

ORDINARY MEETING

MINUTES

TUESDAY 11TH JANUARY 2022

WARREN SHIRE COUNCIL

Minutes of the Ordinary Meeting of Council
held in the Council Community Room, 115 Dubbo Street Warren
on Tuesday 11th January 2022 commencing at 8:35 am

Present:

COUNCILLORS	MJ Quigley	Chair
	GJ Whiteley	
	KL Walker	
	NR Kinsey	
	RA Jackson	
	AJ Brewer	
	JM Van Eldonk	
	DJ McCloskey	
	HJ Druce	
	RJ Higgins	
STAFF MEMBERS	G Woodman	General Manager (GM)
	D Arthur	Divisional Manager Finance & Administration (DMFA)
	R Burns	Acting Divisional Manager Engineering Services (ADMES)
	M Stephens	Manager Health & Development Services (MHD) (Online)
	J Burtenshaw	Executive Assistant (EA)

At the commencement of this meeting, all Councillors present undertook the Oath or Affirmation of Office.

Councillor KW Taylor and Councillor SJ Derrett undertook their Oath of Office on Thursday, 23rd December 2021 in the presence of the General Manager.

SPECIAL GENERAL MANAGER REPORTS

Item 1 Election of Mayor (C14-13)

MOVED Brewer/Druce that:

1. Council note that the General Manager or his nominee is the Returning Officer for the purpose of electing the Mayor.
2. The General Manager or his nominee, as Returning Officer, advise of nominations for the election of Mayor for the two-year term of office, from January 2022 to September 2023;
3. In the event of more than one (1) nomination that Council conduct the election of the Mayor by ordinary ballot and in accordance with the Local Government (General) Regulation 2005; and
4. Following the election, the ballot papers used in the election of the Mayor be destroyed.

**Carried
1.1.22**

The General Manager, as Returning Officer, informed Council that there had been only one nomination received for the position of Mayor, that being Councillor Milton Quigley, who had formally acknowledged in writing his acceptance of the nomination for this position.

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SPECIAL GENERAL MANAGER REPORTS

CONTINUED

Item 1 Election of Mayor

(Continued)

Pursuant to Section 3(1) of Schedule 7 of the Local Government (General) Regulation, 2005 the Returning Officer formally advised Council that Councillor Milton Quigley had been elected to the position of Mayor of Warren Shire Council unopposed for the ensuing term.

Carried
2.1.22

Item 2 Election of Deputy Mayor

(C14-13)

MOVED Jackson/Kinsey that:

1. Council continue the position of Deputy Mayor.
2. Council note that the General Manager or his nominee is the Returning Officer for the purpose of electing the Deputy Mayor.
3. The General Manager or his nominee, as Returning Officer, advise of nominations for the election of Deputy Mayor for the two-year term of office, from January 2022 to September 2023;
4. In the event of more than one (1) nomination, that Council conduct the election of the Deputy Mayor by ordinary ballot and in accordance with the Local Government (General) Regulation 2005; and
5. Following the election, the ballot papers used in the election of the Deputy Mayor be destroyed.

Carried
3.1.22

The General Manager, as Returning Officer, informed Council that there had been only one nomination received for the position of Deputy Mayor, that being Councillor Sarah Derrett who had acknowledged in writing her acceptance of the nomination for this position.

Pursuant to Section 3(1) of Schedule 7 of the Local Government (General) Regulation, 2005 the Returning Officer formally advised Council that Councillor Sarah Derrett had been elected to the position of Deputy Mayor of Warren Shire Council for the ensuing term.

Carried
4.1.22

APOLOGIES

Apologies were tendered on behalf of Councillor KW Taylor and Councillor SJ Derrett who were absent due to external commitments, and it was **MOVED** Kinsey/Druce that the apologies be accepted and a leave of absence for the members concerned be granted.

Carried
5.1.22

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CONFIRMATION OF MINUTES

MOVED Druce/Higgins that the Minutes of the Ordinary Meeting of Council held on Thursday, 2nd December 2021 be adopted as a true and correct record of that Meeting.

Carried
6.1.22

DISCLOSURES OF INTERESTS

Nil.

MAYORAL MINUTE(S)

Nil.

REPORTS OF COMMITTEES

Manex **(C14-3.4)**

MOVED Jackson/Walker that the Minutes of the Manex Meeting held on Tuesday, 14th December 2022 be received and noted.

Carried
7.1.22

GENERAL MANAGER'S REPORTS

Item 1 Election of Committees and Delegates **(C14-2)**

GM - A
Chk Lst **MOVED** Jackson/Walker that Council determine its delegates for each of the listed Committees/Organisations and where an election is required, it be by open voting by show of hands:

Council Committees

1. **Airport Committee** - 2 Councillors.
Councillor KW Taylor and Councillor DJ McCloskey.
 2. **Australia Day Committee** - 1 Councillor.
Councillor KW Taylor.
 3. **Economic Development & Promotions Committee** - 5 Councillors.
Councillor MJ Quigley, Councillor SJ Derrett, Councillor AJ Brewer, Councillor HJ Druce and Councillor RA Jackson.
 4. **Ewenmar Waste Depot Committee** - 3 Councillors.
Councillor HJ Druce, Councillor KL Walker and Councillor RJ Higgins.
 5. **Internal Audit and Risk Management Committee** – Mayor and Deputy Mayor.
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GENERAL MANAGER'S REPORTS

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Item 1 Election of Committees and Delegates Continued

6. **Plant Committee** - 5 Councillors.
Councillor AJ Brewer, Councillor NR Kinsey, Councillor RJ Higgins, Councillor GJ Whiteley and Councillor DJ McCloskey.
7. **Roads Committee** – Mayor and 5 Councillors, one from each Ward if possible.
Councillor NR Kinsey (Ward A), Councillor GJ Whiteley (Ward A), Councillor RJ Higgins (Ward C), Councillor AJ Brewer (Ward D) and Councillor DJ McCloskey (Ward D).
8. **Showground/Racecourse Committee** - 4 Councillors.
Councillor HJ Druce, Councillor RJ Higgins, Councillor GJ Whiteley and Councillor DJ McCloskey.
9. **Sporting Facilities Committee** - 4 Councillors.
Councillor KW Taylor, Councillor GJ Whiteley, Councillor DJ McCloskey and Councillor MJ Quigley.
10. **Town Improvement Committee** - 6 Councillors.
Councillor SJ Derrett, Councillor KW Taylor, Councillor HJ Druce, Councillor RA Jackson, Councillor JM Van Eldonk and Councillor DJ McCloskey.
11. **Traffic Committee including Development Committee** - 1 Councillor.
Councillor KW Taylor.
12. **Warren Public Arts Committee** - 3 Councillors.
Councillor RA Jackson, Councillor KL Walker and Councillor JM Van Eldonk.
13. **Water and Sewerage Committee** (now to undertake the role and responsibility of the Water Conservation Committee) - 4 Councillors.
Councillor RJ Higgins, Councillor AJ Brewer, Councillor JM Van Eldonk and Councillor NR Kinsey.

External Committee/Organisations

1. **Castlereagh Macquarie County Council** - 2 Councillors.
Councillor AJ Brewer and Councillor NR Kinsey.
2. **Alliance of Western Councils or other Collaboration Entity** - Mayor (or Delegate) and the General Manager.
3. **North Western Library and Central West Zone** - 2 Councillors.
Councillor SJ Derrett and Councillor KL Walker.
4. **Outback Arts Regional Council** - 1 Councillor.
Councillor RA Jackson.
5. **Warren Interagency Support Services Group** - 3 Councillors.
Councillor SJ Derrett, Councillor KL Walker and Councillor JM Van Eldonk.

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GENERAL MANAGER'S REPORTS

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Item 1 Election of Committees and Delegates

Continued

6. **Murray Darling Association Region 10** – 1 Councillor.
Councillor GJ Whiteley.
7. **Macquarie River Flood Mitigation Zone Reference Group** – Mayor (or Delegate) and the General Manager.
8. **NSW Police Community Safety Precinct meetings** - All Councillors.
9. **Warren Liquor Accord** (1 Councillor (Chair), General Manager (Secretary)).
Councillor KW Taylor.
10. **Warren Health Action Committee** - 1 Councillor.
Councillor HJ Druce.
11. **Mining and Energy Related Councils** – 1 Councillor, 1 alternate Councillor and the General Manager.
Councillor KL Walker and alternate Councillor RA Jackson.
12. **Central-West Renewable Energy Zone** – 1 Councillor, 1 alternate Councillor and the General Manager.
Councillor RA Jackson and alternate Councillor KL Walker.
13. **Country Mayors Association** – Mayor (or Delegate) and the General Manager.

Carried
8.1.22

At 9.30 am the Warren Health Action Committee (WHAC) representatives Mr Rod Sandell and Mr Tony McAlary gave a presentation to Council informing on the Committee's direction in supporting the local health services to obtain trained staff (Doctors and Nurses) and the current need for accommodation for these health professionals.

The WHAC also made a request to utilise Council's social media, website and media boards weekly for the advertising of visiting health professionals as required.

The Mayor requested that the WHAC advise the health service providers to contact Council to supply the information as warranted.

The Mayor thanked the WHAC for the work they are doing and invited Mr Sandell and Mr McAlary to stay for morning tea.

GENERAL MANAGER'S REPORTS

CONTINUED

Item 2 Delegation of Authority to the Mayor

(C14-2)

GM - N **MOVED** McCloskey/Brewer that Council issue the following Delegations to the Mayor under the Local Government Act 1993:

1. To carry out any function conferred on and duty imposed on the Mayor under any Act or Regulation.
 2. To carry out the general supervision, control and direction of the General Manager.
 3. To affix the Common Seal of Council in conjunction with the General Manager or another Councillor to any necessary document pursuant to or consequent upon any decision of Council.
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GENERAL MANAGER'S REPORTS

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Item 2 Delegation of Authority to the Mayor (C14-2)

4. To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.
5. To approve attendance by elected members at conferences, seminars and congresses but such must be within budget provisions.
6. To authorise urgent works up to an amount of \$20,000.00.
7. To issues references under Council letterhead.
8. To promote the area of Council through representations, delegations, functions and personal approaches.
9. To provide civic receptions as deemed appropriate.
10. To invite any group or individual to address any Committee or Council Meeting.
11. To authorise release of Council plant and other resources to assist fire fighting and emergency work.

Carried
9.1.22

Item 3 Delegation of Authority to the Deputy Mayor (C14-2)

GM - N **MOVED** Druce/Brewer that Council issue the following Delegations to the Deputy Mayor under the Local Government Act 1993:

1. To carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out their duties.
2. To affix the Common Seal of Council in conjunction with the General Manager or another Councillor to any necessary document pursuant to or consequent upon any decision of Council.
3. To issue references under Council letterhead.

Carried
10.1.22

Item 4 Delegation of Authority to the General Manager (S12-25.1)

GM - A
Chk Lst **MOVED** Walker/Kinsey that in accordance with the provisions of Section 377 of the Local Government Act, 1993 Council hereby delegates to the General Manager, Gary John Woodman delegated authority to exercise or perform on behalf of Council the following powers, authorities, duties and functions until the end of this Council Term:-

A. Council Meeting and Operations

1. To determine matters which are included in the Business Papers of Council and its Committees, subject to the inclusion of the following items when they arise, namely:
 - (i) reports on matters which cannot be determined under delegated authority;
 - (ii) reports required to be submitted under any Act or Regulation;
 - (iii) matters requiring a determination of Policy;
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GENERAL MANAGER'S REPORTS

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Item 4 Delegation of Authority to the General Manager Continued

- (iv) reports directed by the Council to be submitted;
- (v) matters essential for the Council's information;
- (vi) matters requested by the Mayor.

2. To invite a group or individual to address any Council Committee.
3. To lay information, to make application for search warrants, to make complaints, to initiate and carry on any proceedings and to represent Council in any Court on any matter.
4. To affix the Council's Common Seal to documents provided that an attestation is still provided with each affixation of the Seal by the signatures of at least one (1) member of the Council's staff and the Mayor or Deputy Mayor.
5. To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.

B. General Administration

1. To approve recommendations of the Joint Consultative Committee.
2. To disclose Council records in line with the Government Information (Public Access) Act 2009 (GIPA Act) Warren Shire Council Publication Guide in consultation with Council's Public Officer.
3. To enter into Pipeline Agreements with the State Rail Authority or its successor.
4. To exercise the power of entry and to authorise other employees of Council to have that power of entry under:
 - (a) The provisions of the Local Government Act, 1993 Section 191, 191A, 192 and 193.
 - (b) The provisions of Section 119E of the Environmental Planning and Assessment Act, 1979.
 - (c) The provisions of Section 28 of the Swimming Pools Act, 1992.
 - (d) The provisions of Section 66 of the Rural Fires Act, 1997 (in line with Service Level Agreement).
 - (e) The provisions of Section 37 of the Food Act, 2003.
 - (f) The provisions of Sections 47 and 72 of the Public Health Act, 1991.
 - (g) The provisions of Section 164 of the Roads Act, 1993.
 - (h) The provisions of Section 42 of the Impounding Act, 1993.
 - (i) The provisions of Sections 111 and 196 of the Protection of the Environment Operations Act, 1997
 - (j) The provisions of Sections 43, 44 and 50 of the Noxious Weeds Act, 1993.
 - (k) The provisions of the Companion Animals Act, 1998.

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GENERAL MANAGER'S REPORTS

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Item 4 Delegation of Authority to the General Manager Continued

5. To exercise the powers of an authorised officer/person and appoint such persons under:
 - (a) The Local Government Act, 1993;
 - (b) The Impounding Act, 1993;
 - (c) The Roads Act, 1993;
 - (d) The Food Act, 2003;
 - (e) The provisions of the Protection of the Environment Operations Act, 1997
 - (f) The Swimming Pools Act, 1992;
 - (g) The Public Health Act, 1991;
 - (h) The Rural Fires Act, 1997 (in line with Service Level Agreement);
 - (i) The Noxious Weeds Act, 1993;
 - (j) The Mines Inspection Act, 1901;
 - (k) The provisions of the Companion Animals Act, 1998;
 - (l) The Environmental Planning and Assessment Act 1979.

6. To give approval to "approved forms" as defined by the Local Government Act, 1993.

7. To issue references under Council letterhead.

8. To authorise and undertake any necessary arrangements for the attendance of practical, technical and professional staff at any relevant course, seminar, congress meeting and conference but such approved attendance must be within budget limitations.

9. To approve annual, sick, long service, special leave and leave without pay for Council employees.

C. Finance

1. To designate an employee of Council as the responsible accounting officer in accordance with Part 9 of the Local Government (General) Regulation, 2005.

2. To declare each parcel of rateable land in the Warren Shire Council area to be within one or other of the following categories:-
 - farm land
 - residential
 - mining
 - business

3. To accept payment of rates and charges due and payable by a person in accordance with an agreement made with the person and to write off or reduce interest accrued on rates or charges if the person complies with the agreement.

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GENERAL MANAGER'S REPORTS

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Item 4 Delegation of Authority to the General Manager Continued

4. To write off accrued interest on rates or charges payable by a person if the person is unable to pay the accrued interest for reasons beyond the person's control or where payment of the accrued interest would cause that person extreme hardship.
5. To invest money in accordance with Section 625 of the Local Government Act, 1993.
6. To approve reimbursement for shortages in the Cashier's tray up to \$500 in any one case.
7. To approve the submission of tenders, quotations and estimates for private works.
8. To authorise the refund of fees in total or in part in respect of applications either refused by Council or withdrawn by the applicant.
9. To authorise the release of any bond or bank guarantee where the required works or services have been completed in accordance with approvals granted by Council.
10. To require the lodgement of a cleaning deposit for the hiring of Council's parks, ovals, sporting facilities or buildings.
11. To prepare and lodge applications for the payment of a Library Subsidy in accordance with Section 13 of the Library Act, 1939.
12. To authorise expenditure of Council for works and services required in accordance with the adopted annual budget of Council up to a maximum of \$250,000.
13. To initiate, negotiate and authorise royalty agreements on Council's behalf with local landholders for the acquisition of resources in the performance of Council's works programme.
14. To engage (or dismiss) contractors on an hourly, daily, weekly or monthly basis for works in accordance with Council's Work Programme.
15. To authorise the hire of Council's plant and resources for private works at comprehensive hire rates or at suitably negotiated rates.
16. To write off accrued interest on rates and charges payable by a ratepayer who is paying by instalments in accordance with the provisions relating to the annual rate levy, Council's policy.
17. To destroy Council records in accordance with the provisions of the State Records Act 1998 (NSW).
18. To expend Council's maintenance votes in accordance with, and subject to the limits as adopted by Council in the annual budget.

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GENERAL MANAGER'S REPORTS

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Item 4 Delegation of Authority to the General Manager Continued

D. Roads

1. To close roads and bridges temporarily or impose load limits subject to the provisions of the Roads Act, 1993, for repair or construction when necessary.
2. To approve applications for permission to open streets, subject to the proviso that applications received from private individuals (other than from State and Commonwealth authorities) shall not be approved until the cost of reinstatement has been paid in full.
3. To deal with all matters relating to the alteration or deletion of easements or restrictions as to use pursuant to Section 88 (B) of the Conveyancing Act.
4. To issue approvals for structures on footways pursuant to Sections 125 and 126 of the Roads Act, 1993.
5. To give direction to remove obstructions or encroachments on public roads pursuant to Section 107 of the Roads Act, 1993.
6. To approve ramp and gate installations in accordance with Council policy.
7. To approve the movement of stock, machinery or any other materials along or across any Council controlled road or through any built up area of the Shire, subject to any provisions of the Roads Act, 1993.

E. Town Planning/Building Control

1. To determine the amount of any bond required to be lodged by developers as security for completion of works.
2. To exercise Council's power under Section 54 of the Environmental Planning Assessment Act to commence the preparation of a Draft Local Environmental Plan and a Draft Development Control Plan.
3. To issue or serve approvals and orders under the provisions of Chapter 7 of the Local Government Act, 1993 and regulations thereunder including the extension, renewal, modification and revocation of any approval granted.
4. To implement Regulation 157c of the Construction Safety Act relating to Amusement Devices.
5. To implement the provisions of the Environmental Restoration and Rehabilitation Trust Act, 1990 as an authorised delegate under such Act.
6. To consider and determine objections and seek the concurrence of the Director-General of the Division of Local Government in relation to such objections under Section 82 of the Local Government Act, 1993.

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GENERAL MANAGER'S REPORTS

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Item 4 Delegation of Authority to the General Manager Continued

7. To approve the re-location and re-positioning of buildings.
8. To approve the classification or re-classification of buildings under the provisions of the Local Government (General) Regulations, 2005 and the issue of appropriate certificates and statements.
9. To approve or refuse the issue of Building Certificates pursuant to Section 149D of the Environmental Planning and Assessment Act, 1979 as amended.
10. To authorise the service of orders on owners, builders or other persons to correct any breach of any approval or defects in buildings and structures.
11. To approve unconditionally or subject to conditions or refuse applications received in respect to the construction of fences, advertising signs and street banners.
12. To approve, subject to the payment of fees fixed by Council from time to time and pursuant to Section 68 of the Local Government Act, 1993 the erection of hoardings on footpaths.
13. To consider the applications and to issue unconditionally or subject to conditions or refuse applications for the occupation of caravans or other temporary accommodation on building sites.
14. To grant or refuse the extension/renewal of building approvals issued by Council.
15. To approve the variation of building lines where such variation is of a minor significance.
16. To accept or reject certifications submitted under Section 93 of the Local Government Act, 1993.
17. To approve Development Applications for all developments/classes of buildings where no substantial community objection is registered.
18. To refuse Development Applications that do not comply with Legislation, Council's LEP or DCP.
19. To authorise, where appropriate, the determination of Land and Environment Court matters by an Assessor of the Court.
20. To grant a departure from a development standard pursuant to the various Development Control Plans where that provision is available and where such departure is considered to be in accordance with the overall aims and objectives of the relevant plan.
21. To serve any notices or orders or intention of any notice or order under the provisions of the Local Government Act and Regulations, Environmental Offences and Penalties Act and Regulations, Public Health Act and Regulations, Food Act and Regulations, Protection of the Environment Act, 1997 and regulations.

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Item 4 Delegation of Authority to the General Manager Continued

22. Pursuant to any delegation from the Director-General of the Department of Health to issue clean up notices under Section 51 of the Food Act, 1989.
23. Pursuant to any delegation from the Director-General of the Department of Health to serve Orders for Closure under Section 52 of the Food Act, 1989.
24. To approve or refuse applications for the installation of waste treatment devices and human waste storage facilities under Section 68 of the Local Government Act, 1993.
25. To issue Undertaker and Mortuary approvals pursuant to Section 68 of the Local Government Act, 1993.
26. To authorise the carrying out of work by Council pursuant to Section 678 of the Local Government Act, 1993.
27. To reject applications for approval pursuant to Section 85 of the Local Government Act, 1993.

F. BUSHFIRE/EMERGENCY SERVICES

1. To authorise the release of Council plant and other resources to assist fire fighting and emergency work.
2. To authorise the use of Council resources to support the Warren Local Emergency Management Committee, Warren Local Emergency Operations Controller or Warren State Emergency Service Local Controller.
3. To authorise the use of Council's resources and exercise the powers conferred under Section 36 of the Environmentally Hazardous Chemicals Act, 1985.
4. To make Council appointments to the Warren Local Emergency Management Committee pursuant to the State Emergency Rescue and Management Act, 1989.

G. Impounding/Stock Control/Saleyards

1. To appoint Impounding Officers and authorised persons to impound and/or destroy certain animals and articles pursuant to the Impounding Act, 1993.
2. To implement the provisions of the Companion Animals Act 1999 and regulations and serve any notice for breaches of the subject Act and Regulations.
3. To issue any temporary grazing permits for public roads or for any Council controlled lands in accordance with Council's policy on this matter, or any other appropriate State or Federal Legislation or any reasonable conditions of approval as determined by the General Manager.

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GENERAL MANAGER'S REPORTS

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Item 4 Delegation of Authority to the General Manager

Continued

H. Miscellaneous Operational Matters

1. To determine applications for use of public roads for walkathons, charitable collections, motorcar trials, bicycle races and the like where the involvement of the Warren Local Traffic Committee is not specifically required.
2. To determine the conditions of use of Council's parks gardens and reserves and other places in accordance with section 632 of the Local Government Act, 1993.
3. To vary the dates of opening and closing of the Warren Pool Complex.
4. To impose and enforce any necessary restrictions to the water supplies of Warren, Nevertire and Collie.
5. To issue pavement concessions for aircraft wishing to use the Warren Aerodrome in accordance with the guidelines issued by the Department of Transport.
6. In consultation with the Mayor the authority to approve or refuse applications for mineral explorations throughout the Shire unconditionally or subject to any appropriate conditions.
7. To approve the free utilisation of Council plant and equipment to charitable, service, voluntary and community organisations within the Shire in accordance with Council's Policy.
8. To issue NOTAMS advices to the CASA in accordance with appropriate legislative requirements.

Carried
11.1.22

MORNING TEA

At this point in the meeting, the time being 10.06 am, Council adjourned for Morning Tea.

RESUMPTION

The meeting resumed at 10.37 am.

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GENERAL MANAGER'S REPORTS

CONTINUED

Item 5 Meeting Dates, Times and Order of Business (C14-2)

EA - N **MOVED** McCloskey/Jackson that:

1. Council adopt the meeting dates and location as listed with the commencement time of 8.30 am:

Thursday	24th February 2022	Warren
Thursday	24th March 2022	Warren
Thursday	28th April 2022	Warren
Thursday	26th May 2022	Warren
Thursday	23rd June 2022	Warren
Thursday	28th July 2022	Warren
Thursday	25th August 2022	Warren
Thursday	22nd September 2022	Warren
Thursday	27th October 2022	Warren
Thursday	1st December 2022	Warren

2. The Order of Business in accordance with Council's Code of Meeting Practice be as follows:

1. Opening meeting;
2. Apologies and applications for a leave of absence by Councillors;
3. Confirmation of minutes;
4. Disclosures of interests;
5. Mayoral minute(s);
6. Reports of committees;
7. Reports to Council;
8. Notices of motions/Questions with notice;
9. Confidential matters; and
10. Conclusion of the meeting.

**Carried
12.1.22**

Item 6 Oath or Affirmation of Office (C14-5.2)

GM - N **MOVED** Kinsey/Druce that:

1. The information be received and noted; and
2. The taking of the oath or affirmation of office by Councillors be formally recorded.

**Carried
13.1.22**

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GENERAL MANAGER'S REPORTS

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Item 7 Councillor Vacancy (Local Government Act 1993 S291a) Report (C14-2)

GM - A
Chk Lst

MOVED Kinsey/Brewer that pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act) Warren Shire Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 4th December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.

**Carried
14.1.22**

Item 8 Council Organisational Structure (S12-1.1)

MOVED Jackson/Whiteley that Council adopt the Organisational Structure as detailed within the report.

**Carried
15.1.22**

Item 9 Outstanding Reports Checklist (C14-7.4)

EA - N

MOVED Kinsey/Whiteley that the information be received and noted and that the items marked with an asterisk (*) be deleted.

**Carried
16.1.22**

In recognition of Warren being a healthy town and to keep awareness of a healthy lifestyle, Council will be standing while dealing with Item 10 of the General Manager's report.

Item 10 Committee/Delegates Meetings (C14-2)

GM - A
Chk Lst

MOVED McCloskey/Brewer that:

1. The information be received and noted; and
2. Council write a letter to Water NSW congratulating them on the management of the Macquarie River flood flows and the work conducted by the Macquarie Flood Mitigation Zone Airspace Reference Panel during the November/December 2021 floods.

**Carried
17.1.22**

Item 11 Works Progress Reports – Infrastructure Projects (C14-7.1, G4-1, G4-1.43)

MOVED Brewer/Druce that the information be received and noted.

At this point in the meeting, the time being 11.24 am Councillor Walker left the meeting room.
At this point in the meeting the time being 11.26 am, Councillor Walker returned to the meeting room.

**Carried
18.1.22**

WARREN SHIRE COUNCIL
Minutes of the Ordinary Meeting of Council
held in the Council Community Room, 115 Dubbo Street Warren
on Tuesday 11th January 2022 commencing at 8:35 am

GENERAL MANAGER'S REPORTS

CONTINUED

Item 12 **Electoral Funding Obligations of Newly Elected Councillors and Mayors** **(E2-2.15)**

MOVED Brewer/Druce that the information be received and noted.

Carried
19.1.22

DIVISIONAL MANAGER FINANCE AND ADMINISTRATION'S REPORTS

Item 1 **Reconciliation Certificate – November and December 2021** **(B1-10.16)**

MOVED Brewer/Walker that the Statements of Bank and Investments Balances as at 30th November 2021 and 31st December 2021 be received and noted.

Carried
20.1.22

Item 2 **Statement of Rates and Annual Charges** **(R1-4)**

MOVED Brewer/Druce that the information be received and noted.

Carried
21.1.22

Item 3 **Works Progress Reports – Finance & Administration Projects** **(S1-1.15, C9-1)**

MOVED Druce/Brewer that the information be received and noted.

Carried
22.1.22

DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS

Item 1 **Works Progress Reports - Roads** **(C14-7.2)**

MOVED Brewer/McCloskey that the information be received and noted.

At this point in the meeting, the time being 11.44 am Councillor Whiteley left the meeting room.

Carried
23.1.22

Item 2 **Works Progress Reports – Town Services** **(C14-7.2)**

MOVED Brewer/Kinsey that the information be received and noted.

At this point in the meeting the time being 11.45 am, Councillor Whiteley returned to the meeting room.

Carried
24.1.22

WARREN SHIRE COUNCIL
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DIVISIONAL MANAGER ENGINEERING SERVICES REPORTS

CONTINUED

Item 3 Works Progress Reports – Fleet/Workshop (C14-7.2)

MOVED Walker/Kinsey that the information be received and noted.

**Carried
25.1.22**

MANAGER HEALTH AND DEVELOPMENT SERVICES REPORTS

Item 1 Development Application Approvals (D4-9)

MOVED Jackson/Kinsey that the information be received and noted.

**Carried
26.1.22**

Item 2 Works Progress Reports – Health and Development Services (C14-7.3)

MOVED Walker/Kinsey that the information be received and noted.

**Carried
27.1.22**

CONFIDENTIAL ITEM

MOVED Jackson/Brewer that the Council proceed into the Committee of the Whole Closed Council, the time being 12.05 pm to consider matters in accordance with Section 10A(2)(d)(i) of the Local Government Act.

**Carried
28.1.22**

MOVED Jackson/Brewer that the press and the public be excluded from the Committee of the Whole Closed Council in accordance with Section 10A(2)(d)(i) of the Local Government Act.

**Carried
29.1.22**

Council resumed in Open Council at 12.20 pm.

Item 1 Tender No. T252122OROC – Provision of Road Stabilising (C14-6.2/57)

MOVED Jackson/Brewer that:

1. Council, in accordance with the *Local Government (General) Regulation 2005*, formally agree to accept the analysis of the tender evaluation, for the joint group of Member Councils for the Contract T252122OROC Provision of Road Stabilising within the Warren Shire Council for the two-year period commencing 1st January, 2022 and ending 31st December, 2023.
2. The Council will allow for a 12-month extension based on satisfactory supplier performance which may take this tender through to 31st December, 2024.

DMES - A
Chk Lst

WARREN SHIRE COUNCIL

Minutes of the Ordinary Meeting of Council
held in the Council Community Room, 115 Dubbo Street Warren
on Tuesday 11th January 2022 commencing at 8:35 am

CONFIDENTIAL ITEM

CONTINUED

Item 1 Tender No. T252122OROC – Provision of Road Stabilising Continued

3. Council issue approval to Regional Procurement to adjust the prices of the Contract Provision of Road Stabilising in accordance with the price variation Clause detailed within the Contract T252122OROC.
4. Council issue approval to the executive staff of Regional Procurement Initiative to sign the Deed of Agreement on behalf of Council for Contract T252122OROC.
5. Warren Shire Council award this contract as the Panel Source Supplier for the period beginning 1st January 2022 to close of business 31st December 2023 in accordance with the terms and conditions of Contract T252122OROC for the following tenderers:
 - Accurate Asphalt & Road Repairs Pty Ltd t/a Accurate Stabilising;
 - Roadwork Industries Pty Ltd;
 - Downer EDI Works Pty Ltd;
 - Fenworx Pty Ltd t/a Newpave Asphalt;
 - Highway Stabilizers Australia Pty Ltd;
 - Peters Earthmoving Pty Ltd;
 - Stabilco Pty Ltd;
 - Stabilcorp Pty Ltd;
 - Stabilised Pavements of Australia Pty Ltd; and
 - The Mining Pty Ltd.

**Carried
30.1.22**

There being no further business the meeting closed at 12.21 pm.

THESE MINUTES WILL BE CONFIRMED AT THE ORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 24TH FEBRUARY 2022 AS BEING
A TRUE AND CORRECT RECORD.

MINUTE NO. .02.22

.....
GENERAL MANAGER

.....
MAYOR