

# **MINUTES**

Ordinary Council Meeting Wednesday, 12 May 2021

# MINUTES OF COONAMBLE SHIRE COUNCIL ORDINARY COUNCIL MEETING HELD AT THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 12 MAY 2021 AT 10.00AM

PRESENT: Cr Ahmad Karanouh (Mayor), Cr Paul Wheelhouse (Deputy

Mayor), Cr Karen Churchill, Cr Pat Cullen, Cr Barbara Deans, Cr

Bill Fisher, Cr Robert Thomas

IN ATTENDANCE: Hein Basson (General Manager), Bruce Quarmby (Executive

Leader - Corporate and Sustainability), Kookie Atkins (Executive Leader - Infrastructure), Noreen Vu (Executive Leader - Environment, Strategic Planning & Community), Pip Goldsmith (Manager of 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

NIL.

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

NIL.

5 DEPUTATION/DELEGATIONS

NIL.

### 6 CONFIRMATION OF MINUTES

### **RESOLUTION 2021/80**

Moved: Cr Pat Cullen Seconded: Cr Robert Thomas

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 14 April 2021 be confirmed as a correct record of the proceedings of the meeting, with the correction of Resolution 2021/54 to read as follows:

That the amount of \$12,000 provided in the 2020/21 Operational Plan and Budget for the purpose of Council sponsoring the Coonamble Rodeo Association's upcoming event, together with an amount of \$3,000 from unexpended funds provided in the Mayor's Donations Vote, be made available to the Rodeo Association to specifically help with covering the costs associated with the filming of the 2021 event for broadcasting on Channel 7mate, which will benefit the Coonamble local government area from a marketing and promotional perspective by capturing a national audience.

**CARRIED** 

# 7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Deans informed the meeting that she has a non-pecuniary conflict of interest regarding Item 10.6 Economic Development & Growth – Progress Report and Item 10.15 Environment & Strategic Planning Progress Report regarding the Inland Rail Project, a potential farm-stay operation and the Ralston Quarry Development Application. 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, and will potentially be used as a farm-stay offer. She indicated that she will remain in the room, contributing to discussions and voting on the items.

Cr Karanouh informed the meeting that he has pecuniary conflict of interest regarding Item 10.15 Environment & Strategic Planning Progress Report (Public Health – Food Premise Inspections Waiver) as the owner and operator of a food shop in Coonamble. He indicated that he will leave the room, not participating in any discussions or voting on the item.

# 8 MAYORAL MINUTE

#### **MAYORAL MINUTE**

#### **RESOLUTION 2021/81**

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

That Council notes the contents of the Mayor's activity report, including him inviting interested Councillors to join him and the General Manager attending the annual Australian Local Government Association's Conference that is to be held in Canberra on 20 to 23 June 2021.

**CARRIED** 

Councillors Deans, Cullen and Fisher indicated that one of them may be able to attend, and that they will be in touch with the administration in order for the necessary arrangements to be made.

#### **MOTION**

#### **RESOLUTION 2021/82**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

That Council repairs the dangerous laybacks of the entrances in front of the Towri Units at the northern end of Castlereagh Street, without setting a precedent because it is a community managed facility with access to limited financial resources.

The Mayor called for a division, the outcome of which was as follows:

In Favour: Crs Ahmad Karanouh, Paul Wheelhouse and Pat Cullen

Against: Crs Karen Churchill, Barbara Deans, Bill Fisher and Robert Thomas

**LOST 3/4** 

# **MOTION**

# **RESOLUTION 2021/83**

Moved: Cr Karen Churchill Seconded: Cr Barbara Deans

That Council requests the Executive Leader Infrastructure to prepare a report for the June 2021 Meeting on the estimated costs involved with repairing the laybacks of the entrances in front of the Towri Units at the end of Castlereagh Street, FURTHER, that the Towri Units' management committee be approached about the possiblity of them making a financial contribution to such repairs.

# 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 2021/84**

Moved: Cr Barbara Deans Seconded: Cr Bill Fisher

That Council notes the information in this report.

**CARRIED** 

# 10.2 COMMUNITY CONSULTATION SESSION POLICY - REVIEW

#### **RESOLUTION 2021/85**

Moved: Cr Karen Churchill Seconded: Cr Paul Wheelhouse

- 1. That Council notes the contents of this report.
- 2. That Council formally adopts the revised Community Consultation Session Policy attached to this report, and authorises the necessary adjustment to be made to its Code of Meeting Practice, in order for this consultation policy and mentioned meeting code to be consistent in all respects.

#### 10.3 FRAUD AND CORRUPTION CONTROL POLICY

#### **RESOLUTION 2021/86**

Moved: Cr Pat Cullen Seconded: Cr Barbara Deans

- 1. That Council places the draft Fraud and Corruption and Control Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting suggestions from the community.
- 2. That Council requests the General Manager to present a further report, together with all suggestions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Fraud and Corruption and Control Policy (with or without changes) at its June 2021 Ordinary Meeting.

**CARRIED** 

#### 10.4 REVIEW OF SOCIAL MEDIA POLICY

# **RESOLUTION 2021/87**

Moved: Cr Barbara Deans Seconded: Cr Paul Wheelhouse

- 1. That Council places the draft Social Media 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 Manager Economic Development & Growth 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 Social Media Policy (with or without changes) at its June 2021 Ordinary Meeting.

CARRIED

# 10.5 WORKPLACE INJURY MANAGEMENT REPORT

# **RESOLUTION 2021/88**

Moved: Cr Pat Cullen Seconded: Cr Bill Fisher

That Council notes the contents of the monthly Workplace Injury Management report for its information.

# 10.6 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT

#### **RESOLUTION 2021/89**

Moved: Cr Barbara Deans Seconded: Cr Bill Fisher

That Council notes the contents of this report.

**CARRIED** 

# 10.7 STATUS OF INVESTMENTS - APRIL 2021

#### **RESOLUTION 2021/90**

Moved: Cr Bill Fisher Seconded: Cr Robert Thomas

That Council notes the list of investments as at 27 April 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

# 10.8 RATES AND CHARGES COLLECTIONS - APRIL 2021

# **RESOLUTION 2021/91**

Moved: Cr Paul Wheelhouse Seconded: Cr Barbara Deans

That Council notes the information provided in the report.

# 10.9 QUARTERLY BUDGET REVIEW - MARCH 2021

# **RESOLUTION 2021/92**

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

- 1. That Council approves the variations to votes as listed in the budget review documents distributed under separate cover.
- 2. That Council notes, in 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 31 March.

# 10.10 ADOPTION OF DRAFT OPERATIONAL PLAN 2021/22 FOR PUBLIC EXHIBITION

#### RESOLUTION 2021/93

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

- 1. That Council authorises the draft Operational Plan 2021/22, and hereby makes, fixes, and levies the expenditure amounts set out in the Draft 2021/22 Operational Plan and Budget, in annexure under separate cover to the Business Paper, for public exhibition in accordance with the provisions of Section 405 of the *Local Government Act 1993* for 28 days from Thursday, 13 May 2021, with a submission closing date of Thursday, 10 June 2021.
- 2. That Council advertises the draft Operational Plan 2021/22 in the Coonamble Times, on its website and Facebook pages and displays the relevant documents on Council's Website, as well as making hard copies available to members of the public who request same.
- 3. That, in accordance with the provisions of Section 535 of the *Local Government Act 1993* (NSW), Council makes, fixes, and levies the Rates and Charges for the 2020/21 financial year, and authorises same for public exhibition as part of the Council's Draft 2021/22 Operational Plan and Budget, in accordance with the provisions of Section 405 of the *Local Government Act 1993* for 28 days from Thursday, 13 May 2021, with a submission closing date of Thursday, 10 June 2021:

# Residential – Coonamble:

A Residential – Coonamble rate of 1.5713 cents in the dollar on the current land values of all rateable land in the town of Coonamble, with a minimum rate of \$490.00 per annum;

# Residential - Gulargambone:

A Residential – Gulargambone rate of 1.2800 cents in the dollar on the current land values of all rateable land in the town of Coonamble, with a minimum rate of \$490.00 per annum;

# Residential - Village:

A Residential – Village rate of 1.2800 cents in the dollar on the current land values of all rateable land in the village of Quambone, with a minimum rate of \$480.00 per annum;

# Farmland:

A Farmland rate of 0.296 cents in the dollar on the current land values of all rateable land in the Local Government Area being farmland, with a minimum rate of \$390.00 per annum;

# **Small Rural Holdings:**

A Small Rural Holding rate of 0.8400 cents in the dollar on the current land values of all rateable land in the Local Government Area being small rural holdings, with a minimum rate of \$510.00 per annum;

# **Rural Residential:**

A Rural Residential rate of 0.7300 cents in the dollar on the current land values of all rateable land in the Local Government Area being rural residential, with a minimum rate of \$480.00 per annum;

# **Business:**

A Business rate of 2.3600 cents in the dollar on the current land values of all rateable land in the Local Government Area being Business, with a minimum rate of \$540.00 per annum.

- 4. That the Schedule of Fees and Charges for the 2021/22 financial year be made, fixed, and charged by Council and authorised for public exhibition as part of the Council's Draft 2021/22 Operational Plan and Budget in accordance with the provisions of Section 405 of the *Local Government Act 1993* for 28 days from Thursday, 13 May 2021, with a submission closing date of Thursday, 10 June 2021.
- 5. That Council makes, fixes, and levies the amounts contained within the Water Supply Charge Schedule for the 2021/22 financial year, and that same be authorised by Council for public exhibition as part of its Draft 2021/22 Operational Plan and Budget, in accordance with the provisions of Section 405 of the Local Government Act 1993 for 28 days from Thursday, 13 May 2021, with a submission closing date of Thursday, 10 June 2021. FURTHER, that Council makes, fixes, and levies the following charges in accordance with the provisions of Section 552 and Section 501(1) and Section 502 of the Local Government Act 1993 on such land which water is connected or able to be connected to for the year ending June 2022:

Town/Village	Access Charge (\$)20mm	Usage Charge – 1st Tier (c/kl)	2nd Tier Pricing Limit (kl)	Usage Charge 2nd Tier (c/kl)
Coonamble	360	115	450	185
Gulargambone	470	110	450	170
Quambone	470	125	430	210

The Access Charges as above are for 20mm services, the charges below allow for the size of the water meters as required by best practice pricing. The resulting charges are shown in the table following:

Item	Coonamble (\$)	Gulargambon e (\$)	Quambone (\$)
Access charge (20mm meter)	360	470	470
Access charge (25mm meter)	565	738	738
Access charge (40mm	1,440	1,880	1,880

meter)			
Access charge (50mm meter)	2,250	2,938	2,938
Access charge (75mm meter)	5,062	6,608	6,608
Access charge (100mm meter)	9,000	11,750	11,750

6. That the Sewer Supply Charge Schedule for the 2021/22 financial year be approved by Council for public exhibition as part of the Council's Operational Plan and Budget in accordance with the provisions of Section 405 of the Local Government Act 1993 for 28 days from Thursday, 13 May 2021, with a submission closing date of Thursday, 10 June 2021. FURTHER, that Council makes, fixes and levies the following charges in accordance with the provisions of Section 501(1), Section 502 and Section 552 of the Local Government Act 1993 on such land which sewer is connected or able to be connected to for the year ending June 2022.

# Residential Sewerage - Coonamble

Sewerage availability charge of \$615.00 per annum per assessment.

# Residential Sewerage - Gulargambone

Sewerage availability charge of \$810.00 per annum per assessment.

# <u>Sewerage – Coonamble Flats</u>

Sewerage availability charge of \$520.00 per annum per unit.

# **Sewerage – Gulargambone Flats**

Sewerage availability charge of \$735.00 per annum per unit.

# Non-residential Sewerage - Coonamble

Sewer charge for Non-residential Sewerage – Coonamble is not less than a minimum charge of \$615.00 per annum per assessment. Non-residential services are also subject to sewer discharge factor (usage charge) related to water consumption. The treatment charge to be applied is 173 cents per kilolitre.

# Non-residential Sewerage - Gulargambone

Sewer charge for Non-residential Sewerage – Gulargambone is not less than a minimum charge of \$810.00 per annum per assessment. Non-residential services are also subject to sewer discharge factor (usage charge) related to water consumption. The treatment charge to be applied is 173 cents per kilolitre.

7. That the Waste Collection Service Schedule for the 2021/22 financial year be approved by Council for public exhibition as part of the Council's Draft 2021/22 Operational Plan and Budget in accordance with the provisions of Section 405 of the *Local Government Act 1993* for 28 days from Thursday, 13 May 2021, with a submission closing date of Thursday, 10 June 2021. FURTHER, that Council makes, fixes and levies the following charges in

accordance with the provisions of Section 496 and Section 502 of the Local Government Act 1993 for the Waste Collection Services (with the understanding that one (1) Waste Collection Service entitles a property owner to a 240-litre weekly garbage service per assessment – unless otherwise indicated):

2021/2022 Charge per annum (\$)	
280.00	
140.00	
280.00	
140.00	
365.00	
140.00	
365.00	
140.00	
315.00	
140.00	
315.00	
140.00	
48.00	
48.00	
48.00	

8. That Council, in accordance with the provisions of Section 566(3) of the *Local Government Act 1993*, determines that the extra interest charges on

overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2022. The rate for the 2021/22 financial year is 6.0% per annum (7.00% for 2020/21).

- 9. 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 consideration and adoption of the final 2021/22 Operational Plan and Budget at its Ordinary Meeting in June 2021.
- 10. That Council, in accordance with the provisions of Section 405(6) of the Local Government Act 1993, places a copy of its adopted Operational Plan on its website within 28 days of it being formally adopted at the June 2021 Ordinary Meeting.

**CARRIED** 

#### **MOTION**

Moved: Cr Karen Churchill Seconded: Cr Paul Wheelhouse

That Council removes the \$300,000 provided in the Capital Budget of the draft Operational Plan 2021/22 for purposes of the Coonamble Mineral Spa Design and Development costs and allocates this amount to the relevant reserve fund that had been created for this development for potential future usage.

LOST

# **MOTION**

Moved: Cr Paul Wheelhouse

That Council removes the \$300,000 provided in the Capital Budget of the draft Operational Plan 2021/22 for purposes of the Coonamble CBD – Skillman's Lane and CBD Precinct Upgrades.

For want of a seconder, the motion **LAPSED** 

It was noted by the meeting that there is concern with the design for the future upgrade of the Coonamble CBD-precinct that too much emphasys is being or will be placed on the development of Skillman's Lane – to the potential detriment of the rest of the main street. With the supermarket development not going ahead in the former Mac's Dry Cleaners building and adjacent premises, the closing of this mentioned lane for vehicular traffic and the development of the car park at the back of the main street have become less important. It was acknowledged that proper access to the public toilets in the car park area remains to be a priority, including for pedestrians.

#### **RESOLUTION 2021/94**

Moved: Cr Paul Wheelhouse

Seconded: Cr Bill Fisher

That the allocated funds for the creation of Staff Housing in the Capital Budget

of the draft Operational Plan 2021/2022 be restricted to the applicable reserve fund created for this particular purpose.

**CARRIED** 

# 10.11 INFORMATION UPDATE ON RURAL FIRE SERVICES SHED

#### **RESOLUTION 2021/95**

Moved: Cr Barbara Deans Seconded: Cr Robert Thomas

- 1. That Council notes the information contained in this report.
- 2. That Council requests the Executive Leader of Corporate and Sustainability to make the necessary arrangements to call for expression of interest for the disposal of the "old" Coonamble Rural Fire Brigade, and for a report to be brought back for Council's consideration.

**CARRIED** 

# 10.12 URBAN SERVICES - WORKS IN PROGRESS

#### **RESOLUTION 2021/96**

Moved: Cr Paul Wheelhouse Seconded: Cr Barbara Deans

That Council notes the information in this report.

CARRIED

#### 10.13 SALEYARDS REPORT

#### **RESOLUTION 2021/97**

Moved: Cr Paul Wheelhouse

Seconded: Cr Bill Fisher

That Council notes the information provided in this report.

**CARRIED** 

At 11.48 am, Council adjourned for morning tea and resumed the meeting at 12.15 pm.

The acting Manager of Roads, Mr Ian Dinham, joined the meeting.

#### 10.14 COMMUNITY SERVICE PROGRESS REPORT

#### **RESOLUTION 2021/98**

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

That Council notes the information contained in this report.

**CARRIED** 

Cr Karanouh vacated the Chair and leaft the room, not participating in any of the discussions or voting on the item. Cr Wheelhouse took the Chair in the absence of Cr Karanouh.

# 10.15 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT

#### **RESOLUTION 2021/99**

Moved: Cr Barbara Deans Seconded: Cr Bill Fisher

- 1. That Council notes the contents of this report.
- 2. That Council, pursuant to the provisions of Section 610E of the *Local Government Act 1993*, waives the applicable advertised fee for all food premise inspections for the 2021-2022 period for the initial inspection of \$161.00 due to the effect that Covid-19 and the recent mouse plague have had on businesses operating within this market segment.
- 3. That Council requests the Executive Leader Environment, Strategic Planning and Community to write to all food premise retailers, advising them of the proposed waiver, as well as to publicly advertise Council's intent for a period of 28 days.
- 4. That Council approves the nomination received from Ms Alanna McHugh as the community member to represent Council on the Western Regional Joint Planning Panel.

**CARRIED** 

Cr Karanouh resumes his position as Chair.

# 10.16 ROAD LEASE

#### **RESOLUTION 2021/100**

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

- 1. That Council consults with all other adjoining land holders regarding the possible lease of the road reserve at the western end of SR65, Gadsens Lane.
- 2. That, if no objections are received from the adjoining landowners, Council advertises for expressions of interest for a lease over the abovementioned area and a report be brought back to Council regarding the responses received to the advertisement.

**CARRIED** 

# 10.17 CARE AND CONTROL OF COUNCIL ROAD ASSETS

#### **RESOLUTION 2021/101**

Moved: Cr Bill Fisher

Seconded: Cr Paul Wheelhouse

That Council notes the potential strategies for care and control of its road assets as outlined in this report and further investigates as a next step, in conjunction with Council's Roads Committee, the potential and benefits of a local "self-help" program for rural road users and ratepayers.

**CARRIED** 

# **MOTION**

Moved: Cr Paul Wheelhouse Seconded: Cr Robert Thomas

That Council joins the North West Weight of Loads Group as from 1 July 2021.

In Favour: Cr Karen Churchill

Against: Crs Ahmad Karanouh, Paul Wheelhouse, Pat Cullen, Barbara Deans,

Bill Fisher and Robert Thomas

**LOST 1/6** 

# 10.18 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS

#### **RESOLUTION 2021/102**

Moved: Cr Paul Wheelhouse

Seconded: Cr Pat Cullen

That Council notes the information in this report.

**CARRIED** 

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

NIL.

# 12 CONFIDENTIAL MATTERS

#### **RESOLUTION 2021/103**

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

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 DEVELOPMENT CONTROL ORDER (GENERAL ORDER) 81-83
CASTLEREAGH STREET

This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CARRIED

# RESOLUTION 2021/104

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

# 12.1 DEVELOPMENT CONTROL ORDER (GENERAL ORDER) 81-83 CASTLEREAGH STREET

#### RECOMMENDATION

- 1. That Council notes the information in this report.
- 2. That Council resolves not to take any further action for the time being.

# **RESOLUTION 2021/105**

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

That Council moves out of Closed Council into Open Council.

**CARRIED** 

# **MOTION**

# **RESOLUTION 2021/106**

Moved: Cr Bill Fisher Seconded: Cr Barbara Deans

That Council adopts in Open Council the resolution passed in Closed Council (Resolution 2021/103).

**CARRIED** 

# 13 CONCLUSION OF THE MEETING

The Meeting closed at 1.26pm.

The minutes of this meeting were confirmed at the Council held on 16 June 2021.

CHAIRPERSON