



# **MINUTES**

**Ordinary Council Meeting  
Wednesday, 17 April 2024**

**MINUTES OF COONAMBLE SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE SHIRE CHAMBER, COONAMBLE  
ON WEDNESDAY, 17 APRIL 2024 AT 3.00 PM**

**PRESENT:** Mayor Tim Horan, Deputy Mayor Adam Cohen, Deputy Mayor Bill Fisher, Cr Pat Cullen, Cr Barbara Deans, Cr Terence Lees, Cr Brian Sommerville

**IN ATTENDANCE:** Paul Gallagher (General Manager), Bruce Quarmby (Director Corporate Services), Kerrie Murphy (Director Infrastructure), Barry Broe (Director Community, Planning, Development & Environment), Jenni Maundrell ( Executive Manager Corporate Governance), Marina Colwell (Executive Support Officer), Deborah Tatton (Manager Finance), Kylie Kerr (Manager Roads), Lesley Duncan (Manager Planning, Regulatory & Compliance), Mick Bell (Manager Parks & Urban Services), David Levick (Manager Economic Development & Growth), Sergei Iagunkov (Manager Water & Sewage)

## **1 OPENING MEETING**

The Mayor opened the meeting at 3.10 pm, 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**

Nil

**4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

Nil

**5 DEPUTATION/DELEGATIONS**

Nil

**6 CONFIRMATION OF MINUTES****RESOLUTION 2024/67**

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Barbara Deans

**That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 13 March 2024 be confirmed as a correct record of the proceedings of the meeting.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees, Brian Sommerville

Against: Nil

**CARRIED 7/0****7 DISCLOSURES OF CONFLICTS OF INTEREST**

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

Item 10.12 Tooraweenah Road Upgrade – Monthly Status Update, as her property and place of residence is on that road. She indicated that she would remain in the room and participate in the discussion on the item.

Cr Adam Cohen declared a pecuniary interest in:

Item 12.3 Variation to Contract for Operational Services at Coonamble Pool – as he is part owner of the business operating the pool complex. He indicated that he would leave the room and not participate in the discussion on the item.

**8 MAYORAL MINUTE****MAYORAL MINUTE****RESOLUTION 2024/68**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

**That the report be received and noted.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees, Brian Sommerville

Against: Nil

**CARRIED 7/0**

Mayor Horan acknowledged the passing of Councillor Fishers' mother and ex-Councillor Hans Pokora and passed on his condolences to both families.

**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 2024/69**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

**That the report be received and noted.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.2 LGNSW PRE-BUDGET SUBMISSION****RESOLUTION 2024/70**

Moved: Cr Terence Lees

Seconded: Cr Pat Cullen

**That Council receive and note the contents of this report.****CARRIED****10.3 COMMUNITY DEVELOPMENT****RESOLUTION 2024/71**

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Terence Lees

**That Council receives and notes the information contained in this report.****In Favour:** Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville**Against:** Nil**CARRIED 7/0****10.4 STATUS OF INVESTMENTS - MARCH 2024****RESOLUTION 2024/72**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

**That Council notes the list of investments from 1 March 2024 to 31 March 2024 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, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville**Against:** Nil**CARRIED 7/0**

**10.5 RATES AND CHARGES COLLECTIONS - MARCH 2024**

**RESOLUTION 2024/73**

Moved: Deputy Mayor Adam Cohen  
Seconded: Cr Terence Lees

**That Council receive and note the information provided in the report.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.6 2023-2024 RELATED PARTY DISCLOSURE RETURNS**

**RESOLUTION 2024/74**

Moved: Cr Pat Cullen  
Seconded: Cr Barbara Deans

**That all Councillors and designated persons provide the General Manager with their duly completed “Related Party Disclosure by Key Management Personnel” forms by the end of July 2024.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.7 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**

**RESOLUTION 2024/75**

Moved: Cr Barbara Deans  
Seconded: Cr Terence Lees

**That Council note the information in the report.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.8 PLANNING, REGULATORY & COMPLIANCE PROGRESS REPORT**

**RESOLUTION 2024/76**

Moved: Cr Pat Cullen  
Seconded: Deputy Mayor Bill Fisher

**That the Environment and Strategic Planning Progress Report be received and noted.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.9 SECTION 7.11 DEVELOPER CONTRIBUTIONS PLAN**

**RESOLUTION 2024/77**

Moved: Cr Barbara Deans  
Seconded: Deputy Mayor Bill Fisher

**1. That Council adopt the draft Section 7.11 Developer Contributions Plan.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.10 DRAFT RURAL LANDS STRATEGY**

**RESOLUTION 2024/78**

Moved: Deputy Mayor Bill Fisher  
Seconded: Cr Terence Lees

**That Council adopt the Draft Rural Land Use Strategy.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.11 WASTE REPORT****RESOLUTION 2024/79**

Moved: Cr Barbara Deans  
Seconded: Deputy Mayor Adam Cohen

**That Council receive and note the March Waste report.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.12 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE****RESOLUTION 2024/80**

Moved: Cr Barbara Deans  
Seconded: Cr Terence Lees

**That the report be received and noted.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**10.13 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS****RESOLUTION 2024/81**

Moved: Deputy Mayor Bill Fisher  
Seconded: Cr Barbara Deans

**That the information be received and noted.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

General Manager introduced two (2) new staff members, Director Community, Planning, Development & Environment Mr Barry Broe and Executive Manager Corporate Governance Mrs Jennifer Maundrell.

Council breaks for afternoon tea at 4.40pm.

The meeting resumed at 5.05pm.



**11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS**

Nil

**12 CONFIDENTIAL MATTERS****RESOLUTION 2024/82**

Moved: Deputy Mayor Bill Fisher

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 Variation to Contract for Operational services at Coonamble Pool**

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.

**12.2 Drought Resilience Plan - Request for Project Timeline extension and Contractor selection**

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.

**12.3 Expression of Interest to Lease Land for the Purpose of Farming Grazing.**

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.

**12.4 Coonamble Water Mains Replacement Program Update - Tooloon Street mains replacement project variation**

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

**CARRIED**

At 5:05 pm, Deputy Mayor Adam Cohen left the room for the discussion and voting on the following item 12.1.

## 12.1 VARIATION TO CONTRACT FOR OPERATIONAL SERVICES AT COONAMBLE POOL

### RESOLUTION 2024/83

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

**That Council replace clause 41 under item 'Costs' in the original contract document '*with season ticket revenue to be retained by council*' be removed and the following placed in the contract document '*with season ticket revenue to be retained by the contractor*'.**

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

Against: Nil

**CARRIED 6/0**

At 5:06 pm, Deputy Mayor Adam Cohen returned to the meeting.

## 12.2 DROUGHT RESILIENCE PLAN - REQUEST FOR PROJECT TIMELINE EXTENSION AND CONTRACTOR SELECTION

### RESOLUTION 2024/84

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

**That Council**

1. **Agree to the attached documents.**
  - (a) **Request for Project Timeline extension and amended Project Delivery Plan (27\_3\_2024)**
  - (b) **Minutes from tender selection meeting (6\_2\_2024)**
2. **Endorse the actions of the EO of the Far Northwest Joint Organisation in delivering the Regional Drought Resilience Plan on behalf of Coonamble Shire Council.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**12.3 EXPRESSION OF INTEREST TO LEASE LAND FOR THE PURPOSE OF FARMING GRAZING.****RESOLUTION 2024/85**

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Bill Fisher

- 1. That Council notes the information in this report.**
- 2. That Councils resolves to accept the highest single expression of interest received for the three (3) parcels of Council controlled land being:**
  - (a) The three paddocks at the Coonamble Aerodrome.**
  - (b) The part of the East Common.**
  - (c) The 'Meglo'.**
- 3. That, if no expressions of interest have been received, that Council recommences the process of seeking expressions of interest for the lease of the land.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0****12.4 COONAMBLE WATER MAINS REPLACEMENT PROGRAM UPDATE - TOOLOON STREET MAINS REPLACEMENT PROJECT VARIATION****RESOLUTION 2024/86**

Moved: Cr Terence Lees

Seconded: Cr Brian Sommerville

**That Council:**

- 1. Note the information contained within this report.**
- 2. Resolve to allocate a further \$132,000 to the 2023/24 Tooloon Street Water Main Replacement budget allocation to allow for completion of the project.**
- 3. Resolve to offset the increased allocation by reducing the current budget allocation to the following 2023/24 capital works budget allocations.**
  - a. Maule St Mains Replacement - \$25,000**
  - b. Coonamble WTP – Relining of Lagoon - \$107,000.**

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**MOTION**

**RESOLUTION 2024/87**

Moved: Deputy Mayor Bill Fisher  
Seconded: Cr Pat Cullen

- 1. Due to the recent structural issues of the current museum building, that staff bring back a report on an interim site for the Coonamble Museum such as the Visitor Information Centre, or another suitable site.
- 2. And a further report be bought back on a permanent site for the museum such as the old Fire Station, the SOTS/Tattersalls hotel site or another suitable site.

In Favour: Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 7/0**

**RESOLUTION 2024/88**

Moved: Deputy Mayor Bill Fisher  
Seconded: Cr Pat Cullen

**That Council moves out of Closed Council into Open Council.**

**CARRIED**

**13 CONCLUSION OF THE MEETING**

**The Meeting closed at 6.34pm.**

**The minutes of this meeting were confirmed at the Council held on 8 May 2024.**

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**CHAIRPERSON**