



Minutes

Ordinary Council Meeting

held in the Council Chambers

Binnia Street, Coolah

on Thursday, 20 July 2023

commencing at 5:00 pm

PRESENT: Cr A Doolan (Chairperson), Cr D Hogden, Cr Z Holcombe, Cr A Iannuzzi, Cr C Kopke, Cr J Newton, Cr K Rindfleish and Cr D Todd

In attendance: General Manager (Roger Bailey), Director Corporate and Community Services (Lindsay Mason), Director Environment and Development Services (Leeanne Ryan), Acting Director Technical Services (Nicole Benson), and Executive Assistant to the General Manager (Erin Player – Minutes).

Acknowledgement of Country

The Mayor acknowledged 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 Chairperson announced that the meeting was being streamed live plus audio recorded, and that the audio recording will be published.

APOLOGIES

1/2324 RESOLVED that the apology from Councillor Brady be accepted and a leave of absence be granted.

MOVED: Councillor Holcombe

SECONDED: Councillor Kopke

For – Unanimous

Confirmation of Minutes

2/2324 RESOLVED that Council confirm the Minutes of the Ordinary Council meeting held on 15 June 2023.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

The Chairperson called for Disclosure of Interests

Cr Rindfleish declared a less than significant conflict of interest in Item 23 Liquid Trade Waste Policy due to having a business located in the main street.

Cr Rindfleish declared a less than significant conflict of interest in Item 27 Business Use of Footpaths Policy due to having a business located in the main street.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 7 June 2023 to 8 July 2023

2/2324 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 7 June 2023 to 8 July 2023.
2. Notes the report on the Mayor's credit card expenses between 13 June 2023 and 16 June 2023 and approves the payment of expenses totalling \$287.08.

MOVED: Councillor Doolan

SECONDED: Councillor Holcombe

For – Unanimous

Item 2 Councillors' Monthly Travel Claims

3/2324 RESOLVED that the Councillors' monthly travel claims report in the amount of \$826.02 be noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 3 Delegate's Report – Castlereagh Macquarie County Council Meeting 26 June 2023

4/2324 RESOLVED that Council notes the Delegate's Report on the Castlereagh Macquarie County Council meeting held on 26 June 2023.

MOVED: Councillor Holcombe

SECONDED: Councillor Todd

For – Unanimous

Item 4 Warrumbungle Local Emergency Management Committee Meeting – 15 May 2023

5/2324 RESOLVED that the minutes of the Warrumbungle Local Emergency Management Committee meeting held on the 15 May 2023 are noted for information.

MOVED: Councillor Newton

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 5 Traffic Advisory Committee Meeting – 25 May 2023

6/2324 RESOLVED that:

1. The minutes of the Traffic Advisory Committee Meeting held on the 25 May 2023 are noted for information.
2. Approval be granted to the Coonabarabran Pony Club for part closure of John Street, Coonabarabran between Edwards Street and Dalgarno Street on Friday, 29 September 2023 from 3.00pm to 3.30pm subject to compliance with and receipt of:

- Traffic Management Plan
- Traffic Guidance Scheme
- Council's Road Closure Guidelines
- TfNSW Road Occupancy Licence
- TfNSW Special Events Guide
- Current Public Liability Insurance.

MOVED: Councillor Kopke

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 6 Robertson Oval Advisory Committee Meeting – 5 June 2023

7/2324 RESOLVED that:

1. Council notes the minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 5 June 2023.
2. Council writes to the members of the Robertson Oval Advisory Committee and thank them for their contribution to the improvements at Robertson Oval Dunedoo.
3. The Robinson Oval Advisory Committee be dissolved.

MOVED: Councillor Hogden

SECONDED: Councillor Holcombe

For – Unanimous

Item 7 Minutes of Economic Development and Tourism Meeting

8/2324 RESOLVED that Council notes the minutes of the Economic Development and Tourism Committee meeting held on 19 June 2023.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 8 Disclosure of Interests under clause 4.21 of the *Model Code of Conduct for Local Councils in NSW*

9/2324 RESOLVED that Council:

1. Note the report on Disclosure of Interests under clause 4.21 of the *Model Code of Conduct for Local Councils in NSW* for the period to 30 June 2023.
2. Identify the following positions as designated staff:
 - Director Development Services
 - Director Technical Services
 - Director Corporate and Community Services
 - Manager Projects
 - Manager Roads
 - Manager Planning and Regulation
 - Building Certifier
 - Town Planner

3. Note the relevant forms have been issued to all councillors and designated staff.
4. Note that the Returns are to be provided to the General Manager by no later than 30 September 2023.

MOVED: Councillor Kopke

SECONDED: Councillor Rindfleish

For – Unanimous

Item 9 Citizenship Ceremony Dress Code Policy

10/2324 RESOLVED that Council:

1. Adopt the Citizenship Ceremony Dress Code Policy, and
2. Provides a copy of the Code to the Australian Government Department of Home Affairs.

MOVED: Councillor Newton

SECONDED: Councillor Holcombe

For – Unanimous

Item 10 2023 Local Government NSW Annual Conference

11/2324 RESOLVED that Council:

1. Notes the report on the LGNSW Annual Conference to be held at the Rosehill Gardens Racecourse in Sydney from 12 November 2023 to Tuesday 14 November 2023.
2. Calls for draft motions from councillors for the conference.
3. Considers motions and councillor attendees at the August 2023 Council meeting.

MOVED: Councillor Rindfleish

SECONDED: Councillor Kopke

For – Unanimous

Item 11 Council Resolutions Report

12/2324 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Newton

For – Unanimous

Item 12 Revotes and High Value Projects Report

13/2324 RESOLVED that the Revote and High Value Projects Report be noted for information.

MOVED: Councillor Newton

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 13 Disability Inclusion Action Plan (DIAP) 2022-2026

14/2324 RESOLVED that Council endorses the Disability Inclusion Action Plan 2022-2026 and that the DIAP be placed on public exhibition for a period of 28 days for community comment.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 14 Council Facilities Waiver of Council Fees and Charges Policy

15/2324 RESOLVED that:

1. Council endorses the draft Council Facilities Waiver of Council Fees and Charges Policy for the purpose of public exhibition for a minimum of 28 days, with submissions invited for a minimum of 42 days with the amendment that schools, progress associations and development groups being permitted to pay a single annual bond for use at any/all Council facilities; and
2. A further report be presented to Council on the draft policy for fee waivers after the public exhibition period is completed.

MOVED: Councillor Doolan

SECONDED: Councillor Iannuzzi

For – Unanimous

Item 15 Investments and Term Deposits – month ending 30 June 2023

16/2324 RESOLVED that Council accept the Investments Report for the month ending 30 June 2023 including a total balance of \$41,007,465.64 being:

- \$190,840.62 in at call accounts.
- \$40,000,000.00 in term deposits.
- \$816,625.02 cash at bank.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 16 Natural Disaster Response and Recovery Monthly Report for July 2023

17/2324 RESOLVED that Council note the Natural Disaster Response and Recovery Monthly Report for July 2023.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 17 Local Roads and Community Infrastructure Program – Phase 4
18/2324 RESOLVED that Council:

1. Notes the information contained within the Local Roads and Community Infrastructure Program – Phase 4 report.
2. Holds a Councillor workshop on the Local Roads and Community Infrastructure Program – Phase 4.
3. Authorise the Mayor to make the final determination on projects based upon feedback from the Councillor Workshop in 2 above.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 18 Review of the 2022/23 Pool Operations
19/2324 RESOLVED that Council:

1. Notes the information contained within the Review of the 2022/23 Pool Operations Report.
2. Is provided with a further report for low cost or free entry for the 2023/24 pool season.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 19 Castlereagh Country – Regional Drought Resilience Plan Project
20/2324 RESOLVED that the successful grant application under the Regional Drought Resilience Planning Program to deliver Castlereagh Country – Regional Drought Resilience Plan Project in collaboration with Gilgandra Shire Council be noted.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Holcombe

For – Unanimous

Item 20 Planning Fee Increases for 2023/24FY
21/2324 RESOLVED that Council notes the information contained in the Planning Fee Increases for 2023/24 FY Report.

MOVED: Councillor Holcombe

SECONDED: Councillor Rindfleish

For – Unanimous

Item 21 Companion Animals Fees and Charges FY2023/2024
22/2324 RESOLVED that Council notes the information contained in the Companion Animals Fees and Charges FY2023/2024 Report.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 22 Charitable Collection of Funds in Warrumbungle Shire Offices Policy

23/2324 RESOLVED that:

1. Council endorses the Draft *Charitable Collection of Funds in Warrumbungle Shire Offices Policy* for the purposes of public exhibition for a minimum of 28 days.
2. A further report be presented to Council on the Draft *Charitable Collection of Funds in Warrumbungle Shire Offices Policy* after the public exhibition period is completed.

MOVED: Councillor Kopke

SECONDED: Councillor Rindfleish

For – Unanimous

Item 23 Liquid Trade Waste Policy

24/2324 RESOLVED that:

1. Council endorses the Draft *Liquid Trade Waste Policy* and accompanying documents for the purposes of public exhibition for a minimum of 28 days.
2. A further report be presented to Council on the Draft *Liquid Trade Waste Policy* after the public exhibition period is completed.

MOVED: Councillor Kopke

SECONDED: Councillor Holcombe

For – Unanimous

Item 24 Drinking Water Quality Policy Report

25/2324 RESOLVED that Council adopts the Drinking Water Quality Policy.

MOVED: Councillor Hogden

SECONDED: Councillor Rindfleish

For – Unanimous

Item 25 Contaminated Land Policy

26/2324 RESOLVED that Council adopts the *Contaminated Land Policy*.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 26 Compliance and Enforcement Policy

27/2324 RESOLVED that Council adopts the Compliance and Enforcement Policy.

MOVED: Councillor Holcombe

SECONDED: Councillor Kopke

For – Unanimous

Item 27 Business Use of Footpaths Policy

28/2324 RESOLVED that Council adopts the *Business Use of Footpaths Policy*.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 28 Inland Rail Update Report

29/2324 RESOLVED that Council notes the information in the Inland Rail Update Report.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 29 Central-West Orana Renewable Energy Zone Report – July 2023

30/2324 RESOLVED that Council notes the Central-West Orana Renewable Energy Zone Report – July 2023.

MOVED: Councillor Rindfleish

SECONDED: Councillor Kopke

For – Unanimous

Item 30 Development Applications

31/2324 RESOLVED that Council notes the Applications and Certificates approved during June 2023, under Delegated Authority.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 31 Reports to be Considered in Closed Council

32/2324 RESOLVED that:

1. Item 31.1 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 31.2 Regional Tender for Provision of Bitumen Spray Seal

That the Regional Tender for Provision of Bitumen Spray Seal 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).

3. Item 31.3 Tender for Tennis Court Upgrades at Binnaway and Mendooran

That the Tender for Tennis Court Upgrades at Binnaway and Mendooran 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 31.4 Land Owned by Council in Reservoir Street, Coonabarabran

That the Collaboration Deed for Land Owned by Council in Reservoir Street Coonabarabran 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 Newton

SECONDED: Councillor Kopke

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.

33/2324 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 Kopke

SECONDED: Councillor Newton

For – Unanimous

6.11 pm
Closed Council

Item 31.1 Human Resources Monthly Report

34/2324 RESOLVED that the Human Resources Monthly Report be noted for information.

MOVED: Councillor Hogden

SECONDED: Councillor Kopke

For – Unanimous

Item 31.2 Regional Tender for Provision of Bitumen Spray Seal

35/2324 RESOLVED that:

1. The following suppliers be included on a panel for the 'Provision of Bitumen Spray Seal' for the period 1 July 2023 to 30 June 2025.
 - All Pavement Solutions Pty Ltd
 - Austek Asphalt Services Pty Ltd
 - Bitupave Limited t/a Boral Asphalt
 - Roadwork Industries Pty Ltd
 - Colas NSW Pty Ltd
 - Country Wide Asphalt Pty Ltd
 - Fenworx Pty Ltd t/a Newpave Asphalt
 - Fulton Hogan Industries Pty Ltd
 - NSW Spray Seal Pty Ltd
 - Stabilised Pavements of Australia Pty Ltd
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2026.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 31.3 Tender for Tennis Court Upgrades at Binnaway and Mendooran

36/2324 RESOLVED that Council:

1. Not accept tenders received for Tennis Court Upgrades at Binnaway and Mendooran.
2. Authorise the General Manager in accordance with Clause 178(3)(e) of the Local Government (General) Regulation to enter into negotiations with any contractor for Tennis Court Upgrades at Binnaway and Mendooran.
3. Should negotiations be successful then Council authorise the General Manager to accept the tender.
4. The General Manager report to Council on the tender negotiations.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 31.4 Land Owned by Council in Reservoir Street Coonabarabran

37/2324 RESOLVED that Council

1. Enters into a Collaboration Deed with Landcom for property 9367-9367A Newell Highway, Coonabarabran to investigate the development of Council owned land in Reservoir Street, Coonabarabran (Lots 1 & 2, DP874880).
2. Authorise the General Manager to execute the Collaboration Deed in accordance with S377 of the Local Government Act 1993.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

38/2324 RESOLVED that Council return to Open Council.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Newton

For – Unanimous

6.22 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 6.25 pm.

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CHAIRPERSON