorisation of Crown Reserves shown in Item 1 and 2 of Resolution No 410/1920 of 21 May 2020.

MOVED: Councillor Todd

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 20 Update Report on RFS Shed at Coonabarabran Aerodrome

147/2122 RESOLVED that:

1. Council note the update report in relation to the proposed RFS Shed at Coonabarabran Aerodrome.
2. Upon completion of the LEP review and classification of Council land at the aerodrome as operational land, a Development Application be lodged for construction of a new two (2) bay Fire Brigade shed incorporating offices and equipment storage rooms at the Coonabarabran Aerodrome.

MOVED: Councillor Todd

SECONDED: Councillor Shinton

For – Unanimous

Item 21 Update Report on Road Closure part Castlereagh Avenue Binnaway for the Pump House Camping Ground Binnaway

148/2122 RESOLVED that Council:

1. Note the update report on the Road Closure Part Castlereagh Avenue Binnaway for the Pump House Camping Ground Binnaway.

2. Continues the part road closure of Castlereagh Avenue, Binnaway updating the licence agreement and submitting a Development Application for the Pump House Camp Ground, Binnaway as resolved previously via Resolution 162/1718.

MOVED: Councillor Todd

SECONDED: Councillor Brady

For – Unanimous

Item 22 Update Report on Werribee Road Premer

149/2122 RESOLVED that Council:

1. Apply to the Department of Primary Industries – Lands for consent under section 11 of the Land Acquisition (Just Terms Compensation) Act 1991 to issue a proposed acquisition notice to acquire part of Lot 7304 DP1159006 to establish a roadway, subject to the approval of the Minister for Local Government.
2. Make an application for the compulsory acquisition of part of the land described as Lot 7304 DP1159006 for the purpose of forming an access road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
3. Make an application to the Minister and Governor for approval to acquire the part of the land described as Lot 7304 DP1159006 by compulsory process under section 186 of the Local Government Act 1993.
4. Authorise for the Common Seal of the Warrumbungle Shire Council to be affixed to any documentation required to effect acquisition of the land, if required.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 23 Annual Code of Conduct Complaints Statistics

150/2122 RESOLVED that the Annual Code of Conduct Complaints Statistics Report for the period 1 September 2020 to 31 August 2021 as shown in attachments is noted as information.

MOVED: Councillor Capel

SECONDED: Councillor Brady

For – Unanimous

Item 24 Timor Dam – Dams Safety Upgrade Requirements

151/2122 RESOLVED that Council:

1. Notes the information contained in the Timor Dam – Dams Safety Upgrade Requirements report.
2. Budgets for the required Dams Safety Upgrades in its annual capital budget \$2.08M over the next five financial years as follows:
 - FY 2021/22 - \$375,000 via supplementary vote;
 - FY 2022/23 - \$605,000;
 - FY 2023/24 - \$450,000;

FY 2024/25 - \$300,000;

FY 2025/26 - \$350,000.

3. Includes allocations for the required Dams Safety operations in its annual operational budgets.

MOVED: Councillor Hill

SECONDED: Councillor Shinton

For – Unanimous

Item 25 Dunedoo Town Water Security – Talbragar Alluvial Groundwater Source Supply

152/2122 RESOLVED that Council:

1. Notes the information contained in the report on Dunedoo Town Water Security – Talbragar Alluvial Groundwater Source Supply.
2. Further explores the increase of Dunedoo's Town Water Security by considering a pump test of the old bore, the cost for drilling a new deeper bore, and the potential to connect to existing deeper nearby RMS bores.
3. Advise DPIE each time Council puts water restrictions on in Dunedoo due to drought conditions.

MOVED: Councillor Todd

SECONDED: Councillor Hill

For – Unanimous

Item 26 Barneys Reef Wind Farm Community Consultative Committee

153/2122 RESOLVED that:

1. Council nominates two representatives for the Barneys Reef Wind Farm Community Consultative Committee, with representatives being one (1) Councillor and Council's Director Environment and Development Services.
2. Nomination for a Councillor to be held over until post the 2021 Council election.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Unanimous

Item 27 Development Application (DA)11/2021

This item was dealt with earlier in the meeting.

Item 28 Development Applications

154/2122 RESOLVED that Council notes the Applications and Certificates approved during October 2021, under Delegated Authority.

MOVED: Councillor Brady

SECONDED: Councillor Capel

For – Unanimous

Item 29 Notice of Motion – Binnaway Pool

155/2122 RESOLVED that Council approves a 30% refund of all 2021-2022 pool season ticket holders whose principle pool of use is the Binnaway Pool and that Council approves 2 weeks of free pool entry for all Binnaway residents in the 2021-2022 swimming pool season.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Brady

For – Unanimous

Item 30 Reports to be Considered in Closed Council

156/2122 RESOLVED that:

1. Item 30.1 Organisational Development Monthly Report

That the Organisational Development 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 30.2 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 30.3 Sustainability of Child Care Services

That the Sustainability of Child Care Services be referred to Closed Council pursuant to section 10A(2)(a) and (d) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with personnel matters concerning particular individuals (other than councillors) and commercial information of a confidential nature that would, if disclose; 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.

MOVED: Councillor Todd

SECONDED: Councillor Iannuzzi

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.

157/2122 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

6.36 pm
Closed Council

Item 30.1 Organisational Development Monthly Report – October 2021

158/2122 RESOLVED that the Organisation Development Monthly Report for November 2021 be noted for information.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Capel

For – Unanimous

Item 30.2 Three Rivers Regional Retirement Community Information Report

159/2122 RESOLVED that Council note the advice and endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Unanimous

Item 30.3 Sustainability of Child Care Services

160/2122 RESOLVED that Council consult with staff and the community on relevant actions proposed in the sustainability and child care reports.

MOVED: Councillor Hill

SECONDED: Councillor Iannuzzi

For – Unanimous

161/2122 RESOLVED that Council return to Open Council.

MOVED: Councillor Brady

SECONDED: Councillor Capel

For – Unanimous

6.43 pm
Open Council

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

The Mayor thanked Cr Clancy for his long service and contribution with Council over the years and extended his best wishes.

The Mayor presented Cr Hill and Cr Capel with flowers and thanked them for all their hard work and contribution over the years for Council.

There being no further business the meeting closed at 6.49 pm.

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CHAIRPERSON