

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 1/6055

PRESENT: Cr Michael Webb, Mayor, in the Chair, with Crs. John Walker, Karen Churchill, Tom Cullen OAM, Bill Fisher, Ahmad Karanouh and Paul Wheelhouse.

Also present were the General Manager, Mr. Warren, the Director of Community Services, Ms Davids, the Director of Corporate and Urban Services, Mr. Quarmby, the A/Director of Engineering Services, Mrs Atkins, the Manager of Environmental Services, Mr Cock and Mrs Moorhouse.

1.0 OPENING PRAYER

2.0 ACKNOWLEDGE ORIGINAL OWNERS OF THE LAND

At this juncture, the Mayor acknowledged the original owners of the land – past and present.

3.0 PUBLIC QUESTION TIME

Mrs Barbara Deans has advised she will address Council at 9.30 a.m. in regard to the meeting held recently at Curban to discuss the inland rail project. Mrs Deans intends to request Council to consider writing a letter, in conjunction with Gilgandra Shire Council, to Minister Chester for a meeting with the newly formed Gilgandra Coonamble Alliance Group. She has stated that the meeting with the Minister will be to point out the effects the proposed project will have on farms and people.

4.0 APOLOGIES

2666 RESOLVED on the motion of Crs. Karanouh and Wheelhouse that the meeting note Cr Cullen OAM has advised he will be arriving late and his absence be approved.

5.0 DEPUTATIONS/DELEGATIONS

At 12.15 p.m., Mr and Mrs Rick Swansborough have been invited to the meeting – Rick has retired after 45 years' service and the Mayor will make a presentation on behalf of Council, following which Rick and Jenny will accompany Councillors to lunch.

6.0 DECLARATIONS OF INTEREST

There was one declaration of interest – Cr Karen Churchill – in connection with Item 12.1 – Development Application 024/2017.

7.0 CONFIRMATION OF THE MINUTES

2667 RESOLVED on the motion of Crs Wheelhouse and Churchill that the minutes of the ordinary meeting of Coonamble Shire Council held on 12 July 2017 be confirmed.

8.0 BUSINESS ARISING FROM MINUTES

The Mayor pointed out that this item has been re-introduced to give Councillors the opportunity to ask questions on business within the minutes.

At this juncture, Cr Cullen OAM arrived at the meeting.

Item 12.2 – Notice of Motion – Waste Collection Service

Cr Karanouh asked whether the subject notice of motion could be dealt with at this meeting – saying he understood Council had to wait for three months to bring this motion forward.

The General Manager said it depends on the nature of the resolution – he pointed out the Notice of Motion is not “negative” to the motion on Council’s books – it’s an addition to the motion and Council is within its rights to deal with it today.

Mr Warren consulted the Code of Meeting Practice and quoted clause 39 (1) – which states, in part :

“A resolution passed by the Council may not be altered or rescinded except by a motion of that effect of which notice has been duly given in accordance with clause 23”

The General Manager then quoted clause 23 of the Code of Meeting Practice which states, in part :

“The Council must not transact business at a meeting of the Council :
(a) Unless a councillor has given notice of the business in writing by noon of the Tuesday immediately preceding the meeting; and
(b) Unless notice of business has been sent to the councillors at least three days before the meeting, or – in the event of an extraordinary meeting called in an emergency – at least one day”.

Mr Warren explained that if the motion is “negated”, it cannot come back to Council any time under three months.

9.0 RESOLUTION BOOK UPDATE

2668 RESOLVED on the motion of Crs Karanouh and Wheelhouse that the Resolution Book Update be received and noted.

i) Emergency Services Building Reserve

In response to a question from Cr Karanouh, the General Manager said Council is waiting on confirmation and timeframe regarding the contribution of \$150,000 from the SES.

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HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 3/6057

ii) Proposal to Extend Town Water – 90km Zone South of Coonamble

Cr Wheelhouse asked about this proposed report – the A/Director of Engineering Services said she hopes to present it to the September meeting, pointing out that she needs to further investigate the impact on town water since the reservoir has been taken off line.

iii) Coonamble RTC Building

The Manager of Environmental Services said that new keys have been provided to tenants – all tenants are operating as usual and rent is being paid to Council.

10.0 MAYORAL REPORT

2669 RESOLVED on the motion of Cr Webb that his Mayoral activity report be received and dealt with.

The following items were included in the Mayor's report:

- i) Western Regional Industry Forum – on Friday 21 July 2017 in Dubbo – attended with the General Manager.
- ii) Meeting regarding Proposed PCYC – on 25 July 2017 met with Supt. James Stewart and Insp. David Checkley, together with community members from the schools and Murdi Paaki. The Mayor said this meeting was positive – the PCYC Property Manager has agreed to visit Coonamble and inspect sites. The Mayor said some sites have been suggested as suitable for inspection.
- iii) Conduct of Meetings – regarding advice sought from the Office of Local Government regarding general business.

The Mayor informed the meeting that he attended the LGNSW Awards Evening in Sydney and Council was a finalist in two categories, both relating to youth activities.

2670 RESOLVED on the motion of Cr Webb that the information contained in the Mayor's report be noted.

11.0 CORRESPONDENCE

2671 RESOLVED on the motion of Crs. Karanouh and Walker that the Correspondence be received and dealt with.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 4/6058

Section A – For Council’s Consideration:

11.1 LANDMARK, COONAMBLE D3(49929)

The General Manager pointed out that this discrepancy occurred when the company was billed at the previous year’s charge for fat cattle sales held during a short period. Mr Warren said that Landmark always has a ‘running’ balance with Council – and, apparently, this is how the \$739.49 has been identified as outstanding from a previous year.

A MOTION

PROPOSED by Cr Fisher **SECONDED** by Cr Karanouh that the outstanding amount of \$739.49 owing by Landmark Coonamble be written off **WAS LOST**

A MOTION

PROPOSED by Cr Wheelhouse **SECONDED** by Cr Walker that Council advise Landmark the outstanding fees of \$743.49, being fat sales billing errors, will remain owing and payable **WAS LOST**.

2672 RESOLVED on the motion of Crs Churchill and Cullen that Council agree to write off half the outstanding debt and inform Landmark that it is required to pay the balance. **Carried**

PUBLIC QUESTION TIME - MRS BARBARA DEANS

At this juncture, the Mayor welcomed Mrs Deans to the meeting to discuss the outcome of a meeting recently held at Curban regarding the proposed route of the inland rail. Mrs Deans said there is still uncertainty and speculation amongst landholders as to what is happening in regard to the route and there are many questions not being answered by ARTC.

Mrs Deans said both Coonamble and Gilgandra Councils were represented at the Curban meeting and the Mayor of Gilgandra has committed to making a joint approach to the Minister for Infrastructure, Mr Chester asking that he visit the area and meet with landholders along the proposed route. Mrs Deans pointed out that because reports were completed several years ago, the matter should be further and more thoroughly investigated.

Initially Mrs Deans asked whether Council would support a letter written by the Alliance Group to the Minister – the Mayor said it would have to come to the next meeting to get Council approval. Cr Karanouh suggested that the letter be received by the Mayor and emailed to individual Councillors for their approval, however the Mayor said Council could not be seen as conducting business outside of official meetings.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 5/6059

2673 RESOLVED on the motion of Crs Karanouh and Fisher that the Mayor be delegated to sign the letter to the Federal Minister for Infrastructure and Transport from the Coonamble Gilgandra Alliance Group (if deemed appropriate) requesting that he visit the area to meet with landholders along the proposed route.

Mrs Deans thanked Council and left the meeting at 9.50 a.m.

11.2 COONAMBLE CHAMBER OF COMMERCE D7(49944)

2674 RESOLVED on the motion of Crs Karanouh and Wheelhouse that prior to considering the Chamber of Commerce request for financial assistance to the value of \$8,000 to support the 2017 Coonamble District Buy Local Campaign, the Chamber be requested to provide an outline of the proposed activity and full costing, detailing contribution towards the project by the Chamber and members.

11.3 NSW TREASURY – DEPARTMENT OF INDUSTRIAL RELATIONS H5(49951)

The General Manager informed the meeting that to comply with the consultation process, letters have been forwarded as required, asking for written responses supporting, or otherwise, the public holiday for the second day of the Coonamble Show in 2018 and 2019. Mr Warren said the issue has also been advertised in Council's column in the Coonamble Times.

2675 RESOLVED on the motion of Crs Walker and Karanouh that Council agree to make application for a public holiday for the Shire of Coonamble on the second day of the Coonamble Show in 2018 (Wednesday 16 May) and 2019 (Wednesday 29 May), subject to the community and businesses providing support.

Section B – For Council's Information:

11.4 LOCAL GOVERNMENT NSW L10

Local Government NSW has issued an easy-to-read report card, summarising things it has done for its members over the past 12 months. Saying it realises its members are constantly being asked to demonstrate the value they provide to their communities – pointing out that LGNSW is committed to the same standards of accountability.

A copy of the report card was included in the business paper for Councillors' information.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 6/6060

11.5 AUSTRALIAN ACCOUNTING STANDARDS BOARD C13

Advising that from July 2016 AASB 124 Related Party Disclosures will apply to Local Government which means councils must disclose related party relationships, transactions and outstanding balances, including commitments in the annual financial statements.

The General Manager said this issue was included in the business paper as a reminder to Councillors who have not yet completed and returned the Related Party Disclosure form.

2676 RESOLVED on the motion of Crs Karanouh and Fisher that the information contained in the above Item Nos. 11.4 & 11.5 be noted.

12.0 REPORT BY GENERAL MANAGER

2677 RESOLVED on the motion of Crs. Karanouh and Wheelhouse that the report by the General Manager be received and dealt with.

At this juncture, Cr Churchill left the room.

12.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

2678 RESOLVED on the motion of Crs. Karanouh and Wheelhouse that Council note Development Application Nos 014/2017 and 020/2017, together with Complying Development Application No 024/2017, have been approved under delegated authority since the last meeting.

Cr Churchill returned to the meeting.

12.1a RETURNS DISCLOSING PECUNIARY INTEREST

2679 RESOLVED on the motion of Crs. Fisher and Wheelhouse that Council note the report and the requirement to complete and lodge disclosure of interest returns by the end of September each year.

Relevant forms were handed to Councillors at the meeting. The General Manager said it is anticipated, with the emphasis being placed on this issue by the NSW Auditor-General, the annual Audit of Council's accounts will include an audit of Councillors' compliance with this requirement.

12.2 NOTICE OF MOTION

Cr Churchill gave notice that she intended to move the following motion:

"That the second waste collection service provided to business ratepayers be charged at \$100 per service to meet the cost of providing the service".

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 7/6061

Cr Churchill said she was of the opinion that all services rendered should be paid for – pointing out that to make a second pickup weekly does cost the contractor and the \$100 per service annual charge would help to defray costs. She pointed out that residential ratepayers are required to pay \$280 per service annual charge for each additional service and for business ratepayers to be afforded a second weekly collection free of charge is, in her mind, unfair.

2680 RESOLVED on the motion of Crs Churchill and Walker that the following changes be introduced to the domestic waste collection service :

- i) charge for the second weekly collection to business ratepayers be \$100 per service per annum (one bin); and
- ii) charge for second bin service (same day collection) for residential area ratepayers be \$140 per service per annum (one bin).

13.0 REPORT BY DIRECTOR OF COMMUNITY SERVICES

2681 RESOLVED on the motion of Crs Churchill and Walker that the report by the Director of Community Services be received and dealt with.

13.1 COMMUNITY SERVICES PROGRESS

2682 RESOLVED on the motion of Crs Churchill and Wheelhouse that the information contained in the Community Services progress report be noted.

3.2 Domestic Violence Committee – The Director draw attention to the amended date for Walk-a-Mile Coonamble Style event – it is now Saturday 16 September.

6.4 Fisher's Ghost Festival – The Director referred to Council sponsoring the Fisher's Ghost Art Award and local artists have the opportunity to exhibit and compete in a number of categories.

2683 RESOLVED on the motion of Crs Webb and Churchill that Council increase its annual donation to Campbelltown City Council for the Fisher's Ghost Art Award to \$2,500 commencing this year.

At this juncture, 10.10 a.m., Council adjourned for morning tea and resumed at 10.35 a.m.

14.0 REPORT BY DIRECTOR OF CORPORATE & URBAN SERVICES

2684 RESOLVED on the motion of Crs Fisher and Churchill that the report by the Director of Corporate Services be received and dealt with.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 8/6062

14.1 RATE COLLECTIONS

2685 RESOLVED on the motion of Crs Fisher and Wheelhouse that the Total Combined Rate Collections to 31 July 2017 be noted.

14.2 LIST OF INVESTMENTS

2686 RESOLVED on the motion of Crs. Wheelhouse and Karanouh that the list of investments as 31 July 2017 be noted, and it also be noted that Council's investments comply with s625(2) of Local Government Act 1993 and Council's Investment Policy.

14.3 FINANCIAL REPORTS FOR YEAR ENDED 30/06/2017

2687 RESOLVED on the motion of Crs Walker and Wheelhouse that :

- a) the necessary elected members and staff be authorised to sign the Statement by Council on the Financial Reports for the year ended 30 June 2017;
- b) Council's financial reports for the year ended 30 June 2017 be referred for audit.

14.4 WORKS IN PROGRESS

2688 RESOLVED on the motion of Crs. Karanouh and Wheelhouse that Council note the information in this item of the Director's Report.

15.0 REPORT BY A/DIRECTOR OF ENGINEERING SERVICES

2689 RESOLVED on the motion of Crs. Churchill and Wheelhouse that the report by the A/Director of Engineering Services be received and dealt with.

15.1 WORKS IN PROGRESS

2690 RESOLVED on the motion of Crs Karanouh and Fisher that Council note the A/Director's report on works in progress.

15.2 WATER TREATMENT PLANT – BACKUP GENERATOR

2691 RESOLVED on the motion of Crs Karanouh and Fisher that the information relating to the positioning of the generator at the water treatment plant be noted.

15.3 PBS VEHICLES ON COUNCIL ROADS

2692 RESOLVED on the motion of Crs Wheelhouse and Churchill that Council pre-approve access for Level 1 & Level 2 Performance Based Standard (PBS) vehicles on Council's road network, noting that RMS will no longer be providing consents for roads and specific Local Government consent must be obtained for PBS vehicle applications where access is required.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 9/6063

The A/Director informed the meeting that a vehicle approved under PBS as a Level 1 Vehicle has the same impact as a 19 metre semi-trailer combination which has been afforded general access under legislation to all roads. She said a PBS Level 2 Vehicle has similar impact to a B-Double and is suited to operate on B-Double networks.

15.4 FIXING COUNTRY ROADS

The A/Director provided details regarding the three projects identified as suitable for application under the Fixing Country Roads – pointing out also that successful applications seek 75% funding.

2693 RESOLVED on the motion of Crs Karanouh and Cullen that Council proceed with funding applications for the following three projects under Fixing Country Roads funding:

- i) Upgrade Quambone Road/Back Gular Road (Project cost \$500,000)
- ii) Floodway – Pilliga Road (Project cost \$400,000)
- iii) Carinda Road – Ch21.000 – 22.800 8m wide = 7440m2 (Project cost \$500,000)

15.5 HIRE OF EQUIPMENT (PLANT & TUCKS) – TENDER

2694 RESOLVED on the motion of Crs Wheelhouse and Karanouh that all conforming tenderers be awarded this tender and placed on council's Hire of Equipment (Plant & Trucks) data base for the supply of hired equipment for the period 1 July 2017 to 30 June 2019.

15.6 DRAINAGE ISSUES – McCULLOUGH /CHARLES STREETS

2695 RESOLVED on the motion of Crs Wheelhouse and Churchill that the information relating to the drainage works at the intersection of Charles and McCullough Streets be noted.

16.0 REPORT BY MANAGER OF ENVIRONMENTAL SERVICES

2696 RESOLVED on the motion of Crs Wheelhouse and Fisher that the report by the Manager of Environmental Services be received and dealt with.

16.1 RANGER'S REPORT – JULY 2017

2697 RESOLVED on the motion of Crs Karanouh and Wheelhouse that the Ranger's report for the month of July 2017 be noted.

17.0 REPORTS FROM VARIOUS COMMITTEES

2698 RESOLVED on the motion of Crs Wheelhouse and Karanouh that Council deal with the following minutes.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 10/6064

17.1 Quarry Management Committee Meeting – 31 July 2017

2699 RESOLVED on the motion of Crs. Wheelhouse and Karanouh that Council adopt the following recommendation from the Quarry Management Committee :

“That Council being aware of the Certification requirements of the Quality, Safety and Environmental Management Systems, along with the list of Interested Parties and their requirements and how they apply to the quarry, have reviewed the level of residual risks remaining after controls have been applied and believe them to be acceptable”.

2700 RESOLVED on the motion of Crs Karanouh and Fisher that Council adopt the following recommendation from the Quarry Management Committee :

“That the McCloskey Kompaq Power Screener be sold, noting it is unsuitable for use at the quarry”.

18.0 SALEYARDS REPORT – JULY 2017

2701 RESOLVED on the motion of Crs Walker and Churchill that the saleyards report for July 2017 be dealt with.

18.2 Saleyards Account

2702 RESOLVED on the motion of Crs Karanouh and Fisher that the Saleyards Account to 31 July 2017 showing a reserve Balance deficit of \$282,984.07, be noted.

19.0 CLOSED SESSION

2703 RESOLVED on the motion of Crs Karanouh and Fisher that Council resolve into Closed Session, in accordance with the Local Government Act 1993, Section 10A:

“section 2 :

(a) personnel matters concerning particular individuals (other than councillors);

2704 RESOLVED on the motion of Crs Karanouh and Fisher that the press and public be excluded from the meeting.

RESUME OPEN MEETING

2705 RESOLVED on the motion of Crs Karanouh and Fisher that Council resume Open Meeting.

ADOPTION OF RECOMMENDATIONS OF CLOSED SESSION

2706 RESOLVED on the motion of Crs Karanouh and Fisher that Council adopt the recommendation from Closed Session, being Recommendation No.19.1 as set out hereunder:

This is **Page 10/6064** of minutes of ordinary meeting of Coonamble Shire Council held on 9 August 2017.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 11/6065

19.1 Organisational Structure

Council resolves that it note the organisational structure presented to the meeting and determine that the Council shall operate under a five unit departmental structure, with the functions allocated as detailed in the organisational structure report

20.0 QUESTIONS WITH NOTICE Nil

At this juncture, the Mayor spoke about the need to comply more closely with the Code of Meeting Practice in relation to governance issues – in particular, General Business section of the meeting which is not permitted under the regulations.

The Mayor pointed out 'questions without notice' requiring a decision to be made by Council on the day is regarded in very poor light by the Office of Local Government (OLG) through circulars and practice notes. Time should be allowed for Councillors to research the issue and the public to be aware by reading the agenda, hence the need for questions or motions to be on notice and included in the agenda.

In accordance with OLG guidelines, questions can be asked at the end of the meeting, if they can be answered they will, if not they will be taken on notice and brought back on the agenda next meeting.

The Mayor explained the regulation relevant to urgent business as specified in the Local Government Regulations.

Cr Wheelhouse raised an issue as urgent, it was agreed as such by the Council and permitted to be introduced by the Mayor. This issue related to earthworks at the showground and a timeframe that was before the next Council meeting for action. This was deemed "urgent" under the circumstances and dealt with by Council.

EARTHWORKS AT COONAMBLE SHOWGROUND

2707 RESOLVED on the motion of Crs Wheelhouse and Fisher that this matter be dealt with as urgent business.

2708 RESOLVED on the motion of Crs Wheelhouse and Fisher that Council:

- 1) auspice the money pledged to the project;
- 2) give permission for earthworks to be undertaken to the campdraft arena to improve drainage;
- 3) approve David Burtenshaw as point of contact for the project;
- 4) not be responsible for any cost in relation to works undertaken.

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBER, COONAMBLE, ON WEDNESDAY, 9TH
AUGUST 2017, COMMENCING AT 9.03 A.M.**

Page 12/6066

QUESTIONS FROM COUNCILLORS

Cr Churchill Levee Bank Walking Track
The A/Director of Engineering Services said the section from the Tooraweenah Road to the Baradine Road has been identified as suitable for a walking track.

Cr Fisher Referred to the Country Lifestyle Magazine which is printed quarterly – The General Manager said Council declined to contribute initially, then decided to proceed. The Editors said it was too late as the article which was to include Coonamble had already been done. The General Manager said Council would make a further approach.

This concluded the business and the meeting closed at 11.50 p.m.

Pages (1/6055 to 12/6066) confirmed on the 13th day of **SEPTEMBER 2017** and are a full and accurate record of proceedings of the Ordinary Meeting of Coonamble Shire Council held on **9TH August 2017**.

MAYOR