



Minutes

Ordinary Council Meeting

held in the Council Chambers

John Street, Coonabarabran

on Thursday, 20 June 2019

commencing at 5:00pm

PRESENT: Cr D Todd (Chairperson), Cr A-L Capel, Cr F Clancy Cr A Doolan, Cr W Hill, Cr A Iannuzzi, Cr R Lewis, Cr P Shinton, and Cr K Brady (5.13pm).

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), and Acting Executive Assistant to the General Manger (Erin Player – Minutes).

Acknowledgement of Country

Council acknowledged the Gomeri people, the Traditional Custodians of the Land at which the meeting is held and paid its respects to Elders, both past and present, of the Gomeri Nation and extended that respect to other Aboriginal people who were present.

Recording of Meeting

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

APOLOGIES

Nil

Confirmation of Minutes

Item 1 Minutes of Ordinary Council Meeting – 16 May 2019

427/1819 RESOLVED that Council endorses the resolutions contained in the Minutes of the Ordinary Council meeting held on 16 May 2019.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Councillors voted unanimously

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

Cr Capel declared a pecuniary interest in Item 17 – Liverpool Range Wind Farm, Voluntary Planning Agreement due to being a potential land holder.

428/1819 RESOLVED that Council note the declaration of interest.

MOVED: Councillor Hill

SECONDED: Councillor Lewis

For – Cr Todd, Cr Shinton, Cr Hill, Cr Lewis, Cr Doolan, Cr Capel, Cr Clancy

Against – Cr Iannuzzi

Item 2 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 4 May to 10 June 2019

429/1819 RESOLVED that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 4 May 2019 to 10 June 2019.
2. Notes the report on the Mayor's credit card expenses between 8 May and 6 June and approves the payment of expenses totalling \$1,157.75.

MOVED: Councillor Lewis

SECONDED: Councillor Capel

For – Councillors voted unanimously

Item 3 Councillors' Monthly Travel Claims – May 2019

430/1819 RESOLVED that the Councillors' Monthly Travel Claims Report for May 2019 in the amount of \$459.86 is received for Council's information.

MOVED: Councillor Hill **SECONDED:** Councillor Capel

For – Councillors voted unanimously

Item 4 Country Mayors Association in Sydney held 31 May 2019

431/1819 RESOLVED that Council note the Delegate's Report in relation to the Country Mayors Association meeting in Sydney on 31 May 2019.

MOVED: Councillor Shinton **SECONDED:** Councillor Doolan

For – Councillors voted unanimously

Item 5 Minutes of Traffic Advisory Committee Meeting – 23 May 2019

5.13pm Cr Brady entered the meeting

432/1819 RESOLVED that:

1. Council accept the Minutes of the Traffic Advisory Committee Meeting held at Coonabarabran on 23 May 2019.
2. 7.30am – 8.30am and 3.00pm – 4.00pm timed bus stop signs be erected in the first parking bay of the Hickeys Falls rest area as per the sign plan.
3. a 'No Through' (g9-18) sign be erected at the entrance to Koala Crescent at Coonabarabran and that Council investigate the feasibility and warrant for a safer option bus stop area.
4. bollards be erected in front of the shop front posts at 62-64 Binnia Street in Coolah and that Council monitor the impact of these bollards for potential further use in other areas of the shire.
5. approval be provided for the closure of Reservoir Street for the Warrumbungle Evening One Day Event to be held on Sunday, 21 July 2019 from 9.00am to 3.00pm, subject to:
 - Receipt of Current Public Liability Insurance
 - Authorised TCP sighted by the Traffic Committee
 - Compliance with Council's Road Closure Guidelines
6. approval be provided for the closure of Bandulla Street from Yalcogran and Napier Streets for the Mendooran Central School's 150th Anniversary Street Parade to be held on Saturday, 30 November 2019 from 10.00am to 12.30pm, subject to:
 - RMS Special Events concurrence
 - NSW Police approval

7. Council refuse approval for unregistered motorbikes to utilise the road reserve along Black Stump Way, Coolah due to traffic control concerns and environmental impact concerns.
8. approval be provided to the proposed second access from Binnaway Abattoir onto Warrumbungle Way, subject to the access being exit only and left turn only onto Warrumbungle Way.
9. a 'No Through' (g9-18) sign be erected at the entrance to Carrington Lane, Coonabarabran.

MOVED: Councillor Shinton

SECONDED: Councillor Capel

For – Councillors voted unanimously

Item 6 Minutes of Local Emergency Management Committee Meeting – 20 May 2019
433/1819 RESOLVED that Council notes the minutes from the Local Emergency Management Committee held on 20 May 2019 at Coolah.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Councillors voted unanimously

Item 7 Minutes of Economic Development and Tourism Advisory Committee – Monday 27 May 2019

434/1819 RESOLVED that Council accepts the minutes of the EDT Meeting of 27 May, 2019.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Councillors voted unanimously

Item 8 Coonabarabran Emergency Water Supply Project – May 2019 Update

435/1819 RESOLVED that Council notes the June 2019 Update Report on the Coonabarabran Emergency Water Supply Project.

MOVED: Councillor Doolan

SECONDED: Councillor Iannuzzi

For – Councillors voted unanimously

Item 9 Mendooran Water Quality Incident Review Report Implementation

436/1819 RESOLVED that Council receives and notes the quarterly report on the implementation progress of the recommendations within the Mendooran Water Quality Incident Review Report.

MOVED: Councillor Hill

SECONDED: Councillor Doolan

For – Councillors voted unanimously

Item 10 Council Committees

437/1819 RESOLVED that Council:

1. Notes the information contained in the Council Committees report.
2. Delete the following committees and delegates that are no longer relevant including;
 - Central Ranges Natural Gas and Telecommunications
 - Orana Regional Organisation of Councils
 - Geopark Steering committee

MOVED: Councillor Shinton

SECONDED: Councillor Clancy

For – Councillors voted unanimously

Item 11 Council Resolutions Report June 2019

438/1819 RESOLVED that the Council Resolution Report for June 2019 be noted for information.

MOVED: Councillor Capel

SECONDED: Councillor Clancy

For – Councillors voted unanimously

Item 12 Revotes Report June 2019

439/1819 RESOLVED that the Revote Report for June 2019 be noted for information.

MOVED: Councillor Doolan

SECONDED: Councillor Shinton

For – Councillors voted unanimously

Item 13 2019/20 Rural Fire Service, State Emergency Service and Fire and Rescue NSW Council Contribution Assessment Notice

440/1819 RESOLVED that:

1. Council note the report on 2019/20 Rural Fire Service, State Emergency Service and Fire and Rescue NSW Council Contribution Assessment Notice dated 7 May 2019,
2. Council write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:
 - i) Call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated,
 - ii) Explain how this sudden increase will impact council services / the local community,
 - iii) Highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018,
 - iv) Explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector,

- v) Ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future, and
- vi) Advising that Council will be withholding the additional payment until a satisfactory response is received.

3. Copy the above letter to Local Government NSW.

MOVED: Councillor Shinton

SECONDED: Councillor Hill

For – Cr Todd, Cr Shinton, Cr Hill, Cr Lewis, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy
Against – Cr Iannuzzi

Item 14 Draft Operational Plan 2019/20

441/1819 RESOLVED that:

1. Council receive the report on the Draft Operational Plan 2019/20;
2. Council notes the concerns and comments received in the Public Submissions;
3. That Council write to those that have made submissions advising them of the outcome from the consideration of the Draft Operational Plan 2019/20 and subsequent Council Resolution;
4. Council endorse the draft 2019/20 Operational Plan and Budget including the Revenue Policy as on Public Exhibition, with the following changes:
 - i) The additional Emergency Services net budget adjustment of \$452,847 detailed in table 6.
 - ii) The Macquarie Regional Library budget adjustment of \$47,101.
 - iii) That submissions 19 through 25 be incorporated as changes to the 2019/20 Fees and Charges; and
5. The General Manager identify further savings and report them to Council at the first quarterly review (due in October / November 2019).

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Cr Todd, Cr Shinton, Cr Hill, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy, Dr Iannuzzi
Against – Cr Lewis

Item 15 Investments and Term Deposits – month ending 31 May 2019

442/1819 RESOLVED that Council note and accept the Investments and Term Deposits Report for the month ending 31 May 2019 including a total balance of \$17,210,433.81 being:

- i) \$1,432,337.37 in at call accounts
- ii) \$14,000,001.00 in term deposits, and
- iii) \$1,778,095.44 cash at bank

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Councillors voted unanimously

Item 16 Warrumbungle Shire Community Based Heritage Study 2019

443/1819 RESOLVED that Council:

1. Adopts the Draft Warrumbungle Shire Community Based Heritage Study 2019
2. Adopts the Draft Warrumbungle Shire Thematic History (Volume 2 of the Study)
3. Adopts the Heritage Inventory Sheets (Volume 3 of the Study)
4. Acknowledge the comments by the community members and thank them.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

For – Councillors voted unanimously

6.09pm

Cr Capel left the meeting.

Item 17 Liverpool Range Wind Farm – Voluntary Planning Agreement

444/1819 RESOLVED that

1. Further to Council's resolution 298/1819 (Item 26 on 21 February 2019), Council enter into a Voluntary Planning Agreement in respect of the Liverpool Range Wind Farm pursuant to section 7.4 of the *Environmental Planning & Assessment Act 1979* with the Upper Hunter Shire Council and Tilt Renewables Australia Pty Ltd.
2. Council delegate authority to the General Manager to execute the Voluntary Planning Agreement.

MOVED: Councillor Lewis

SECONDED: Councillor Brady

For – Cr Todd, Cr Shinton, Cr Hill, Cr Lewis, Cr Doolan, Cr Brady, Cr Clancy

Against – Cr Iannuzzi

6.10pm

Cr Capel returned to the meeting

Item 18 Recycling Systems at Waste Management Sites

445/1819 RESOLVED that Council not proceed with installation of a wall with windows for separate bins for household waste and recycling at the Mendooran Transfer Station.

MOVED: Councillor Shinton

SECONDED: Councillor Brady

For – Cr Shinton, Cr Hill, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy, Cr Iannuzzi

Against – Cr Todd, Cr Lewis

Item 19 Development Applications

446/1819 RESOLVED that Council notes the Applications and Certificates approved during May 2019, under Delegated Authority.

MOVED: Councillor Brady

SECONDED: Councillor Hill

For – Councillors voted unanimously

Item 20 Reports to be Considered in Closed Council

Item 20.1 Organisational Development Monthly Report – June 2019

447/1819 RESOLVED that the Organisational Development Monthly Report – June 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 Capel

SECONDED: Councillor Clancy

For – Councillors voted unanimously

Item 20.2 Financial Tendering for Supply of Bulk Fuel

448/1819 RESOLVED that the Financial Tendering for Supply of Bulk Fuel report be referred to Closed Council pursuant to section 10A(2)(d)(i) 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.

MOVED: Councillor Brady

SECONDED: Councillor Doolan

For – Councillors voted unanimously

Item 20.3 Three Rivers Regional Retirement Community Information Report

449/1819 RESOLVED that the Three Rivers Regional Retirement Community Information Report – June 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 Iannuzzi

SECONDED: Councillor Capel

For – Councillors voted unanimously

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.

450/1819 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 Capel

SECONDED: Councillor Lewis

For – Councillors voted unanimously

6.20pm Closed Council

Item 20.1 Organisational Development Monthly Report – June 2019

451/1819 RESOLVED that the Organisation Development Monthly Report for June 2019 be noted for information.

MOVED: Councillor Capel

SECONDED: Councillor Hill

For – Councillors voted unanimously

Item 20.2 Financial Tendering for Supply of Bulk Fuel

452/1819 RESOLVED:

1. That Liberty Oil Australia Pty Ltd be awarded this contract as the Single Source supplier to Warrumbungle Shire Council for the period 1 July 2019 to 30 June 2022, and
2. That provision is allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2023.

MOVED: Councillor Clancy

SECONDED: Councillor Capel

For – Councillors voted unanimously

20.3 Three Rivers Regional Retirement Community Information Report

6.41pm

Cr Clancy left the room

6.43pm

Cr Clancy re-joined the meeting

453/1819 RESOLVED that Council:

1. Endorse the actions as outlined in the report in relation to the Three Rivers Regional Retirement Community Project.
2. Seeks the advice of the Three Rivers Regional Retirement Community s355 Committee on the future of the project.

3. Explore the opportunity to include the community centre, outdoor living classroom and walk / cycleway in the future options for the Three Rivers Regional Retirement community project
4. Explore options for the affordable housing providers to participate in the project.

MOVED: Councillor Capel

SECONDED: Councillor Doolan

For – Cr Todd, Cr Shinton, Cr Hill, Cr Lewis, Cr Doolan, Cr Brady, Cr Capel, Cr Clancy

Against – Cr Iannuzzi

454/1819 RESOLVED that Council return to Open Council.

MOVED: Councillor Doolan

SECONDED: Councillor Hill

For – Councillors voted unanimously

6.45 pm Open Council

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

Business of Great Urgency

455/1819 RESOLVED that Council deal with business relating to sending correspondence to the Director Western Region for RMS on the proposed Newell Highway upgrade in Coonabarabran as a matter of great urgency.

MOVED: Councillor Doolan

SECONDED: Councillor Capel

The Mayor declared the matter business of great urgency.

Discussion took place on the matter.

There being no further business the meeting closed at 7.23pm.

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CHAIRPERSON