



MINUTES

**Ordinary Council Meeting
Wednesday, 8 March 2023**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE GULARGAMBONE MEMORIAL HALL
ON WEDNESDAY, 8 MARCH 2023 AT 10.00 AM**

PRESENT: Mayor Tim Horan, Deputy Mayor Ahmad Karanouh Cr Karen Churchill, Cr Pat Cullen, Cr Barbara Deans, Cr Bill Fisher, Cr Terence Lees, Cr Brian Sommerville

IN ATTENDANCE: Paul Gallagher (General Manager), Bruce Quarmby (Director Corporate Services), Dirk Jol (Acting Director Infrastructure), Deborah Tatton (Manager Finance & Procurement), David Levick (Acting Manager Economic Development & Growth), Marina Colwell (Executive Support Officer)

1 OPENING MEETING

The Mayor opened the meeting at 10.07 am, advising 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

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

Mr Henry Taylor – Acknowledged the previous Gulargambone Pool superintendants, Mr Peter Hurst and Mrs Carmel Hurst. He went on to discuss issues with the new manager of the pool.

Mrs Jenny Bradley – spoke on the amount of local community groups that use the pool and commented on the lack of cleanliness, and knowledge of operating experience (light switches). She asked the following questions:

1. Was there an agency induction when they took over the pool?
2. What is the long term plan for the pool?

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

APOLOGY

RESOLUTION 2023/26

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That the apology from Cr Cohen be noted and leave of absence granted.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

5 DEPUTATION/DELEGATIONS

Nil

6 CONFIRMATION OF MINUTES

RESOLUTION 2023/27

Moved: Cr Terence Lees

Seconded: Cr Bill Fisher

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 8 February 2023 be confirmed as a correct record of the proceedings of the meeting.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Barbara Deans declared a non-pecuniary conflict of interest with:

Item 10.10 Tooraweenah Road Upgrade – Monthly Status Update, as her property and place of residence is on that road, and

Item 12.2 Master Inland Rail Development Agreement. She indicated that she would remain in the room and participate in the discussion on the item.

Cr Ahmed Karanouh declared a non-pecuniary conflict of interest with item 12.4 Investigation into the purchase and redevelopment of the Sons of the Soil Hotel Site as they have businesses within the CBD. They both indicated they would remain in the room and participate in the discussion on the item.

Cr Brian Sommerville declared a non-pecuniary conflict of interest with item 12.4 Investigation into the purchase and redevelopment of the Sons of the Soil Hotel Site as they have businesses within the CBD. They both indicated they would remain in the room and participate in the discussion on the item.

Cr Pat Cullen declared a pecuniary conflict of interest with:

Item 12.4 Investigation into the purchase and redevelopment of the Sons of the Soil Hotel Site. As he is a relative of the property owner, he indicated he will leave the room and not participate in the discussion of the item.

8 MAYORAL MINUTE

MAYORAL MINUTE

RESOLUTION 2023/28

Moved: Mayor Tim Horan

Seconded: Cr Bill Fisher

That the Mayoral Minute be received and noted.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL

SECTION B - MATTERS FOR INFORMATION ONLY

9 COMMITTEE REPORTS

Nil

10 REPORTS TO COUNCIL

10.1 CORRESPONDENCE

RESOLUTION 2023/29

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

That the correspondence listed in the body of the report be noted.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.2 COUNCIL RESOLUTIONS UPDATE

RESOLUTION 2023/30

Moved: Cr Ahmad Karanouh

Seconded: Cr Brian Sommerville

That Council notes the contents of Annexure 1 attached to the report on the status of Council resolutions.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.3 COMMUNITY SERVICES REPORT

RESOLUTION 2023/31

Moved: Cr Barbara Deans

Seconded: Cr Ahmad Karanouh

That Council note the information contained in the Community Services Progress Report.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.4 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**RESOLUTION 2023/32**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

- 1. That Council authorise the General Manager to prepare an Expression of Interest for the Growing Regional Economies Fund, centred on upgrading Coonamble's CBD, with secondary components focused on housing, expanded pre-school/ childcare facilities and the airport.**
- 2. That other contents of the report be noted.**

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0**10.5 STATUS OF INVESTMENTS - FEBRUARY 2023****RESOLUTION 2023/33**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That Council notes the list of investments from 01 February 2023 to 28 February 2023 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.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0**10.6 RATES AND CHARGES COLLECTIONS - FEBRUARY 2023****RESOLUTION 2023/34**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

That Council notes the information provided in the report.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.7 SALEYARDS REPORT- 28 FEBRUARY 2023**RESOLUTION 2023/35**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

That Council note the information provided in this report.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.8 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT**RESOLUTION 2023/36**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

That Council note the information contained within the Environmental and Strategic Planning Progress Report.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.9 COONAMBLE POOL - CHLORINE DOSING**RESOLUTION 2023/37**

Moved: Cr Terence Lees

Seconded: Cr Barbara Deans

That council notes the information supplied in this report.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

10.10 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2023/38**

Moved: Cr Ahmad Karanouh

Seconded: Cr Bill Fisher

That the information be received and noted.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0**10.11 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS****RESOLUTION 2023/39**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

That Council note the information in this report.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0**10.12 STREET TREES - ABERFORD STREET COONAMBLE****RESOLUTION 2023/40**

Moved: Cr Terence Lees

Seconded: Cr Ahmad Karanouh

That Council

- 1. Remove the two (2) trees located in the road reserve adjacent to 67 Aberford Street Coonamble.**
- 2. Replace with up to eight (8) advanced trees within the vicinity of the removed trees in a future tree planting program.**

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

Nil

At 12.29pm Council breaks and resumes in Closed session.

12 CONFIDENTIAL MATTERS**RESOLUTION 2023/41**

Moved: Cr Bill Fisher

Seconded: Cr Terence Lees

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 Closed (Public Excluded) Council Meeting of the Coonamble Shire Council - 8 February 2023**12.2 Master Inland Rail Development Agreement (MIRDA)**

This matter is considered to be confidential under Section 10A(2) - e 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 information that would, if disclosed, prejudice the maintenance of law.

12.3 TEN230303DL - Tender for the construction of a walking loop around Coonamble Sportsground

This matter is considered to be confidential under Section 10A(2) - d(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.4 Investigation into the purchase and redevelopment of the Sons of the Soil Hotel Site.

This matter is considered to be confidential under Section 10A(2) - c 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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

12.1 Tender determination: Real Country Business Case and Strategy Development

This matter is considered to be confidential under Section 10A(2) - d(i) 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

12.1 SUPPLEMENTARY BUSINESS - TENDER DETERMINATION: REAL COUNTRY BUSINESS CASE AND STRATEGY DEVELOPMENT**RESOLUTION 2023/42**

Moved: Cr Bill Fisher

Seconded: Cr Ahmad Karanouh

That the contract for the joint tender between Coonamble, Gilgandra and Warrumbungle Shire Councils, T2/23 Real Country Tourism Experience Strategy and Infrastructure Business Case, be awarded to People Place and Partnership.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0**12.2 MASTER INLAND RAIL DEVELOPMENT AGREEMENT (MIRDA)****RESOLUTION 2023/43**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

This item be deferred pending the receipt of further information.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

12.3 TEN230303DL - TENDER FOR THE CONSTRUCTION OF A WALKING LOOP AROUND COONAMBLE SPORTSGROUND**RESOLUTION 2023/44**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

That Council accept the submission of Conex Services for the construction of the walking loop around the Coonamble Sportsground.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

MOTION

Moved: Mayor Tim Horan

Seconded: Cr Bill Fisher

That a review be carried out on Council's local performance purchasing Policy, with respect of the application of a Local Indexing factor applied for local contractors and the dollar value of the tender, Council staff also to review the Tender Process for receipt of tenders.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

At this point in time Cr Pat Cullen leaves the room for the discussion on Item 12.4

12.4 INVESTIGATION INTO THE PURCHASE AND REDEVELOPMENT OF THE SONS OF THE SOIL HOTEL SITE.

RESOLUTION 2023/45

Moved: Cr Terence Lees
Seconded: Cr Ahmad Karanouh

- 1. That authorises the Mayor and the General Manager to negotiate a purchase price with the owner of the SOTS and bring a report back to Council.**
- 2. That Council continue investigations to finance and redevelop the site – as well as the overall enhancement of the Coonamble CBD precinct – through either grant funding, a public-private partnership arrangement, purchase-then-lease model or other models yet to be identified.**
- 3. That Council prepare costings on the upgrades of the engineering section and on the current RMS building and a report be brought back to council for consideration.**

In Favour: Crs Tim Horan, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Cr Karen Churchill

Cr Churchill requested for her vote be recorded against the recommendation.

CARRIED 6/1

RESOLUTION 2023/46

Moved: Cr Bill Fisher
Seconded: Cr Terence Lees

That Council moves out of Closed Council into Open Council.

In Favour: Crs Tim Horan, Karen Churchill, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 8/0

13 CONCLUSION OF THE MEETING

The Meeting closed at 2.12pm.

The minutes of this meeting were confirmed at the Council held on 12 April 2023.

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CHAIRPERSON