



# **Minutes**

## **Ordinary Council Meeting**

**held in the Council Chambers**

**John Street, Coonabarabran**

**on Thursday, 15 February 2024**

**commencing at 5:00 pm**

**PRESENT:** Cr A Doolan (Chairperson), Cr K Brady, Cr D Hogden, Cr Z Holcombe, Cr C Kopke, Cr J Newton, Cr K Rindfleish, Cr D Todd and Cr A Iannuzzi (5.03pm).

**In attendance:** General Manager (Roger Bailey), Director Environment and Development Services (Leeanne Ryan), Director Technical Services (Nicole Benson), and Executive Assistant General Manager (Erin Player – Minutes).

### **Acknowledgement of Country**

The Mayor 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**

**196/2324 RESOLVED** that Council confirm the Minutes of the Ordinary Council meeting held on 14 December 2023.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Newton

For – Unanimous

### **The Chairperson called for Disclosure of Interests**

Nil

### **PROCEDURAL MOTION**

That Council deal with item 28 Real Country Tourism Experience Strategy and Infrastructure Business Case at this point of the meeting.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Holcombe

For – Unanimous

### **Item 28 Real Country Tourism Experience Strategy and Infrastructure Business Case**

**197/2324 RESOLVED** that Council:

1. Notes the Real Country Tourism Experience Strategy and Infrastructure Business Case Report.

2. Notes the receipt of one submission received for the Real Country Tourism Experience Strategy and Infrastructure Business Case after 9 February 2024.
3. Endorses the Real Country Tourism Experience Strategy and Infrastructure Business Case.
4. Explores future funding opportunities in-line with the Real Country Tourism Experience Strategy and Infrastructure Business Case.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Newton

For – Unanimous

**Item 1 Mayoral Minute – Mayors Log of Activity, Kilometres Travelled and Expenses from 8 December 2023 to 7 February 2024**

**198/2324 RESOLVED** that Council:

1. Notes the report on the Mayor's Activity and Log of Kilometres Travelled for the period 8 December 2023 to 7 February 2024.
2. Notes the report on the Mayor's credit card expenses between 8 December 2023 and 7 February 2024 and approves the payment of expenses totalling \$453.94.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 2 Councillors' Monthly Travel Claims**

**5.10pm**

**Cr Iannuzzi left the meeting**

**199/2324 RESOLVED** that the Councillors' monthly travel claims report in the amount of \$1,391.53 be noted for information.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Holcombe

For – Unanimous

**Item 3 Delegates Report – Alliance of Western Councils (AWC) Board Meetings 8 December 2023**

**5.11pm**

**Cr Iannuzzi returned to the meeting**

**200/2324 RESOLVED** that Council note the Delegate's Report in relation to Alliance of Western Councils (AWC) Board meeting held in Dubbo on Friday 8 December 2023.

**MOVED:** Councillor Doolan

**SECONDED:** Councillor Hogden

For – Unanimous

**Item 4 Delegate's Report – Castlereagh Macquarie County Council Meeting 4 December 2023**

**201/2324 RESOLVED** that Council notes the Delegate's Report on the Castlereagh Macquarie County Council meeting held on 4 December 2023.

**MOVED:** Councillor Holcombe

**SECONDED:** Councillor Todd

For – Unanimous

**Item 5 Delegate's Report – Mining and Energy Related Councils Meeting 7 – 8 December 2023**

**202/2324 RESOLVED** that Council notes the Delegate's Report on the Mining and Energy Related Councils Meeting held 7 – 8 December 2023 in the York Building, York Street, Sydney.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Newton

For – Unanimous

**Item 6 Community Consultation Meetings**

**203/2324 RESOLVED** that Council:

1. Adopts the draft Minutes from the 6 Community Consultation Meetings held in October and November 2023 for Round 1, 2023/24.
2. Notes that Minutes from the Community Consultation Meetings held in October and November 2023 for Round 1, 2023/24 will now be released to meeting attendees and placed on Council's website.
3. Endorses the meeting dates for Round 2, 2023/2024 as being:
  - Mullaley Monday 18 March 2024
  - Coonabarabran Monday 25 March 2024
  - Coolah Tuesday 26 March 2024
  - Baradine Wednesday 3 April 2024
  - Mendooran Thursday 4 April 2024
  - Dunedoo Monday 15 April 2024
  - Binnaway Tuesday 16 April 2024

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 7 Minutes for the Australia Day Awards 2024 Committee Meeting 14 December 2023**

**204/2324 RESOLVED** that Council notes the minutes of the Australia Day Awards Committee Meeting held on 14 December 2023.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Newton

For – Unanimous

**Item 8 Minutes of Warrumbungle Road Network Advisory Group Meeting – 6 December 2023**

**205/2324 RESOLVED** that Council notes the minutes of the Warrumbungle Road Network Advisory Group meeting held at Coolah on 6 December 2023.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Rindfleish

For – Unanimous

**Item 9 Minutes of Coonabarabran Swimming Pool Advisory Committee Meeting – 15 January 2024**

**206/2324 RESOLVED** that Council notes the minutes of the Coonabarabran Swimming Pool Advisory Committee meeting held at Coonabarabran on 15 January 2024.

**MOVED:** Councillor Rindfleish

**SECONDED:** Councillor Newton

For – Unanimous

**Item 10 Minutes of Coonabarabran Sporting Complex Advisory Committee Meeting – 29 January 2024**

**207/2324 RESOLVED** that Council notes the minutes of the Coonabarabran Sporting Complex Advisory Committee meeting held at Coonabarabran on 29 January 2024.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 11 Minutes of Coonabarabran Town Beautification Advisory Committee Meeting – 31 January 2024**

**208/2324 RESOLVED** that Council notes the minutes of the Coonabarabran Town Beautification Advisory Committee meeting held at Coonabarabran on 31 January 2024.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Newton

For – Unanimous

**Item 12 Constitutional Referendums and Council Polls**

**209/2324 RESOLVED** that Council advises the NSW Electoral Commission that it does not propose to hold a Constitutional Referendum or Council Poll at the 2024 Local Government elections.

**MOVED:** Councillor Kopke

**SECONDED:** Councillor Hogden

For – Unanimous

**Item 13 Council Resolutions Report**

**210/2324 RESOLVED** that the Council Resolution Report be noted for information.

**MOVED:** Councillor Holcombe

**SECONDED:** Councillor Brady

For – Unanimous

**Item 14 Revotes and High Value Projects Report**

**211/2324 RESOLVED** that the Revote and High Value Projects Report be noted for information.

**MOVED:** Councillor Brady

**SECONDED:** Councillor Hogden

For – Unanimous

**Item 15 Internally Restricted Assets Policy**

**212/2324 RESOLVED** that Council adopts the draft Internally Restricted Assets Policy.

**MOVED:** Councillor Kopke

**SECONDED:** Councillor Newton

For – Unanimous

**Item 16 Fraud and Corruption Control Policy**

**213/2324 RESOLVED** that Council:

1. Endorses the draft Fraud and Corruption Control Policy.
2. Places the draft Fraud and Corruption Control 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 Fraud and Corruption Control Policy after the close of public submissions.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Rindfleish

For – Unanimous

**Item 17 Draft Privacy Management Plan**

**214/2324 RESOLVED** that Council adopts the draft Privacy Management Plan.

**MOVED:** Councillor Holcombe

**SECONDED:** Councillor Hogden

For – Unanimous

**Item 18 Procurement Policy**

**215/2324 RESOLVED** that Council adopts the draft Procurement (including Local Support) Policy.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 19 Public Forum Policy**

**216/2324 RESOLVED** that Council adopts the draft Public Forum Policy.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Rindfleish

For – Cr Doolan, Cr Brady, Cr Hogden, Cr Iannuzzi, Cr Holcombe, Cr Kopke, Cr Newton and Cr Todd

Against – Cr Rindfleish

**Item 20 Quarterly Budget Review Statement for the 2<sup>nd</sup> Quarter Ending 31 December 2023**

**217/2324 RESOLVED** that Council:

1. Accept the 2nd Quarter Quarterly Budget Review Statement for the 2023/24 financial year, as presented;
2. Approve the variations as described in Table 1a; and
3. Note and accept the information provided on the status of the rates and annual charges for the period ending 31 December 2023.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 21 Investments and Term Deposits – month ending 31 January 2024**

**218/2324 RESOLVED** that Council accept the Investments Report for the month ending 31 January 2024 including a total balance of \$44,307,246.71 being:

- \$311,306.41 in at call accounts.
- \$43,550,000.00 in term deposits.
- \$437,940.30 cash at bank.

**MOVED:** Councillor Holcombe

**SECONDED:** Councillor Rindfleish

For – Unanimous

**Item 22 Natural Disaster Response and Recovery Monthly Report**

**219/2324 RESOLVED** that Council notes:

1. The Natural Disaster Response and Recovery Monthly Report for January 2024.
2. The completion of the Pothole Repair Program before the 1 January 2024 deadline.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Newton

For – Unanimous

**Item 23 Update Report on Werribee Road, Premer  
220/2324 RESOLVED** that Council:

1. Apply to the Department of Planning, Housing and Infrastructure – Crown Lands for consent under section 11 of the *Land Acquisition (Just Terms Compensation) Act 1991* to issue a proposed acquisition notice to acquire part of Lot 7304 DP1159006 to establish a roadway, subject to the approval of the Minister for Local Government.
2. Make an application for the compulsory acquisition of part of the land described as Lot 7304 DP1159006 for the purpose of forming an access road in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
3. Make an application to the Minister and Governor for approval to acquire the part of the land described as Lot 7304 DP1159006 by compulsory process under section 186 of the *Local Government Act 1993*.
4. Authorise the General Manager to sign all documents associated with the conveyancing transaction (including a Client Authorisation Form to affect the transaction), if required.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 24 Regional Tender for the Supply and Delivery of Bitumen Emulsion  
221/2324 RESOLVED** that:

1. The following suppliers be awarded this contract as the Panel Source suppliers to Warrumbungle Shire Council for the period 1 January 2024 to 31 December 2025:
  - Downer EDI Works Pty Ltd
  - Fulton Hogan Industries Pty Ltd
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 25 Regional Tender for the Provision of Linemarking  
222/2324 RESOLVED** that:

1. The following suppliers be awarded this contract as the Panel Source suppliers to Warrumbungle Shire Council for the period 1 January 2024 to 31 December 2025:
  - ACT Linemarking Pty Ltd
  - Central West Linemarking Pty Ltd t/a Central West Linemarking
  - Capital Lines & Signs Pty Ltd
  - Complete Linemarking Services Pty Ltd
  - OZ Linemarking NSW Pty Ltd
  - Stelcorp Pty Ltd t/a Total Linemarking Resources
  - Jenalad Pty Ltd t/a Whiteline Road Services



2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 26 Regional Tender for the Provision of Traffic Control  
223/2324 RESOLVED** that:

1. The following suppliers be awarded this contract as the Panel Source suppliers to Warrumbungle Shire Council for the period 1 January 2024 to 31 December 2025:
  - Maliyan Traffic Control Pty Ltd
  - D&D Traffic Management Pty Ltd
  - DOB Enterprises t/a Watchout Traffic Control
  - Dubbo Traffic Control Pty Ltd
  - Go Traffic Pty Ltd
  - Golding Lane Pty Ltd t/a GoldLane Traffic Management
  - Lack Group Traffic Pty Ltd
  - Aristocrat Australia Pty Ltd t/a National Traffic Australia
  - Northwest Traffic Management Pty Ltd
  - Platinum Traffic Services Pty Ltd
  - Workcontrol Operations Pty Ltd
2. A provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2026.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 27 Planning Agreements Report  
224/2324 RESOLVED** that Council:

1. Notes the information contained in the Planning Agreements Report.
2. Endorses the key terms for Valley of the Winds Wind Farm and Spicers Creek Wind Farm.
3. Delegates authority to the General Manager and Mayor to negotiate and finalise the Planning Agreements with the proponents of the Valley of the Winds Wind Farm and Spicers Creek Wind Farm.
4. Once finalised, places the above draft Planning Agreements on display for public comment for 42 days.
5. Staff report back to Council once advertising is complete.
6. Receive a further report on the establishment of a Planning Agreement Management Committee.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Holcombe

For – Cr Doolan, Cr Brady, Cr Hogden, Cr Holcombe, Cr Kopke, Cr Newton, Cr Rindfleish and Cr Todd

Against – Cr Iannuzzi

**Item 28 Real Country Tourism Experience Strategy and Infrastructure Business Case**

This matter was dealt with earlier in the meeting.

**Item 29 Central-West Orana Renewable Energy Zone Report – February 2024**

**5.55pm**

**Cr Brady left the meeting**

**5.57pm**

**Cr Brady returned to the meeting**

**225/2324 RESOLVED** that Council notes the Central-West Orana Renewable Energy Zone Report – February 2024.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 30 Development Approvals**

**226/2324 RESOLVED** that Council notes the Applications and Certificates approved during December 2023 and January 2024, under Delegated Authority.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Newton

For – Unanimous

**Item 31 Notice of Motion – HAFFF Grants**

**227/2324 RESOLVED** that Council investigate:

1. Council owned/available land within our Shire that would be suitable to build houses that can qualify for us to apply for HAFFF grants.
2. Opportunities for renovations / upgrades of existing Council properties.

**MOVED:** Councillor Rindfleish

**SECONDED:** Councillor Todd

For – Unanimous

**Item 32 Notice of Motion – Power Charging Stations**

**228/2324 RESOLVED** that Council investigate and seek grants on power charging stations in all small towns in the Shire. Conducting community consultation to seek information on what each town needs and where they should be placed.

**MOVED:** Councillor Rindfleish

**SECONDED:** Councillor Kopke

For – Cr Doolan, Cr Brady, Cr Hogden, Cr Holcombe, Cr Kopke, Cr Newton, Cr Rindfleish and Cr Todd

Against – Cr Iannuzzi

**Item 33 Reports to be Considered in Closed Council**

**229/2324 RESOLVED** that:

**1. Item 33.1 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 33.2 Council Organisation Structure**

That the Council 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).

**3. Item 33.3 Mayoral Minute – General Manager’s Interim Performance Review and Contract Update**

That the Mayoral Minute – General Manager’s Interim Performance Review and Contract Update 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 Newton

**SECONDED:** Councillor Brady

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.

**230/2324 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 Iannuzzi

**SECONDED:** Councillor Brady

For – Unanimous

**6.09 pm**  
**Closed Council**

**Item 33.1 Human Resources Monthly Report**

**231/2324 RESOLVED** that Council notes the information contained in the Human Resources Monthly Report.

**MOVED:** Councillor Holcombe

**SECONDED:** Councillor Kopke

For – Unanimous

**Item 33.2 Council Organisation Structure**

**232/2324 RESOLVED** that Council notes the report on the Council Organisation Structure.

**MOVED:** Councillor Todd

**SECONDED:** Councillor Hogden

For – Unanimous

**233/2324 RESOLVED** that all staff vacate the chambers for consideration of item 33.3 Mayoral Minute – General Manager’s Interim Performance Review and Contract Update.

**MOVED:** Councillor Kopke

**SECONDED:** Councillor Hogden

**6.15pm**  
**All staff left the chambers.**

**Item 33.3 Mayoral Minute – General Manager’s Interim Performance Review and Contract Update**

**234/2324 RESOLVED** that Council:

1. Note and endorse the outcomes of the General Manager’s Interim Performance Review.
2. Discuss the contract renewal for the General Manager.
3. Delegate Authority to the Mayor and Deputy Mayor to implement Councils decision and prepare a further report for Council.

**MOVED:** Councillor Hogden

**SECONDED:** Councillor Holcombe

For – Unanimous

**6.47pm**  
**The General Manager returned to the Chambers.**

Meeting date: 15 February 2024

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**235/2324 RESOLVED** that Council return to Open Council.

**MOVED:** Councillor Newton

**SECONDED:** Councillor Kopke

For – Unanimous

**6.48pm**  
**Open Council**

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

There being no further business the meeting closed at 6.49pm.

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**CHAIRPERSON**