



# **Minutes**

## **Ordinary Council Meeting**

**held in the Council Chambers**

**Binnia Street, Coolah**

**on Thursday, 16 May 2019**

**commencing at 5:00 pm**

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

**In attendance:** General Manager (Roger Bailey), Director Technical Services (Kevin Tighe), Director Environment and Development (Leeanne Ryan), Acting Director Corporate and Community Services (Kim Parker), Manager Warrumbungle Water (Cornelia Wiebels), and Executive Assistant to the General Manager (Jenni Maundrell – Minutes)

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

### **Acknowledgement of Country**

Council acknowledges the Traditional Custodians of the Land at which the meeting is held and pays its respects to Elders, both past and present, and extends that respect to other Aboriginal people who are present.

### **Public Forum**

Carol Richard addressed Council regarding the Warrumbungle Shire Heritage Study.

Quinton Hutchinson addressed Council regarding the Coolah Lions 'RV Friendly' application.

### **APOLOGIES**

Cr P Shinton

**391/1819 RESOLVED** that the apology from Councillor Shinton be accepted and a leave of absence granted.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Doolan

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

### **Item 1 Mayoral Minute – Mayor's Log of Activity, Kilometres Travelled and Expenses from 9 April to 3 May 2019**

**392/1819 RESOLVED** that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 9 April 2019 to 3 May 2019.
2. Notes the report on the Mayor's credit card expenses between 9 April 2019 and 3 May 2019 and approves the payment of expenses totalling \$638.88.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Capel

### **Item 2 Minutes of Ordinary Council Meeting – 18 April 2019**

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**393/1819 RESOLVED** that Council endorses the resolutions contained in the Minutes of the Ordinary Council meeting held on 18 April 2019.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Doolan

### **Item 3 Minutes of Traffic Advisory Committee Meeting – 16 April 2019**

**394/1819 RESOLVED** that:

1. Council accepts the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 16 April 2019.
2.
  - a) The current 'Give Way' sign at the intersection of Indian Lane and Aerodrome Road, Baradine be replaced with a 'Stop' sign and continuity line.
  - b) Investigate road widening options that may improve safety at the intersection of Indian Lane and Aerodrome Road, Baradine.
  - c) Council refer to the Australian Standard on the suitability of installing a Convex Safety Mirror at the intersection of Indian Lane and Aerodrome Road, Baradine.
3. The request by Baradine Junior Sports Club to close part Darling Street and Masman Street, Baradine on Saturday; 11 May 2019, 18 May 2019, 22 June 2019 and 17 August 2019 for the JRL&NC competition be approved subject to compliance with Council's Road Closure Guidelines and receipt of current public liability insurance.
4. The request by the Binnaway Lions Club for Doganabuganaram Fun Ride to be held on Saturday, 21 September 2019 from 8.30am to 1.30pm be approved subject to:
  - Authorised Traffic Control Plan
  - Receipt of Current Public Liability Insurance
  - Compliance with Council's Road Closure Guidelines
  - Transport for NSW Western Region concurrence.
5. A request by North West Equestrian Expo to close Reservoir Street, Coonabarabran on Saturday, 1 June 2019 and Sunday, 2 June 2019 from 9.00am to 2.30pm for the cross country phase of the eventing be approved subject to compliance with Council's Road Closure Guidelines and receipt of currently public liability insurance.

**MOVED:** Councillor Clancy

**SECONDED:** Councillor Brady

### **Item 4 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 10 April 2019**

**395/1819 RESOLVED** that Council accept the Minutes of the Coonabarabran Swimming Pool Advisory Committee Meeting held at Coonabarabran on 10 April 2019.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

**Item 5 Notice of Motion – Yarning Circle at Neilson Park, Coonabarabran**

**396/1819 RESOLVED** that Council undertake community consultation on a proposal to permit the construction of a Yarning Circle in Neilson Park, Coonabarabran.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hill

**Item 6 Councillors' Monthly Travel Claims – April 2019**

**397/1819 RESOLVED** that the Councillors' monthly travel claims report for April 2019 in the amount of \$3,186.56 is received for Council's information.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Brady

**Item 7 Baradine Water Treatment Plant Upgrade Funding**

**398/1819 RESOLVED** that Council:

1. Notes the report on granted funding for the Baradine Water Treatment Plant Upgrade project.
2. Notes the funding offer of \$750,000 for a total project cost of \$1,000,000.
3. Makes further representations for total funding of \$994,000 for total project cost of \$1,326,000.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Capel

**Item 8 Coolah Water Supply Scheme Upgrades Funding**

**399/1819 RESOLVED** that Council:

1. Notes the report on granted funding for the Coolah Water Supply Scheme Upgrades Scoping Study.
2. Accepts the currently offered funding of \$60,000 for a total project cost of \$114,000.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

**Item 9 Coonabarabran Emergency Water Supply Project – April 2019 Update**

**400/1819 RESOLVED** that Council:

1. Notes the May 2019 Update Report on the Coonabarabran Emergency Water Supply Project.
2. Endorses the expenditure of \$2,042,503.

3. Notes that the existing funding for this project has been fully spent.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Lewis

### **Item 10 Upgrade and Augmentation of Coolah and Dunedoo Sewage Treatment Plants Funding**

**401/1819 RESOLVED** that Council:

1. Notes the report on granted funding for the Upgrade and Augmentation of Coolah and Dunedoo Sewerage Treatment Plants.
2. Accept the funding offer of an additional \$3,990,000 for a total project cost of \$7,240,000 (noting that \$1,625,000 has been granted previously).

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

### **Item 11 Water Supply Instrumentation, Monitoring and Automation Upgrades Funding**

**402/1819 RESOLVED** that Council:

1. Notes the report on granted funding for the Eight (8) Off Water Supply System Instrumentation, Monitoring and Automation Upgrades Scoping Study.
2. Accepts the currently offered funding of \$41,250 for a total project cost of \$60,500.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

### **Item 12 Code of Meeting Practice**

**403/1819 RESOLVED** that Council:

1. Notes that the Draft Code of Meeting Practice was on public display from 25 March 2019 until 23 April 2019, with public submissions open until 6 May 2019.
2. Notes that there were no submissions received during the submission period.
3. Adopts the Draft Code of Meeting Practice which will come into effect for the next Council meeting.

**MOVED:** Councillor Iannuzzi

**SECONDED:** Councillor Doolan

### **Item 13 Determination of the Local Government Remuneration Tribunal 2019**

**404/1819 RESOLVED** that:

1. The Councillor Annual Fee remain at \$11,860.

2. Council adopt the maximum annual fee for the Mayor in accordance with determination of the Local Government Remuneration Tribunal pursuant to sections 239, 241 of the *Local Government Act 1993* (NSW), being \$26,530 for the Mayor Additional Fee.
3. \$1,500.00 of the savings made by not increasing the Councillor Annual Fee by 2.5% as recommended by determination of the Local Government Remuneration Tribunal be redirected to Council contribution to the Yarning Circle and the remainder (\$1,200.00) be directed to community projects under the Council's Financial Assistance Donations program.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

#### **DIVISION**

Councillor Doolan and Councillor Capel called for a division.

**The Mayor advised that Resolution 404/1819 was unanimous**

#### **Item 14 Minutes of Orana Joint Organisation Extra Ordinary Meeting – 29 April 2019**

**405/1819 RESOLVED** that Council notes the minutes of the extra ordinary Orana Joint Organisation meeting held at Gilgandra on 29 April 2019.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Capel

#### **Item 15 Council Resolutions Report May 2019**

**406/1819 RESOLVED** that Council notes the Council Resolution Report for May 2019.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Hill

#### **Item 16 Revotes Report May 2019**

**407/1819 RESOLVED** that Council notes the Revote Report for May 2019.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Clancy

#### **Item 17 2018/19 Community Financial Assistance Donations – Round Two**

**408/1819 RESOLVED** that Council funds the following applications under Round Two of the 2018/19 Community Financial Assistance Donations being the twelve applicants listed at a total amount of \$5,290:

- |   |       |
|---|-------|
| • 2357 Partnerships Inc                   | \$500 |
| • Baradine Central School                 | \$500 |
| • Coonabarabran Aboriginal Land Council   | \$100 |
| • Dunedoo Junior Rugby League and Netball | \$348 |
| • Dunedoo Junior Rugby League and Netball | \$342 |

- Coonabarabran Girl Guides \$500
- Dunedoo Central School \$500
- Leadville Community Association \$500
- Coonabarabran Junior Rugby League and Netball Club \$500
- Mendooran Volunteer Rescue Association \$500
- Coolah Central School \$500
- Art Unlimited \$500

**MOVED:** Councillor Hill

**SECONDED:** Councillor Clancy

### **Supplementary motion**

**409/1819 RESOLVED** that Council authorise Councillors Hill and Capel to determine Community Financial Assistance Donations applications to be funded with any savings over \$1,500.00 resulting from Resolution 404/1819 (\$1,200.00).

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Clancy

### **Item 18 Community Consultation Meetings**

**410/1819 RESOLVED** that Council:

1. Note the draft Minutes from the Community Consultation Meetings held in March and April 2019.
2. Release the meeting minutes to the meeting attendees and place the minutes on Council's website.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

### **Item 19 Quarterly Budget Review Statement for the Quarter Ending 31 March 2019**

**411/1819 RESOLVED** that Council:

1. Accepts the third quarter Quarterly Budget Review Statement for the 2018/19 financial year, as presented;
2. Approves the variations as described in Table 1; and
3. Notes the information provided on the status of the rates and annual charges for the quarter ending 31 March 2019.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

### **Item 20 Investments and Term Deposits – month ending 30 April 2019**

**412/1819 RESOLVED** that Council notes and accepts the Investments and Term Deposits Report for the month ending 30 April 2019 including a total balance of \$16,154,152.27 being:

- \$2,360,762.13 in at call accounts
- \$13,500,001.00 in term deposits
- \$293,389.14 cash at bank

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

#### **Item 21 Claim for Natural Disaster Funding Assistance**

**413/1819 RESOLVED** that Council's claim for natural disaster funding assistance as a result of the flood event on the 29 March 2019 is noted by Council as information.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Lewis

#### **Item 22 Proposed Skate Park Facility at Bowen Oval, Coolah**

**414/1819 RESOLVED** that the request from Jump the Stump Park group to utilise land in Bowen Oval immediately adjacent the northern side of the playground for construction of a concrete skate park is approved.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Brady

#### **Item 23 Renaming of Cobbora Road**

**415/1819 RESOLVED** that no further action be taken in relation to Council Resolution No 153/1718 on the renaming of Cobbora Road.

**MOVED:** Councillor Hill

**SECONDED:** Councillor Doolan

#### **Item 24 Road Closure and Opening on Morrisseys Road**

**416/1819 RESOLVED** that Council:

1. Authorise the General Manager to negotiate with the landowner for the purchase of a portion of Lot 1 DP531365 (identified as proposed Lot 1 on the draft Plan of Subdivision attached to the Report to Council).
2. Authorise the purchase of a portion of Lot 1 DP531365 (identified as proposed Lot 1 on the attached draft Plan of Subdivision) on terms negotiated by the General Manager.
3. Authorise the General Manager to sign all documents associated with the conveyancing transaction (including a Client Authorisation Form to effect the transaction).
4. Pay the landowners' legal and other costs associated with the transfer.
5. Close the unconstructed public road adjoining Lot 22 DP 805612, Lot 23 DP 805612 and Lot 1 DP 531365 in accordance with Part 4 Division 3 of the *Roads Act 1993*.



6. Authorise the affixing of the Council seal to any documentation so requiring it for the items above.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Iannuzzi

### **Item 25 Swimming Pool Opening Times – Review of Trial**

**417/1819 RESOLVED** that Council:

1. Propose the timetable of opening hours shown in Attachment 2 be introduced for all pools in the 2019/20 season.
2. Advertise the proposed hours and consult with all schools within the Shire, swimming clubs and known user groups on the adopted timetable of opening hours for the 2019/20 pool season.
3. Receive a further report on the community consultation outlined in 2. above prior to the commencement of the 2019/20 season.
4. Be provided with a report on the options, benefits and costs of implementing an electronic key access system for all pools within Warrumbungle Shire.
5. Endorse the use of volunteers providing supervision at Council pools.
6. Propose that the unsupervised age be increased to 14 years in accordance with the Royal Lifesaving Guidelines and put that out for consultation.
7. As a submission to the 2019/20 Operational Plan and Delivery Program that a payment plan for season tickets for pool admission be included.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

### **Item 26 Coonabarabran Administration Building Roof Replacement**

**418/1819 RESOLVED** that Council readvertise the Coonabarabran Administration Building Roof project to seek tenders through the tender process.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

### **Item 27 Warrumbungle Shire Community Based Heritage Study 2018**

**419/1819 RESOLVED** that Council leave this matter on the Table.

**MOVED:** Councillor Capel

**SECONDED:** Councillor Hill

### **Item 28 Development Applications**

**420/1819 RESOLVED** that Council notes the Applications and Certificates approved under Delegated Authority during April 2019.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Doolan

**6.12 pm**

Cr Brady left the room

### **Item 29 Reports to be Considered in Closed Council**

#### **Item 29.1 Organisational Development Monthly Report – May 2019**

**421/1819 RESOLVED** that the Organisational Development Monthly Report – May 2019 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 Doolan

**SECONDED:** Councillor Clancy

#### **Item 29.2 Three Rivers Regional Retirement Community Information Report**

**422/1819 RESOLVED** that the Three Rivers Regional Retirement Community Information Report – May 2019 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.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Hill

**6.14 pm**

Cr Brady re-joined the meeting

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 one response from the public regarding item 29.2. Mr Quinton Hutchinson spoke of the need for information to be disclosed about the matter.

**423/1819 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. 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 Doolan

**SECONDED:** Councillor Lewis

**6.17 pm**

**Closed Council**

**Item 29.1 Organisational Development Monthly Report – May 2019**

**424/1819 RESOLVED** that the Organisational Development Monthly Report for May 2019 be noted for information.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hill

**Item 29.2 Three Rivers Regional Retirement Community Information Report**

**6.40 pm**

Cr Clancy left the room

**425/1819 RESOLVED** that Council:

1. Endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.
2. Authorise the release of confidential information as outlined in the report to the Three Rivers Regional Retirement Community s355 Committee to members that agree to maintain confidentiality (by signing a confidential agreement).

**MOVED:** Councillor Brady

**SECONDED:** Councillor Capel

**426/1819 RESOLVED** that Council return to Open Council.

**MOVED:** Councillor Lewis

**SECONDED:** Councillor Capel

**6.41 pm**

**Open Council**

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

**6.42 pm**

Cr Clancy re-joined the meeting

There being no further business the meeting closed at 6.43 pm.

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**CHAIRPERSON**

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