



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 14 December 2023

commencing at 5:00 pm

PRESENT: Cr A Doolan (Chairperson), Cr K Brady (video link), Cr D Hogden, Cr Z Holcombe, Cr A Iannuzzi, Cr J Newton, Cr K Rindfleish, Cr D Todd and Cr C Kopke (5.05pm).

In attendance: General Manager (Roger Bailey), Director Technical Services (Nicole Benson), Thomas Cleary (Manager Warrumbungle Water), Kelly Dewar (Manager Planning and Regulations), Executive Assistant General Manager (Erin Player – Minutes), and Personal Assistant Director Corporate and Community Services (Amanda Wherrett – Minutes).

Acknowledgement of Country

Cr Doolan 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

Nil

Confirmation of Minutes

161/2324 RESOLVED that Council confirm the Minutes of the Ordinary Council meeting held on 16 November 2023.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

The Chairperson called for Disclosure of Interests

Cr Newton declared a pecuniary interest in Item 23 Development Approvals, and will leave the meeting when this item is discussed.

MOVED: Councillor Rindfleish

SECONDED: Councillor Holcombe

For – Unanimous

PROCEDURAL MOTION

That Council deal with Item 21 Real Country Tourism Experience Strategy and Infrastructure Business Case at this point of the meeting.

MOVED: Councillor Newton

SECONDED: Councillor Holcombe

For – Unanimous

Item 21 Real Country Tourism Experience Strategy and Infrastructure Business Case 162/2324 RESOLVED that Council:

1. That the Real Country Tourism Experience Strategy and Infrastructure Business Case be endorsed for public exhibition;
2. That public exhibition of the documents is undertaken in accordance with the Exhibition Engagement Plan including;
 - a. Real Country Destination Strategic Plan
 - b. Real Country Engagement Report - Summary
 - c. Real Country Business Case
3. That public exhibition commences 20 December 2023 and conclude 9 February 2023.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Newton

For – Unanimous

Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 7 November 2023 to 5 December 2023

163/2324 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 7 November 2023 to 5 December 2023.
2. Notes the report on the Mayor's credit card expenses between 9 November 2023 and 7 December 2023 and approves the payment of expenses totalling \$236.89.

MOVED: Councillor Doolan

SECONDED: Councillor Hogden

For – Unanimous

Item 2 Councillors' Monthly Travel Claims

164/2324 RESOLVED that the Councillors' monthly travel claims report in the amount of \$1,143.89 be noted for information.

MOVED: Councillor Todd

SECONDED: Councillor Hogden

For – Unanimous

Item 3 Delegates Report – Country Mayors Meetings 24 November 2023

165/2324 RESOLVED that Council notes the Delegate's Report in relation to Country Mayors Association meetings held in Sydney on Friday 24 November 2023.

MOVED: Councillor Doolan

SECONDED: Councillor Kopke

For – Unanimous

Item 4 Delegate's Report – Newell Highway Taskforce Meeting 28 November 2023

166/2324 RESOLVED that Council notes the Delegate's Report on the Newell Highway Taskforce Meeting held Tuesday 28 November 2023 at Parliament House, Canberra.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 5 Minutes of Audit, Risk and Improvement Committee Meeting – 9 November 2023

167/2324 RESOLVED that Council notes the minutes of the Audit, Risk and Improvement Committee meeting held at Coonabarabran on 9 November 2023.

MOVED: Councillor Rindfleish

SECONDED: Councillor Kopke

For – Unanimous

Item 6 Warrumbungle Local Emergency Management Committee Meeting – 20 November 2023

168/2324 RESOLVED that the minutes of the Warrumbungle Local Emergency Management Committee meeting held on the 20 November 2023 are noted for information.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Kopke

For – Unanimous

Item 7 Council Resolutions Report

169/2324 RESOLVED that the Council Resolution Report be noted for information.

MOVED: Councillor Newton

SECONDED: Councillor Hogden

For – Unanimous

Item 8 Revotes and High Value Projects Report

170/2324 RESOLVED that the Revote and High Value Projects Report be noted for information.

MOVED: Councillor Kopke

SECONDED: Councillor Todd

For – Unanimous

Item 9 Public Forum Policy

171/2324 RESOLVED that Council:

1. Endorses the draft Public Forum Policy.
2. Places the draft Public Forum Policy on exhibition for a period of at least 28 days and invites public submissions for a period of at least 42 days.

3. Receives a further report on the Public Forum Policy after the close of public submissions.

MOVED: Councillor Hogden

SECONDED: Councillor Rindfleish

For – Unanimous

Item 10 Procurement Policy (Including Local Support)

172/2324 RESOLVED that Council:

1. Adopts the draft Procurement Policy (Including Local Support Policy).
2. Places the draft Procurement Policy (Including Local Support Policy) on exhibition for a period of at least 28 days and invites public submissions for a period of at least 42 days.
3. Receives a further report on the Procurement Policy (Including Local Support Policy) after the close of public submissions.

MOVED: Councillor Rindfleish

SECONDED: Councillor Holcombe

For – Unanimous

Item 11 Internally Restricted Assets Policy

173/2324 RESOLVED that Council:

1. Adopts the draft Internally Restricted Assets Policy
2. Places the draft Internally Restricted Assets Policy on exhibition for a period of at least 28 days and invites public submissions for a period of at least 42 days
3. Council receives a further report on the Draft Internally Restricted Assets Policy after the close of public submissions.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 12 Annual Code of Conduct Complaints Statistics Report for the Period 1 September 2022 to 31 August 2023

174/2324 RESOLVED that Council notes the annual Code of Conduct Complaints Statistics Report for the period 1 September 2022 to 31 August 2023.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 13 Identification of Savings to offset waiving of pool entry fees

5.29pm

Cr Iannuzzi left the meeting.

175/2324 RESOLVED that Council notes the income deficit from the free pool entry trial.

MOVED: Councillor Hogden **SECONDED:** Councillor Holcombe

For – Unanimous

5.31pm

Cr Iannuzzi returned to the meeting.

Item 14 Investments and Term Deposits – month ending 30 November 2023

176/2324 RESOLVED that Council accept the Investments Report for the month ending 30 November 2023 including a total balance of \$48,056,289.22 being:

- \$3,107,777.42 in at call accounts.
- \$44,300,000.00 in term deposits.
- \$648,511.80 cash at bank.

MOVED: Councillor Newton **SECONDED:** Councillor Kopke

For – Unanimous

Item 15 Natural Disaster Response and Recovery Monthly Report

177/2324 RESOLVED that Council notes the Natural Disaster Response and Recovery Monthly Report for December 2023.

MOVED: Councillor Newton **SECONDED:** Councillor Hogden

For – Unanimous

Item 16 Update on Road Closure Cassilis Street Extension in Coonabarabran

178/2324 RESOLVED that Council:

1. Note the information in the update report on road closure Cassilis Street extension in Coonabarabran.
2. Notes that no submissions were received when the proposed road closure was advertised.
3. Upon vesting in Council, the land comprising the old public road is classified as operational land.
4. Sell the land comprising former public road to the adjoining landowner and delegate authority to the General Manager to negotiate and execute any document associated with the transfer.

MOVED: Councillor Kopke **SECONDED:** Councillor Newton

For – Unanimous

Item 17 Update on Tender Negotiations for Design and Construction of Modular Amenities at Dunedoo War Memorial Swimming Pool

179/2324 RESOLVED that Council:

1. Notes the outcome of the tender negotiations for the Design and Construction of Modular Amenities at Dunedoo War Memorial Swimming Pool.
2. Removes the Coolah Pool project and utilise the funding of \$45,330 to assist with the Dunedoo Pool Amenities project.
3. Considers the Coolah Pool project in next year's budget.

MOVED: Councillor Holcombe

SECONDED: Councillor Hogden

For – Unanimous

Item 18 Update Report on Road Closure Part Castlereagh Avenue Binnaway for the Pump House Camping Ground

180/2324 RESOLVED that Council:

1. Notes the update report on the Road Closure Part Castlereagh Avenue Binnaway for the Pump House Camping Ground.
2. Continues the part road closure of Part Castlereagh Avenue Binnaway, updating the licence agreement and submitting a Development Application for the Pump House Camping Ground.

MOVED: Councillor Todd

SECONDED: Councillor Kopke

For – Unanimous

Item 19 Drinking Water Management System Improvement Plan Implementation – December 2023 Update Report

181/2324 RESOLVED that Council notes the Drinking Water Management System Improvement Plan Implementation – November 2023 Update Report.

MOVED: Councillor Kopke

SECONDED: Councillor Todd

For – Unanimous

Item 20 Mendooran Water Quality Incident Review Report Implementation – December 2023 Progress Update

182/2324 RESOLVED that Council:

1. Notes the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.
2. Adjusts the reporting frequency of this report to annually.

MOVED: Councillor Hogden

SECONDED: Councillor Kopke

For – Unanimous

Item 21 Real Country Tourism Experience Strategy and Infrastructure Business Case

Item was dealt with earlier in the meeting.

Item 22 Central-West Orana Renewable Energy Zone Report – December 2023

183/2324 RESOLVED that Council notes the Central-West Orana Renewable Energy Zone Report – December 2023 Council

MOVED: Councillor Hogden

SECONDED: Councillor Rindfleish

For – Unanimous

5.40pm

Cr Newton left the meeting due to having declared an interest in the following item.

Item 23 Development Approvals

184/2324 RESOLVED that Council notes the Applications and Certificates approved during November, under Delegated Authority.

MOVED: Councillor Holcombe

SECONDED: Councillor Hogden

For – Unanimous

5.41pm

Cr Newton returned to the meeting

Item 24 Reports to be Considered in Closed Council

185/2324 RESOLVED that:

1. Item 24.1 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 24.2 Sale of Land for Unpaid Rates

That the Sale of Land for Unpaid Rates Report be referred to Closed Council pursuant to section 10A(2)(b) of the *Local Government Act 1993* (NSW) on the grounds that the matter deals with the personal hardship of any resident or ratepayer.

3. Item 24.3 Regional Tender for the Supply of Design and Surveying Services

That the Regional Tender for the Supply of Design and Surveying Services Report be referred to Closed Council pursuant to section 10A(2)(d) 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, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

4. Item 24.4 Supply of Skip Bin Services Contract

That the Supply of Skip Bin Services Contract Report be referred to Closed Council pursuant to section 10A(2)(d) 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, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

5. Item 24.5 Sullivan Street, Dunedoo

That the Sullivan Street, Dunedoo Report be referred to Closed Council pursuant to section 10A(2)(d) 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, or confer a commercial advantage on a competitor of the council, or reveal a trade secret.

6. Item 24.6 Mayoral Minute – General Manager Contract Renewal

That the Mayoral Minute – General Managers Contract Renewal 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 Hogden

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.

186/2324 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 Holcombe

SECONDED: Councillor Kopke

For – Unanimous

5.41 pm
Closed Council

PROCEDURAL MOTION

That Council deal with Item 24.5 Sullivan Street Dunedoo at this point of the meeting.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

Item 24.5 Sullivan Street, Dunedoo

187/2324 RESOLVED that Council suspend standing orders to hear from the proponent (5.44pm).

MOVED: Councillor Iannuzzi

SECONDED: Councillor Hogden

For – Unanimous

Standing orders were resumed at 6.03pm

188/2324 RESOLVED that Council not accept the proposal in relation to the Sullivan Street, Dunedoo site.

MOVED: Councillor Iannuzzi

SECONDED: Councillor Hogden

For – Unanimous

PROCEDURAL MOTION

That Council deal with Item 24.4 Supply of Skip Bin Services Contract at this point of the meeting.

MOVED: Councillor Todd

SECONDED: Councillor Hogden

For – Unanimous

Item 24.4 Supply of Skip Bin Services Contract

189/2324 RESOLVED that Council:

1. Notes the information contained in the Supply of Skip Bin Services Contract Report.
2. Extends the Supply of Skip Bin Services Contract with Coona Waste Disposal/ Warrumbungle Plant Hire Pty Ltd for a further twelve (12) month period to 7 May 2025 as per the varied arrangements under the Contract.

MOVED: Councillor Newton

SECONDED: Councillor Todd

For – Unanimous

Item 24.1 Human Resources Monthly Report

190/2324 RESOLVED that Council notes the information contained in the Human Resources Monthly Report.

MOVED: Councillor Rindfleish

SECONDED: Councillor Hogden

For – Unanimous

Item 24.2 Sale of Land for Unpaid Rates

191/2324 RESOLVED that:

1. Council make reasonable attempts to speak with rate payers subject to the proposed sale of land.
2. Council apply to the Valuer – General for a valuation to be conducted on vacant land listed in the schedule;
3. A licensed Auctioneer be contracted to conduct the auction sale and the lots unsold at the auction be thereafter listed for sale;
4. Council authorise the General Manager to execute Contracts and Transfer Documents under its Common Seal;
5. Only arrangements under section 715 (2) (b) that will be acceptable prior to auction is the full payment of all rates and charges including interest, due on the land.

MOVED: Councillor Todd

SECONDED: Councillor Newton

For – Unanimous

Item 24.3 Regional Tender for the Supply of Design and Surveying Services

192/2324 RESOLVED that:

1. The following suppliers be included on a panel for ‘Supply of Design Services’ for the period 1 January 2024 to 31 December 2025.
 - a. Barker Ryan Stewart Pty Ltd
 - b. Barnson Pty Ltd
 - c. Bridge Knowledge Pty Ltd
 - d. Constructive Solutions Pty Ltd
 - e. GHD Pty Ltd
 - f. Hails Family Trust t/a RHM Consulting Engineers
 - g. Premise Australia Pty Ltd
 - h. Valley Civilab Pty Ltd t/a Epicentre Consulting Engineers
2. The following suppliers be included on a panel for ‘Supply of Surveying Services’ for the period 1 January 2024 to 31 December 2025.
 - a. Barker Ryan Stewart Pty Ltd
 - b. Barnson Pty Ltd
 - c. Linke and Linke Surveys, Geo AI
 - d. MinStaff Survey Ptd Ltd
 - e. Western Survey Pty Ltd

3. A provision be allowed for a 12-month extension of 'Supply of Design Services' based on satisfactory supplier performance, which may take each contract through to 31 December 2026.
4. A provision be allowed for a 12-month extension of 'Supply of Surveying Services' based on satisfactory supplier performance, which may take each contract through to 31 December 2026.

MOVED: Councillor Kopke

SECONDED: Councillor Newton

For – Unanimous

Item 24.4 Supply of Skip Bin Services Contract

Item was dealt with earlier in the meeting.

Item 24.5 Sullivan Street, Dunedoo

Item was dealt with earlier in the meeting.

193/2324 RESOLVED that all staff vacate the chambers for consideration of item 24.6 Mayoral Minute – General Manager Contract Renewal.

MOVED: Councillor Newton

SECONDED: Councillor Todd

6.33pm

All staff left the chambers.

Item 24.6 Mayoral Minute – General Manager Contract Renewal

194/2324 RESOLVED that Council notes the information contained in the Mayoral Minute – General Manager Contract Renewal.

MOVED: Councillor Newton

SECONDED: Councillor Rindfleish

For – Unanimous

6.54pm

The General Manager and minute taker returned to the Chambers.

195/2324 RESOLVED that Council return to Open Council.

MOVED: Councillor Newton

SECONDED: Councillor Kopke

For – Unanimous

6.57pm

Open Council

Meeting date: 14 December 2023

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

There being no further business the meeting closed at 6.59pm.

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CHAIRPERSON