



MINUTES

**Ordinary Council Meeting
Wednesday, 10 July 2024**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 10 JULY 2024 AT 3.00 PM**

PRESENT: Mayor Tim Horan, 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), Jennifer Maundrell (Executive Manager Corporate Governance), Marina Colwell (Executive Support Officer), Deborah Tatton (Manager Finance), Kylie Kerr (Manager Roads), Lesley Duncan (Manager Planning, Regulatory & Compliance), Tim Wark, (Acting Manager Utilities), Clint Fitzsummons (Manager Contacts & Special Projects), David Levick (Manager Economic Development & Growth), Mick Bell (Manager Urban Services).

1 OPENING MEETING

The Mayor opened the meeting at 2.58 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

Mr Garret Barry spoke on Item 10.1 Sons of the Soil – Project Update

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

APOLOGY

RESOLUTION 2024/154

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That the apology from Cr Adam Cohen be noted and approved.

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

Against: Nil

CARRIED 6/0

5 DEPUTATION/DELEGATIONS

Nil

6 CONFIRMATION OF MINUTES

RESOLUTION 2024/155

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 19 June 2024 be confirmed as a correct record of the proceedings of the meeting.

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

Against: Nil

CARRIED 6/0

7 DISCLOSURES OF CONFLICTS OF INTEREST

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

Item 10.15 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.

8 MAYORAL MINUTE**MAYORAL MINUTE****RESOLUTION 2024/156**

Moved: Mayor Tim Horan

Seconded: Cr Pat Cullen

That the verbal report be received and noted, and

- 1. That the General Manager respond to Minister Aitchison that Council does not support the response received and would like the bus run on the Billeroy Road to remain operational at the current standard.**
- 2. That Council write to Insurance Council of Australia and to the State and Federal Ministers asking to explain the high cost of the insurance premium when Coonamble has a flood levee.**

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

Against: Nil

CARRIED 6/0

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL**SECTION B - MATTERS FOR INFORMATION ONLY****9 COMMITTEE REPORTS****9.1 MINUTES OF THE TRAFFIC COMMITTEE****RESOLUTION 2024/157**

Moved: Cr Terence Lees

Seconded: Cr Barbara Deans

That the report of the Local Traffic Committee and the recommendations from the minutes of the Meeting held on 26 June 2024 be adopted.

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

Against: Nil

CARRIED 6/0

10 REPORTS TO COUNCIL**10.1 SONS OF THE SOIL (SOTS) PROJECT UPDATE****RESOLUTION 2024/158**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That Council

- 1. Note the status of the project.**
- 2. Acknowledge the decision of the Council in 2011 to not support the heritage listing of the SOTS in the LEP and that this Council has the same view.**
- 3. Note the next key stages of project planning will involve:**
 - (a) Engaging a design consultant to draw up master-plan options with concept drawings and base cost estimates for the site for each of the proposed options listed I to IV below (but not limited to these options):**
 - I. a greenfield site development with new construction based on retaining the existing streetscape of the building**
 - II. partial development involving retaining the façade/veranda or components of the existing building**
 - III. a combination of existing building and new construction**
 - IV. renovation of the internal part of the existing building**
 - (b) Continue to seek grant funding opportunities which include the Regional Precincts and Partnerships Program Federal Government grant to facilitate the development of the site and consideration of the proposed options listed I to IV above.**
 - (c) Continue market sounding with prospective developers and possible business partners.**
 - (d) Consider the sale of the site to a private developer.**
- 4. That council advises the OLG of the progress and decision of council**
- 5. Notes that the development of the SOTS will require a capital expenditure review, which will include further consultation with the community, and will be prepared as part of the development process and provided to the OLG.**

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

Against: Nil

CARRIED 6/0

10.2 CORRESPONDENCE

RESOLUTION 2024/159

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

That the report be received and noted.

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

Against: Nil

CARRIED 6/0

10.3 COUNCIL RESOLUTIONS/ACTIONS UPDATE

RESOLUTION 2024/160

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That Council notes the Council Resolution status (Annexure 1).

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

Against: Nil

CARRIED 6/0

10.4 LOCAL ROADS CONGRESS 2024 - REPORT

RESOLUTION 2024/161

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Bill Fisher

That this report be received and noted.

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

Against: Nil

CARRIED 6/0

10.5 INQUIRY INTO THE ABILITY OF LOCAL GOVERNMENT TO FUND INFRASTRUCTURE AND SERVICE

RESOLUTION 2024/162

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

That Council receive and note the information.

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

Against: Nil

CARRIED 6/0

10.6 STATUS OF INVESTMENTS - JUNE 2024

RESOLUTION 2024/163

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

That Council receives and notes the list of investments from 1 June 2024 to 28 June 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, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 6/0

10.7 RATES AND CHARGES COLLECTIONS - JUNE 2024

RESOLUTION 2024/164

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That Council receives and note the information provided in the report.

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

Against: Nil

CARRIED 6/0

10.8 CORPORATE GOVERNANCE PROGRESS REPORT**RESOLUTION 2024/165**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That Council receive and note the Corporate Governance Progress Report.In Favour: Crs Tim Horan, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian SommervilleAgainst: Nil**CARRIED 6/0****10.9 LOCAL GOVERNMENT ELECTIONS 2024 UPDATE****RESOLUTION 2024/166**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council notes the information contained in the Local Government Elections 2024 Update report.In Favour: Crs Tim Horan, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian SommervilleAgainst: Nil**CARRIED 6/0****10.10 COMMUNITY DEVELOPMENT****RESOLUTION 2024/167**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

That Council receives and notes the information contained in this report.In Favour: Crs Tim Horan, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian SommervilleAgainst: Nil**CARRIED 6/0**

10.11 PLANNING, REGULATORY & COMPLIANCE PROGRESS REPORT

RESOLUTION 2024/168

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That the Planning, Regulatory and Compliance Progress Report be received and noted.

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

Against: Nil

CARRIED 6/0

10.12 COONAMBLE WASTE REPORT JUNE 2024

RESOLUTION 2024/169

Moved: Cr Barbara Deans

Seconded: Cr Brian Sommerville

That the monthly report on waste activities be received and noted.

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

Against: Nil

CARRIED 6/0

10.13 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT

RESOLUTION 2024/170

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That the report be received and noted.

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

Against: Nil

CARRIED 6/0

10.14 CORRECTION OF LANDS TITLE ISSUE FOR LOT 1 DP 132634**RESOLUTION 2024/171**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

- 1. That Council receives and notes the information in this report.**
- 2. That Council authorises the General Manager to undertake the necessary actions required to facilitate the transfer of the ownership of Lot 1 DP 132634 from Coonamble Shire Council to that of Essential Energy.**

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

Against: Nil

CARRIED 6/0

10.15 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2024/172**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That the report be received and noted.

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

Against: Nil

CARRIED 6/0

10.16 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**RESOLUTION 2024/173**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That the information be received and noted.

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

Against: Nil

CARRIED 6/0

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

Nil

At 5:10 pm, Cr Barbara Deans left the meeting. Cr Deans indicated that she is in support of all the recommendations in the Closed session.

12 CONFIDENTIAL MATTERS

RESOLUTION 2024/174

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 TEN240531CF - Hire of Plant and Trucks

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.

12.2 TEN20240528CF - Demolition/partial demolition of Sons of the Soil Hotel

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 Bore Bath Project

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

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

Against: Nil

CARRIED 5/0

12.1 TEN240531CF - HIRE OF PLANT AND TRUCKS**RESOLUTION 2024/175**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

That Council

1. **Award Tender TEN240531CF - Hire of Plant and Trucks to the tenderer representing best value as a Panel Source supplier for the period 15 July 2024 to 14 July 2026; and, accordingly,**
2. **Enter into contract for the Hire of Plant and Trucks from 15 July 2024 to 14 July 2026 (2 years) with:**
 - o **Aplant**
 - o **Aqua Assets**
 - o **Batterline Earthmoving**
 - o **Conplant**
 - o **Dubbo Traffic Control**
 - o **Ezyquip Hire**
 - o **Newbold Bulk Haulage**
 - o **Rollers Australia**
 - o **Stabilised Pavement**
 - o **Stabilfix**
 - o **The Stabilising**
 - o **Western Tree Management**
 - o **Wideland Ag**
 - o **WTC Group**
3. **That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 14 July 2027.**

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

Against: Nil

CARRIED 5/0

12.2 TEN20240528CF - DEMOLITION/PARTIAL DEMOLITION OF SONS OF THE SOIL HOTEL

RESOLUTION 2024/176

Moved: Mayor Tim Horan

Seconded: Deputy Mayor Bill Fisher

That Council

- 1. Reject all tenders at this stage.**
- 2. Authorise the General Manager to negotiate with the preferred tenderer, Integrated Construction Equipment, with the aim of allowing sufficient time for the next council to consider the best option for the development of the site.**

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

Against: Nil

CARRIED 5/0

12.3 BORE BATH PROJECT

RESOLUTION 2024/177

Moved: Mayor Tim Horan
Seconded: Deputy Mayor Bill Fisher

That Council endorses the proposed next steps for the Coonamble Artesian and Cultural Experience (CACE) by:

- 1) Continuing negotiations with Belgravia and Modscape on an agreed masterplan and suitable financial proposal.**
- 2) Council commence proceedings to enter into a Public Private Partnership (PPP) with Belgravia and Modscape to develop the Artesian bore site.**
- 3) Progressing the priority project works being:**
 - a) Development Application for the site demolition and clearing.**
 - b) Progressing the rezoning of the site.**
 - c) Preparing the Development Application for the Coonamble Artesian and Cultural Experience (CACE) project.**
 - d) Securing a new bore for the site that provides reliable quality water and the closure of any unused bores to allow for the new bore.**
 - e) Have an area adjacent to the adjoining property owner ‘no generators’ or ‘quiet’ area and a gate to allow access to the public bath for the current owners of the neighbouring property.**

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

Against: Nil

CARRIED 5/0

RESOLUTION 2024/178

Moved: Cr Pat Cullen
Seconded: Deputy Mayor Bill Fisher

That Council moves out of Closed Council into Open Council.

CARRIED

13 Conclusion of the Meeting

The Meeting closed at 5.55pm.

The minutes of this meeting were confirmed at the Council held on 14 August 2024.

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CHAIRPERSON