

WARRUMBUNGLE SHIRE COUNCIL

**MINUTES OF THE ORDINARY MEETING OF THE WARRUMBUNGLE SHIRE COUNCIL HELD
AT THE COUNCIL CHAMBERS, COONABARABRAN ON THURSDAY, 17 MAY 2018
COMMENCING AT 8.30 AM**

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

In attendance: General Manager (Roger Bailey), Acting Director Corporate and
Community Services (Louise Johnson), Acting Director Technical
Services (Russell Lloyd), Director Development Services
(Leeanne Ryan) and Personal Assistant to Director Technical Services –
Tracy Cain (minutes).

8.30 am

Forum

Ms Donna Burton of Coonabarabran & District Chamber of Commerce addressed
Council regarding the business community's concerns in relation to water management.

8.35 am

Councillor Doolan left the room.

8.36 am

Councillor Doolan re-joined the meeting.

8.44 am

Mr Quinton Hutchinson addressed Council regarding the proposed change to start times
for monthly Council meetings. A signed petition objecting to the proposal was presented
and tabled.

APOLOGIES:

395/1718 RESOLVED that the apologies of Councillor Clancy and Councillor Iannuzzi be
accepted and leave of absence granted.

Doolan/Todd

The motion was put and carried by majority

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

Councillor Todd declared a non-pecuniary less than significant interest in Item 26.2 –
Todds Crossing Bridge Project – Tenders due to his property being located near the site.

Hill/Capel

The motion was put and carried by majority

REPORTS

**Item 1 Mayoral Minute – Mayors Activity and Log of Kilometres Travelled from
11 April 2018 to 8 May 2018**

396/1718 RESOLVED that the Mayoral Minute for period 11 April 2018 to 8 May 2018 be
noted.

Capel/Hill

The motion was put and carried by majority

Item 2 Minutes of Ordinary Council Meeting – 19 April 2018

397/1718 RESOLVED that the resolutions contained in the Minutes of the Ordinary
Council meeting held on 19 April 2018 be endorsed.

Todd/Capel

The motion was put and carried by majority

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Business Arising

398/1718 RESOLVED that Mr Ted Hayman be endorsed as a representative on the Australian Rail Track Corporation (ARTC) Community Consultative Committee.

Todd/Capel

The motion was put and carried by majority

Item 3 Minutes of Traffic Advisory Committee Meeting – 26 April 2018

399/1718 RESOLVED:

1. That Council accept the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 26 April 2018.
2. That approval be granted to Gulgong Heritage Harness Association for the 2018 Henry Lawson Heritage Drive to be held on 2-9 June 2018 subject to approval from RMS.
3. That in principle support be granted to Binnaway Lions Club to conduct the Doganabuganaram Ride on 22 September 2018 subject to preparation of an updated Traffic Control Plan providing signage on pilot vehicles.
4. That approval be granted to the Sundowner Cycling & Triathlon Club to conduct the 2018 Sundowner Cycle Race from Coonabarabran to Gunnedah on 16 June 2018.
5. That the untimed 'No Stopping' sign located at the children's crossing in Yarran Street, Binnaway be removed and a 10 minute parking sign be installed in front of the Binnaway Central School in accordance with the sign plan presented to the Committee.
6. That previous consideration of 'Give Way' signage on Gundare Road, Coolah be noted and that no further action be taken.
7. That an assessment be undertaken on the grade of the hill at Black Stump Way, Coolah to determine compliance with warrant for steep descent signs.
8. That W5-25 turning traffic warning signs be installed on Black Stump Way, Coolah and that the site be monitored for the requirement of double lines.

Capel/Hill

The motion was put and carried by majority

Item 4 Minutes of Community Consultation Meetings – March 2018

400/1718 RESOLVED that Council note the Minutes of the Community Consultation Meetings held in March 2018 for information.

Hill/Doolan

The motion was put and carried by majority

Item 5 Minutes of TRRRC 355 Advisory Committee Meeting – 4 April 2018

401/1718 RESOLVED that Council accept the minutes of the Three Rivers Regional Retirement Community S355 Committee meeting held at Dunedoo on 4 April 2018

Hill/Capel

The motion was put and carried by majority

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Item 6 Minutes of TRRRC 355 Advisory Committee Meeting – 2 May 2018

402/1718 RESOLVED:

1. That Council accept the minutes of the Three Rivers Regional Retirement Community S355 Committee meeting held at Dunedoo on 2 May 2018.
2. That the Three Rivers Regional Retirement Community is marketed and operated as a Retirement Village as per the grant application, using the financial modelling in the table below.

Buy In Option	Buy In	Deferred Management Fee Schedule (by year)					Market Value adopted from valuation (\$)			Recurring fee
							2 Bedroom	2.5 Bedroom	3 Bedroom	
		1	2	3	4	Total	210,000	220,000	260,000	
1	100%	12.5%	5.0%	2.5%	2.5%	22.5%	210,000	220,000	260,000	25% of Centrelink aged pension with supplements
2	75%	17.0%	5.0%	2.5%	2.5%	27.0%	157,500	165,000		30% of Centrelink aged pension with supplements
3	50%	20.0%	5.0%	2.5%	2.5%	30.0%	105,000	110,000		35% of Centrelink aged pension with supplements
*4	25%	15.0%	5.0%	5.0%	0.0%	25.0%	52,500			50% of Centrelink aged pension with supplements
[^] Exit fee	(exit fee charged on departure of all units)						\$3,000	\$3,000	\$3,000	

* Option 4 is restricted to 2 x 2 bedroom unites as a low cost housing option for certain housing.

[^] Exit fee of \$3,000 is charged against the Buy In balance upon departure.

3. Council review the fees annually in line with budget considerations.

Capel/Hill
The motion was put and carried by majority

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**Item 7 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting –
1 May 2018**

403/1718 RESOLVED that Council accept the Minutes of the Coonabarabran Swimming Pool Advisory Committee Meeting held at Coonabarabran on 1 May 2018.

Doolan/Capel

The motion was put and carried by majority

Item 8 Councillors' Monthly Travel Claims

404/1718 RESOLVED that the Councillors' monthly travel claims for April 2018 in the amount of \$1,724.26 be received for Council's information.

Hill/Todd

The motion was put and carried by majority

Item 9 Reports from Delegates

Item 9.1 Joint Organisation Discussion in Narromine – 23 April 2018

405/1718 RESOLVED that Council note the Delegate's Report in relation to the Joint Organisation meeting in Narromine on 23 April 2018.

Capel/Hill

The motion was put and carried by majority

Item 10 Correspondence

406/1718 RESOLVED that Council's correspondence for period 10 April 2018 to 2 May 2018 be received and noted.

Hill/Brady

The motion was put and carried by majority

Item 11 Determination of the Local Government Remuneration Tribunal 2018

407/1718 RESOLVED that Warrumbungle Shire Council adopts the maximum annual fee of \$11,860 for Councillors and \$25,880 for the Mayor/Chairperson Additional Fee for the 2018/2019 financial year effective from 1 July 2018, being in accordance with the determination of the Local Government Remuneration Tribunal under sections 239 and 241 of the Local Government Act 1993.

Brady/Hill

The motion was put and carried by majority

Item 12 2018 Local Government NSW Annual Conference

408/1718 RESOLVED that Council:

1. Appoint the Mayor as Council's delegate to attend the LGNSW Annual Conference to be held in Albury from 21 October 2018;
2. Authorise for two Councillors plus the General Manager to attend the Conference as observers;
3. Authorise the Mayor to appoint observers/alternate observers if the need arises.

Todd/Brady

The motion was put and carried by majority

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Item 13 Council Resolutions Report May 2018

409/1718 RESOLVED that Council's Resolution Report for May 2018 be noted for information.

Hill/Brady

The motion was put and carried by majority

Item 14 Monthly Report – Human Resources

410/1718 RESOLVED that the Monthly Report from Human Resources for May 2018 be noted for information.

Lewis/Brady

The motion was put and carried by majority

Item 15 Community Child Care Fund

411/1718 RESOLVED that the information on Council's funding under the Community Child Care Fund be noted.

Todd/Doolan

The motion was put and carried by majority

Item 16 Quarterly Budget Review Statement for the Quarter Ending 31 March 2018

412/1718 RESOLVED that Council accept the Quarterly Budget Review Statement (QBRS) for the quarter ending 31 March 2018 and approve the requested supplementary votes by fund for the amounts of:

- General Revenue: -\$365,597
- Water Revenue: \$675,000
- General Expenditure: -\$41,315
- General Capital: -\$319,608
- Water Capital: -\$1,990,000
- Water Restricted Assets: \$1,315,000

Capel/Doolan

The motion was put and carried by majority

Item 17 Draft Operational Plan 2018/19 and Draft Delivery Program 2018/22 to 2021/22

413/1718 RESOLVED that Council:

1. Receive the report on the draft Delivery Program 2018/22 and draft Operational Plan 2018/19;
2. Endorse the draft Delivery Program 2018/22 and draft Operational Plan 2018/19, including the Revenue Policy, to go on public exhibition for a period of not less than 28 days with the following amendments:
 - 15% increase in water access and consumption charges to the Water Fund
 - 15% increase in business and residential sewer charges to the Sewer Fund
 - Noting that the 15% increase for Mendooran water applies to the base access and consumption charges only, not to the loan charge.

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3. Consider the submissions made on the draft Delivery Program 2018/22 and draft Operational Plan 2018/19 at Council's Ordinary Meeting to be held on 21 June 2018.

Capel/Doolan

The motion was put and carried by majority

Councillors Todd and Lewis recorded their votes against the motion.

Item 18 Investments and Term Deposits – Month Ending 30 April 2018

414/1718 RESOLVED that Council note and accept the Investments and Term Deposits Report for the month ending 30 April 2018 with total investments and term deposits of \$11,443,753.

Hill/Brady

The motion was put and carried by majority

9.49 am

Councillor Doolan left the room

Item 19 Coonabarabran Emergency Water Supply Project – May 2018 Update

415/1718 RESOLVED that Council:

1. Note the May 2018 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Formally accept the grant funds received to date of \$975,000 and Council commit \$325,000 to match this funding.
3. Endorse the urgent request to the Government to fully fund the balance needed for completion of the whole project.

Brady/Hill

The motion was put and carried by majority

Item 20 Mendooran Water Quality Incident Review Report Implementation

9.51 am

Councillor Doolan re-joined the meeting.

9.52 am

Councillor Brady left the room.

416/1718 RESOLVED that Council receive and note the quarterly report on the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

Lewis/Capel

The motion was put and carried by majority

Item 21 2017/18 Technical Services Works Program – Road Operations, Urban Services and Water Services for Period Ending 30 April 2018

9.53 am

Councillor Brady re-joined the meeting.

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417/1718 RESOLVED that the 207/18 Works Program status report for the period ending 30 April 2018 be noted.

Hill/Lewis

The motion was put and carried by majority

Item 22 Companion Animals Regulation Review

418/1718 RESOLVED that the Companion Animals Regulation Review be received for Council's information.

Todd/Hill

The motion was put and carried by majority

Item 23 Industrial Land Subdivision Proposal

419/1718 RESOLVED that:

1. The report on Industrial Land Subdivision Proposal be received for Council's information; and
2. Council note that an application for funding has been submitted under the Growing Local Economies Program.

Lewis/Brady

The motion was put and carried by majority

Item 24 Shire Boundary Adjustment between Mid-Western Regional Council and Warrumbungle Shire Council

420/1718 RESOLVED that Council:

1. Approve the boundary adjustment transferring part Lot 1, DP1072945 totalling 2.05ha from Warrumbungle Shire Council to Mid-Western Regional Council.
2. Approve the amendment to the rates related to Lot 1, DP1072945 from the date the boundary adjustment is proclaimed in the Government Gazette and refund any payments received relating to any period beyond the date the land ceased to be rateable within the Warrumbungle Shire Council area.
3. Confirms no provision for rates will need to be made in the Council boundary adjustment proclamation.
4. Approve the minor Locality adjustment between the Localities of Tallawang and Dunedoo to include the entirety of Lot 1, DP1072945 in the Locality of Tallawang.
5. All costs incurred by Council are to be borne by the landholder, including staff time.

Hill/Lewis

The motion was put and carried by majority

Item 25 Development Applications – April 2018

421/1718 RESOLVED that Council note the Applications and Certificates approved during April 2018 under Delegated Authority.

Capel/Brady

The motion was put and carried by majority

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Item 26 Reports to be Considered in Closed Council

Item 26.1 Coonabarabran Netball Courts Project – Tenders

422/1718 RESOLVED that the Coonabarabran Netball Courts Project – Tenders report be referred to Closed Council pursuant to section 10A(2)(c) & (d)(i) of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Capel/Hill

The motion was put and carried by majority

Item 26.2 Todds Crossing Bridge Project – Tenders

423/1718 RESOLVED that the Todds Crossing Bridge Project – Tenders report be referred to Closed Council pursuant to section 10A(2)(c) & (d)(i) of the Local Government Act 1993, on the grounds that the matter and information is information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Hill/Brady

The motion was put and carried by majority

Item 26.3 Three Rivers Regional Retirement Community Information Report – May 2018

424/1718 RESOLVED that the Three Rivers Regional Retirement Community Information Report – May 2018 be referred to Closed Council pursuant to section 10A(2)(c) & (g) of the Local Government Act 1993, on the grounds that the matter and information is 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.

Doolan/Hill

The motion was put and carried by majority

The General Manager offered the opportunity to members of the public to make representation as to whether any part of the Council meeting should not be considered in Closed Council.

There was no response from the public.

10.01 am

425/1718 RESOLVED that standing orders be suspended to break for morning tea.

Capel/Brady

The motion was put and carried by majority

10.31 am

426/1718 RESOLVED that standing orders be resumed.

Brady/Capel

The motion was put and carried by majority

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10.32 am

427/1718 RESOLVED that:

- (a) Council go into Closed Council to consider business relating to confidential information
- (b) pursuant to section 10A(1)-(3) of the Local Government Act 1993, 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
- (c) 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.

Capel/Doolan

The motion was put and carried by majority

Item 26.1 Coonabarabran Netball Courts Project – Tenders

428/1718 RESOLVED that Council note the acceptance of the tender from Hinchcliffe Concrete Constructions in the sum of \$339,962 by the General Manager under delegated authority by Council.

Hill/Capel

The motion was put and carried by majority

Item 26.2 Todds Crossing Bridge Project – Tenders

429/1718 RESOLVED that Council:

- 1. Decline to accept any of the tenders.
- 2. Authorise the General Manager to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender and report back to Council on the preferred action.
- 3. Has determined this course of action due to the apparent lack of competitive pricing and probable lack of tenders due to remoteness.

Doolan/Lewis

The motion was put and carried by majority

**Item 26.3 Three Rivers Regional Retirement Community Information Report –
May 2018**

430/1718 RESOLVED that the Three Rivers Regional Retirement Community Information Report be received and noted and Council be provided with an updated report at the June Council meeting.

Hill/Capel

The motion was put and carried by majority

10.56 am

431/1718 RESOLVED that Council re-enter Open Council.

Todd/Brady

The motion was put and carried by majority

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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 10.58 am.

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CHAIRPERSON