



MINUTES

**Ordinary Council Meeting
Wednesday, 15 September 2021**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 15 SEPTEMBER 2021 AT 10.00 AM**

PRESENT: Cr Ahmad Karanouh (Mayor), Cr Bill Fisher (Deputy Mayor), Cr Karen Churchill, Cr Pat Cullen, Cr Barbara Deans, Cr Robert Thomas, Cr Paul Wheelhouse

IN ATTENDANCE: Hein Basson (General Manager), Bruce Quarmby (Executive Leader - Corporate and Sustainability), Noreen Vu (Executive Leader - Environment, Strategic Planning & Community), Ian Dinham (Acting Executive Leader - Infrastructure), Pip Goldsmith (Manager of Economic Development & Growth), Marina Colwell (Executive Support Officer)

1 OPENING MEETING

The Mayor opened the meeting at 10.28 am, directly after the conclusion of the Extra-Ordinary Council Meeting, during which meeting he advised the attendees of the following:

- The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast;
- Attendance at the meeting is to be taken as consent by a person to their image and /or voice being webcast (time will be allowed by the Chairperson for people to leave the meeting before it starts);
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent;
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending the meetings – all liability will rest with the individual who made the comments;
- The recording will be available on Council's website for a minimum of 12 months and retained as a Council record;
- Individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting under the Council's Code of Meeting Practice;
- The meeting must not be recorded by others without the prior written consent of the Council in accordance with the Council's Code of Meeting Practice.

2 ACKNOWLEDGEMENT OF COUNTRY

This Ordinary Meeting of Council was held directly after the conclusion of the Extra-Ordinary Council Meeting, during which meeting the Mayor did the following Acknowledgement of Country:

We acknowledge the traditional custodians of this land on which we meet today, the Wailwan people and the Gamilaroi people and recognise their continuing connection

to land, water and culture. We pay our respects to Elders past, present and emerging.

3 COMMUNITY CONSULTATION

Nil.

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil.

5 DEPUTATION/DELEGATIONS

Nil.

6 CONFIRMATION OF MINUTES

RESOLUTION 2021/196

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 11 August 2021 be confirmed as a correct record of the proceedings of the meeting.

CARRIED

7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Deans informed the meeting that she has a non-pecuniary conflict of interest regarding Item 10.3 Economic Development & Growth – Progress Report regarding the Inland Rail Project and a potential farm-stay operation and Item 10.16 Environment and Strategic Planning Progress Report and Item 10.18 Consideration of Development Application 021/2021. She stated that she had lodged submissions for both Ralston Quarry and Single Quarry Development Applications. Cr Deans stated that her farming business is involved with grain production, her property is potentially affected by the proposed route of the Inland Rail Project, will potentially be used as a farm-stay offer, and is in close proximity of the proposed quarry developments. She indicated that she will remain in the room, contributing to discussions and voting on the items, except for the consideration of Item 10.18. For this last-mentioned item, Cr Deans indicated that she will leave the room, not participating in any discussions or voting on the item.

Cr Churchill declared a non-pecuniary conflict of interest regarding Item 10.10 Applications for Financial Assistance under Council's Donations Policy, stating that she is a member of the Coonamble Auto Club. She indicated that she will remain in the room, participate in discussions and voting on the item.

Cr Wheelhouse declared a non-pecuniary conflict of interest regarding Item 12.2 Notice of Motion – Confidential as he is caught up in a similar situation as the subcontractor mentioned in his submitted Notice of Motion, however, he does not regard the conflict of interest as pecuniary in nature as he does not intend to pursue Council for payment. He indicated that she will remain in the room, contributing to discussions and voting on the item.

8 MAYORAL MINUTE

MAYORAL MINUTE

RESOLUTION 2021/197

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

That Council notes the contents of the Mayoral Minute.

CARRIED

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL

SECTION B - MATTERS FOR INFORMATION ONLY

9 COMMITTEE REPORTS

Nil

10 REPORTS TO COUNCIL

10.1 STATUS REPORT REGARDING COUNCILLOR ENQUIRIES

RESOLUTION 2021/198

Moved: Cr Barbara Deans

Seconded: Cr Karen Churchill

That Council notes the information in this report.

CARRIED

10.2 LGNSW BOARD ELECTIONS - ANNUAL AND SPECIAL CONFERENCES**RESOLUTION 2021/199**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

1. That Council nominates the positions of Mayor, Deputy Mayor and General Manager to attend the Local Government NSW (LGNSW) Conference that is scheduled to be held on 28 February to 2 March 2022 in Sydney.
2. That Council, consistent with its current practice, nominates the Mayor as its voting delegate for purposes of electing the LGNSW President and Executive Board Members, as well as for voting on motions discussed at annual conferences.
3. That Council takes advantage of the “early bird” registration fee of \$979.00 per person, to be paid by 29 October 2021.

CARRIED**10.3 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT****MOTION**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

That Council resolves into Committee of the Whole and suspends Standing Orders to enable Council to more informally discuss the various projects addressed in this report.

LOST**RESOLUTION 2021/200**

Moved: Cr Barbara Deans

Seconded: Cr Karen Churchill

1. That Council notes the contents of this report.
2. That Council authorises staff to make an application for funding through the Regional Sport Facility Fund for the Coonamble Sports Ground existing amenities and canteen upgrade.
3. That Council supports the intention of the Coonamble Riverside Holiday Park to offer shower and toilet amenities to truck drivers and other harvest workers during the harvest period, while ensuring any public health orders are respected and adhered to.

CARRIED

10.4 TOURISM AND EVENTS - PROGRESS REPORT**RESOLUTION 2021/201**

Moved: Cr Karen Churchill

Seconded: Cr Robert Thomas

- 1. That Council notes the contents of this report.**
- 2. That the selection committee for locally produced retail and merchandise items to be stocked in the Coonamble Visitor Information Centre be comprised of the Tourism Officer, Manager Economic Development & Growth and a representative from Destination NSW County & Outback, and that items be assessed against the following criteria:**
 - a. Relevance to local production, artist/region message of product, quality, creativity, uniqueness, and craftsmanship.**
 - b. Existing stock mix, pricing structure and space availability.**
 - c. Preference be given to applicants living or working in the Coonamble Local Government Area. Applicants from outside this area are welcome but should demonstrate a connection or benefit to the Coonamble area or region.**

CARRIED**RESOLUTION 2021/202**

Moved: Cr Karen Churchill

Seconded: Cr Ahmad Karanouh

- 3. That the Nickname Hall of Fame be refurbished and updated with the following approaches:**
 - a. The collection of current signs be relocated; firstly to Skillman's Lane and thereafter to the unnamed lane between the current Cants Home Hardware and Coonamble Times buildings, within currently allocated budgets.**
 - b. Additional upgrades, including lighting and technology, be further investigated and costed to include with future budget allocations and/or grant funding applications.**

CARRIED

10.5 DRAFT COONAMBLE MUSEUM UNDER THE BRIDGE COLLECTION POLICY**RESOLUTION 2021/203**

Moved: Cr Bill Fisher

Seconded: Cr Robert Thomas

1. That Council places the draft Coonamble Museum Under the Bridge Collection Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. That, in the event of any submissions being received, the Manager Economic Development & Growth presents a further report, together with the contents of those submissions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Coonamble Museum Under the Bridge Collection Policy will (with or without changes) at its November 2021 Ordinary Meeting.
3. That, in the event of no submissions being received within the prescribed 28 days, Council formally adopts the Community Engagement Policy without any changes as a policy of Council.

CARRIED**10.6 RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR LOCAL COUNCILS****RESOLUTION 2021/204**

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

That Council notes the information contained in this report, and in principal agrees for staff to explore the possibility of a shared Audit, Risk and Improvement Committee arrangement with other neighbouring rural and regional Councils within the region.

CARRIED**10.7 RATES AND CHARGES COLLECTIONS - AUGUST 2021****RESOLUTION 2021/205**

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council notes the information provided in the report.

CARRIED

10.8 STATUS OF INVESTMENTS - AUGUST 2021**RESOLUTION 2021/206**

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

That Council notes the list of investments as at 31 August 2021 and that these investments comply with section 625(2) of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

CARRIED**RESOLUTION 2021/207**

Moved: Cr Paul Wheelhouse

Seconded: Cr Bill Fisher

That a letter be written to the local branches of the NAB and Commonwealth Banks requesting that their trading hours be reinstated to full day operating hours, and drawing attention to the fact that Council is a significant investor with both banks.

CARRIED**10.9 REQUEST FOR CONCESSION TOWARDS WATER AND SEWER USER CHARGES****RESOLUTION 2021/208**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

- 1. That Council resolves to apply the following concessions to the amounts levied against the property with Assessment Number 1308 as part of the 2020 / 21 Fourth Quarter Water Notice:**
 - (a) The Non-Residential Sewer Usage Charges to be reduced by \$799.30.**
 - (b) The Water Usage Charges to be reduced by \$1,201.90.**
- 2. That Council request the Executive Leader - Corporate and Sustainability to develop a Concealed Leaks Policy for Water and Sewerage Usage for Council's future consideration and adoption.**

CARRIED

10.10 APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER COUNCIL'S DONATIONS POLICY**RESOLUTION 2021/209**

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

1. That Council notes the report.
2. Council agrees to provide financial assistance in accordance with the recommendations from the Donations Committee as follows:
 - i) Coonamble Clay Target Club \$8,000.00
 - ii) Gungahman Boat and Waterski Club Inc \$5,000.00
 - iii) Coonamble Auto Club \$1,000.00
 - iv) Coonamble Show Society \$2,000.00
 - v) Gulargambone Campdraft Club Inc \$2,000.00
 - vi) Let's Dance Carinda Tribute Committee \$1,000.00
 - vii) St Brigids P & F Association \$ 490.00
(2 x Family Season Tickets)
 - viii) Gulargambone Community Enterprises \$ 700.00

CARRIED**10.11 REVIEW OF INVESTMENT POLICY****RESOLUTION 2021/210**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

1. That Council places the draft Investment Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. That Council requests the Executive Leader Corporate and Sustainability to present a further report, together with all submissions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Investment Policy (with or without changes) at its November 2021 Ordinary Meeting.
3. That, in the event of no submissions being received within the prescribed 28 days, Council formally adopts the Investment Policy without any changes as a policy of Council.

CARRIED

At 12.04 pm, Council adjourned for lunch and resumed the meeting at 12.28pm.

10.12 QUARTERLY BUDGET REVIEW - JUNE 2021**RESOLUTION 2021/211**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

- 1. That Council approves the variations to votes as listed in the budget review documents distributed under separate cover.**
- 2. That Council notes the opinion of the Responsible Accounting Officer, based on the information as presented in the March Budget review, that Council will be in a satisfactory financial position as at 30 June 2021.**
- 3. That Council notes the position of Council's estimated restricted (reserve) funds as at 30 June 2021.**

CARRIED**10.13 FINANCIAL REPORTS FOR YEAR ENDED 30/06/2021****RESOLUTION 2021/212**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

- 1. That the Mayor, Councillor Fisher, the General Manager and Responsible Accounting Officer be authorised to sign the necessary Statement by Council on the Financial Reports for the year ended 30 June 2021.**
- 2. That Council's Financial Reports for the year ended 30 June 2021 be referred for audit.**

CARRIED**10.14 URBAN SERVICES - WORKS IN PROGRESS****RESOLUTION 2021/213**

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council notes the information in this report.**CARRIED**

10.15 COMMUNITY SERVICE PROGRESS REPORT

RESOLUTION 2021/214

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

That Council notes the information contained in this report.

CARRIED

10.16 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT

RESOLUTION 2021/215

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council notes the contents of this report.

CARRIED

10.17 SALEYARDS REPORT

RESOLUTION 2021/216

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

1. That Council notes the information provided in this report.

CARRIED

RESOLUTION 2021/217

Moved: Cr Bill Fisher

Seconded: Cr Karen Churchill

2. That Council pursues the development of an upgrade plan for the Saleyards facility to comply with the Environmental Protection Authority (EPA) and other Government Agencies' requirements and that the Executive Leader Environment, Strategic Planning obtains quotes in this regard for Council's consideration.

CARRIED

At this juncture, Cr Barbara Deans left the meeting room, not participating in any discussions or voting on the following item.

10.18 CONSIDERATION OF DEVELOPMENT APPLICATION 021/2021**RESOLUTION 2021/218**

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

1. That Council notes the information contained within this report.
2. That Council issues a Notice of Determination to approve DA021/2021 for an Extractive Industry to establish and operate a hard rock quarry (Singles Quarry) at Lot 7 DP 754234 and Lot 1 DP 1192705, Tabletop Road, Quanda.
3. That Council issues a Notice of Determination to approve the development in accordance with:
 - (a) The Development Application DA021/2021 submitted to Coonamble Shire Council on 1 July 2021.
 - (b) The Statement of Environmental Effects by Groundwork Plus, dated May 2021.
 - (c) The Aboriginal Heritage Desktop Study prepared by Avitech Environmental, dated April 2021.
 - (d) The Desktop Biodiversity Assessment Report prepared by Accuplan dated May 2021.
 - (e) The Site Office Plan No. MS-200108 and M/F Toilet Plan No. MS-200305-B20-101, prepared by MBS Modular Building Systems.
4. That Council issues a Notice of Determination to approve DA021/2021 in accordance with the consent to be granted subject to the conditions outlined in the Development Assessment Report dated 26 August 2021 including the conditions relating to:
 - (a) Approved Plans and Documentation
 - (b) Operational Limitations and Requirements
 - (c) Prior to Commencement
 - (d) During Works
 - (e) Monitoring and Recording Conditions
 - (f) Prescribed Conditions.
5. That Council authorises the General Manager to sign the Notice of Determination to approve DA021/2021.

In Favour: Crs Ahmad Karanouh, Bill Fisher, Karen Churchill, Pat Cullen, Robert Thomas and Paul Wheelhouse

Against: Nil

UNANIMOUSLY CARRIED

Cr Barbara Deans re-joined the meeting.

10.19 SUPPLEMENTARY BUSINESS - INFRASTRUCTURE SERVICES - WORKS IN PROGRESS

RESOLUTION 2021/219

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

That Council notes the information in this report.

CARRIED

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

11.1 QUESTIONS WITH NOTICE AND NOTICE OF MOTION

RESOLUTION 2021/220

Moved: Cr Paul Wheelhouse

Seconded: Cr Karen Churchill

That Council notes, because Stay at Home Orders for the Coonamble Shire local government area has been lifted, the submitted Notice of Motion regarding the opening hours of the Services NSW agency has become superfluous.

CARRIED

12 CONFIDENTIAL MATTERS

RESOLUTION 2021/221

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

12.1 Notice of Motion - Confidential

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

CARRIED

12.1 NOTICE OF MOTION - CONFIDENTIAL

For context, it was noted by Council that the contractual agreement was between Fencing Installers Australia (FIA) and Coonamble Shire Council and that Bill O'Brien Fencing was subcontracted by FIA. Council staff have pursued the matter with the NSW Department of Fair Trading to advocate for the unpaid subcontractors and written to the subcontractors involved, explaining the process that is applicable in this instance and advising them of the steps they should take with the NSW Department of Fair Trading.

MOTION

Moved: Cr Paul Wheelhouse

Seconded: Cr Karen Churchill

For Coonamble Shire Council to pay Mr Bill O'Brien for all the works he has done out at the Quambone Tip, and Coonamble Shire Council to then pursue the company which was employed to recoup these funds for a job not completed and not done to proper specifications.

LOST 3/4

Cr Paul Wheelhouse requested his vote to be recorded as voting in favour of the motion.

RESOLUTION 2021/222

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council moves out of Closed Council into Open Council.

CARRIED

RESOLUTION 2021/200

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That the outcome of the voting on the submitted Confidential Notice of Motion be adopted into Open Council.

CARRIED

13 Conclusion of the Meeting

The Meeting closed at 2.03pm.

The minutes of this meeting were confirmed at the Council held on 13 October 2021.

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CHAIRPERSON