



# Minutes

**Ordinary Council Meeting  
held in the Council Chambers  
Binnia Street, Coolah  
on Thursday, 18 October 2018  
commencing at 5.00pm**

**Mayor:** Cr Denis Todd

**Councillors:** Kodi Brady  
Anne-Louise Capel  
Fred Clancy  
Ambrose Doolan  
Wendy Hill  
Aniello Iannuzzi (Deputy Mayor)  
Ray Lewis  
Peter Shinton

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

**In attendance:** General Manager (Roger Bailey), Acting Director Corporate and Community Services (Louise Johnson), Director Technical Services (Kevin Tighe), Director Development Services (Leeanne Ryan), Manager Warrumbungle Water (Cornelia Wiebels) and Executive Assistant to General Manager (Jenni Maundrell – minutes).

The General Manager announced that the meeting was being audio recorded, and that the recording will be published.

**APOLOGIES**

Nil

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

- Cr Doolan declared a non-pecuniary less than significant interest in Item 30.2 – Boral Quarry due to he and his wife being the lessees of property adjacent to that referred to in the report.

**Item 1 Mayoral Minute – Mayors Log of Kilometres Travelled and Credit Card Activity from 8 August 2018 to 24 September 2018**

**139/1819 RESOLVED** that Council:

1. Notes the Mayor's Activity and Log of Kilometres Travelled from 8 August 2018 to 24 September 2018.
2. Approves the Mayor's expenses between 8 August 2018 and 10 September 2018 totalling \$667.46.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Lewis

**Item 2 Mayoral Minute – Mayors Activity and Log of Kilometres Travelled from 24 September 2018 to 11 October 2018**

**140/1819 RESOLVED** that Council notes the report on the Mayor's Activity and Log of Kilometres Travelled from 24 September to 11 October 2018.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Capel

**Item 3 Minutes of Ordinary Council Meeting – 20 September 2018**

**141/1819 RESOLVED** that the resolutions contained in the Minutes of the Ordinary Council meeting held on 20 September 2018 are endorsed.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

**Item 4 Minutes of Traffic Advisory Committee Meeting – 27 September 2018**

**142/1819 RESOLVED** that:

1. Council accepts the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 27 September 2018.
2. The sign plan for installation of a W1-201 '10km Narrow Winding Road' sign 100m before a G9-41 'Unsuitable for Large Vehicles' sign located 100m south of the Pandoras Pass turnaround be approved.
3. 'No Stopping' signs and line markings be installed 1.8m either side of the Coinda Village driveways located in Cassilis Street to indicate how close vehicles can park to the access points of the property.
4. Council's Guideline for School Bus Routes and Bus Stops be put on display for public comment subject to the inclusion of an example of a Risk Assessment for School Bus Stops.
5. 'No Stopping' signs be installed either side of the middle driveway located between Jones Panel Beating and the Post Office in Bolaro Street, Dunedoo.

**MOVED:** Councillor Shinton

**SECONDED** Councillor Capel

**Item 5 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 12 September 2018**

**143/1819 RESOLVED** that Council:

1. Accepts the Minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 12 September 2018.
2. Investigate the establishment of a children's playground and equipment to be located adjacent the old kiosk at Coonabarabran No 1 Oval.
3. Advise that Sporting Clubs who utilise the Coonabarabran ovals purchase their own defibrillator.
4. Thank project manager David Sturtridge for the high standard of his work in overseeing the construction of the multipurpose courts in Coonabarabran.

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Brady

**Item 6 Minutes of Baradine Floodplain Management Advisory Committee Meeting – 20 September 2018**

**144/1819 RESOLVED** that:

1. Council accepts the Minutes of the Baradine Floodplain Management Advisory Committee meeting held at Baradine on 20 September 2018.

2. The Baradine Levee design be placed on public display and with an invitation to make submissions on the proposal.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Doolan

**Item 7 Minutes of Economic Development and Tourism Advisory Committee – 24 September 2018**

**145/1819 RESOLVED** that Council:

1. Accepts the minutes of the EDT Committee 24 September 2018.
2. Notes that the actions from the Committee will be dealt with under delegated authority.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Brady

**Item 8 Minutes of Robertson Oval Advisory Committee Meeting – 26 September 2018**

**146/1819 RESOLVED** that Council accepts the Minutes of the Robertson Oval Advisory Committee meeting held at Dunedoo on 26 September 2018.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Doolan

**Item 9 Minutes of Warrumbungle Aerodromes Advisory Committee Meeting – 4 October 2018**

**147/1819 RESOLVED** that Council accepts the Minutes of the Warrumbungle Aerodromes Advisory Committee meeting held at Coonabarabran on 4 October 2018.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Capel

**Item 10 Notice of Motion – HR Report**

**148/1819 RESOLVED** that effective the November 2018 Ordinary Council Meeting, the Human Resources report be held in Closed Council and include the following in addition to current contents of the report:

- List of names of WSC employees that have left the organisation since previous report;
- List of names of WSC employees employed since previous report.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Lewis

**Cr Shinton recorded his vote against the motion**

**Item 11 Councillors' Monthly Travel Claims – September 2018**

**149/1819 RESOLVED** that the Councillors' monthly travel claims for September 2018 in the amount of \$1,264.60 is received for Council's information.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Lewis

**Item 12 Delegate's Report – Orana Arts Meeting in Dubbo – 21 September 2018**

**150/1819 RESOLVED** that Council notes the Delegate's Report by Cr Anne-Louise Capel in relation to the Orana Arts meeting held in Dubbo on 21 September 2018.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Brady

**Item 13 Coonabarabran Emergency Water Supply Project – October 2018 Update**

**151/1819 RESOLVED** that Council:

1. Notes the October 2018 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Endorse the expenditure to date (committed and expended) of \$1,939,389.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Doolan

**Item 14 Drought Management and Water Demand Management Plans**

**152/1819 RESOVLED** that Council:

1. Adopts the draft Drought Management Plan, subject to the following changes as specified in the report:
  - i. Include rainfall records as appendix
  - ii. Update bore numbers and locations in Dunedoo, Mendooran, Coolah and Binnaway
  - iii. Include new Coonabarabran bore names and numbers
  - iv. Council authorise for the General Manager to make any minor adjustments provided that the intent of the plans are not changed.
2. In the next review of the Drought Management Plan, considers inclusion of the following:
  - i. Water Carting Plan
  - ii. A history of the 2017/2018 drought
  - iii. Streamflow records as available
  - iv. Groundwater information
  - v. A long term drought capital works strategy
  - vi. Add additional information on Timor Dam in current Appendix 3
  - vii. Formalise water restriction triggers for all other towns except Coonabarabran, independently of Coonabarabran

3. Adopts the draft Water Demand Management Plan, subject to the following changes as specified in the report:
  - i. Include replacement requirement of the Baradine Water Treatment Plant clarifier.
  - ii. Update the current Baradine Water Treatment Plant capacity to 1.0 ML/d.
  - iii. Update population numbers to 2016 Census information.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Doolan

#### **Item 15 Coolah Hostel Divestment by NSW Health**

**153/1819 RESOLVED** that Council:

1. Advise the Western NSW Local Health District that it does not have an interest in acquiring the Coolah Hostel.
2. Encourage the Western NSW Local Health District to offer the Coolah Hostel to local community group, Coolah Cottages Inc., along the lines of the original proposal when the property was transferred into its ownership, i.e. at \$1.00.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Lewis

#### **Item 16 Council Offices Christmas Closure**

**154/1819 RESOLVED** that Council note the closure of Coonabarabran and Coolah administration offices, including Service NSW, from close of business on Friday 21 December 2018, reopening on Wednesday 2 January 2019.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Hill

#### **Item 17 Legal Assistance City of Sydney Council, North Sydney Council and Bayside City Council**

##### **MOTION**

That Council contribute \$2,155.23 to Local Government NSW to support City of Sydney Council, Bayside City Council and North Sydney Council towards legal costs incurred in an appeal to the NSW Court of Appeal on rating categorisation.

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Hill

**The motion was put and LOST**

#### **Item 18 Minutes of Orana Regional Organisation of Councils Meetings – 7 September 2018**

**155/1819 RESOLVED** that Council notes the minutes of the Orana Regional Organisation of Councils board meeting and annual general meeting held on 7 September 2018.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Iannuzzi

**Item 19 Request for Write-Off of Water Charges – Assessment Number 10011088**

**156/1819 RESOLVED** that Council:

1. Write off \$442.80 from Assessment No 10011088 as a one-off reduction.
2. Advise the property owner that no further such write-offs will be made.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Shinton

**6.13pm**

Cr Brady left the room

**Item 20 Returns under s449 *Local Government Act 1993* Disclosing of Interests of Councillors and Designated Persons**

**6.15pm**

Cr Brady re-joined the meeting

**157/1819 RESOLVED** that Council:

1. Acknowledge the tabling of the disclosures received under section 449 of the *Local Government Act 1993* (NSW) for the period 1 July 2017 to 30 June 2018 from all designated persons and all Councillors.
2. Reaffirm the following positions as 'designated persons':
  - Director Development Services
  - Director Technical Services
  - Director Corporate and Community Services
  - Manager Projects
  - Manager Road Operations
  - Manager Regulatory Services
  - Building Certifier
  - Town Planner

**MOVED:** Councillor Capel

**SECONDED:** Councillor Shinton

**Item 21 Council Resolutions Report October 2018**

**158/1819 RESOLVED** that Council's Resolution Report for October 2018 be noted for information.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Doolan

**Item 22 Human Resources Monthly Report – September 2018**

**159/1819 RESOLVED** that the Human Resources Monthly Report for October 2018 be noted for information.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Hill

---

**Item 23 Investments and Term Deposits – month ending 30 September 2018**

**160/1819 RESOLVED** that Council note and accept the Investments and Term Deposits Report for the month ending 30 September 2018 including a total balance \$15,452,101.29, being:

- \$1,947,704.71 in at call accounts
- \$12,000,002.00 in term deposits
- \$1,504,394.58 cash at bank

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Capel

**Item 24 Name Change Proposal for Locality of Napier Lane**

**161/1819 RESOLVED** that the locality (suburb) of Napier Lane be changed to Napier.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Iannuzzi

**Item 25 Rural Road Naming Request – Off Warrumbungles Way, 2.6km South of Newell Highway**

**162/1819 RESOLVED** that, subject to consultation in accordance with guidelines from the Geographical Names Board and no further objections being received, the road that intersects with Warrumbungles Way approximately 2.6km south of the Newell Highway be named Mirii Lane.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Iannuzzi

**Item 26 Baradine Golf Club Development Application Fees**

**163/1819 RESOLVED** that Council note the information on the report on the Baradine Golf Club Development Application fees.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

**Item 27 Visitors Information Carpark Acquisition**

**164/1819 RESOLVED** that Council surrender part of the Lot 589 DP721790 as per section 377(1)(h) of the *Local Government Act 1993* (NSW) to ensure access is maintained to the Coonabarabran Showground as per conditions of consent from the Department of Primary Industries – Lands and an easement is placed on title to reflect the access.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Brady



### **Item 28 Development Applications**

**165/1819 RESOLVED** that Council notes the Applications and Certificates approved during September 2018, under Delegated Authority.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Capel

### **Item 29 Questions for the Next Meeting**

**166/1819 RESOLVED** that the Questions for the Next Meeting Report for October 2018 be noted for information.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Clancy

### **Item 30 Reports to be Considered in Closed Council**

#### **Item 30.1 Three Rivers Regional Retirement Community Information Report**

**167/1819 RESOLVED** that the Three Rivers Regional Retirement Community Information Report – July 2018 be referred to Closed Council pursuant to section 10A(2)(c) and (g) 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 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.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Brady

#### **Item 30.2 Boral Quarry**

**168/1819 RESOLVED** that the Boral Quarry Report be referred to Closed Council pursuant to section 10A(2)(c) and (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.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Brady

#### **Item 30.3 Mayoral Minute – Interim General Manager’s Performance Review**

**169/1819 RESOLVED** that the Mayoral Minute – Interim General Manager’s Performance Review 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 Hill

**SECONDED:** Councillor Brady

**Item 30.4 Review of Organisation Structure**

**170/1819 RESOLVED** that the Review of Organisation Structure 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 Shinton

**SECONDED:** Councillor Brady

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

**171/1819 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. 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*.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Brady

**Closed Council – 6.34pm**

**Item 30.1 Three Rivers Regional Retirement Community Information Report**

**172/1819 RESOLVED** that Council note the report in relation to the Three Rivers Regional Retirement Community Project Information Report.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Lewis

**Item 30.2 Boral Quarry.**

**173/1819 RESOLVED** that:

1. Council negotiate with Boral Resources (Country) Pty Ltd a renewal of the current licence agreement for a new period 1 January 2019 to 31 December 2019.

2. The General Manager is authorised to negotiate with Boral Resources (Country) Pty Ltd on both a renewal of the licence agreement and on a potential purchase of the quarry.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Brady

**174/1819 RESOLVED** that all Council staff except the General Manager be excluded from the meeting to consider Item 30.3 Mayoral Minute – Interim General Manager’s Performance Review report and Item 30.4 – Review of Organisation Structure.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hill

**6.51pm**

Council staff left the room

### **Item 30.3 Mayoral Minute – Interim General Manager’s Performance Review**

**175/1819 RESOLVED** that:

1. Following the General Manager being offered the opportunity to provide comments, a Performance Review Panel now be formed with membership consisting of the Mayor, Deputy Mayor, Cr Clancy, Cr Doolan, Cr Lewis and Cr Shinton.
2. Council delegate all tasks necessary for the completion of the Performance Review to the Performance Review Panel.
3. The Performance Review Panel members all undertake training in accordance with the Office of Local Government Performance Review Guidelines.
4. The Mayor be delegated authority to finalise all arrangements for the Performance Review Panel to convene and that all Councillors be provided with an opportunity for input and feedback.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Shinton

### **Item 30.4 Review of Organisation Structure**

**176/1819 RESOVLED** that Council adopt the organisation structure as identified as “Proposed” in the report on the Review of the Organisation Structure.

**MOVED:** Councillor Shinton

**SECONDED:** Councillor Hill

**177/1819 RESOLVED** that Council return to Open Council.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

**7.21pm**

Staff and 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 7.24pm.

.....  
**CHAIRPERSON**