

**COONAMBLE**  
SHIRE COUNCIL

**MINUTES**

**Ordinary Council Meeting  
Wednesday, 9 March 2022**

**MINUTES OF COONAMBLE SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE GULARGAMBONE MEMORIAL HALL  
ON WEDNESDAY, 9 MARCH 2022 AT 9.00 AM**

**PRESENT:** Cr Tim Horan (Mayor), Cr Karen Churchill (Deputy Mayor), Cr Adam Cohen, Cr Pat Cullen, Cr Barbara Deans, Cr Bill Fisher, Cr Ahmad Karanouh, Cr Terence Lees, Cr Brian Sommerville.

**IN ATTENDANCE:** Hein Basson (General Manager), Daniel Noble (Executive Leader Infrastructure), Noreen Vu (Executive Leader Environment, Strategic Planning & Community), Deborah Tatton (Manager Finance & Procurement), Pip Goldsmith (filling in as Manager Economic Development & Growth in a casual staff member capacity for part of the meeting).

## **1 OPENING MEETING**

The Mayor opened the meeting at 10.11 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**

The Mayor read the following 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**

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

**That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 9 February 2022 be confirmed as a correct record of the proceedings of the meeting, with the word “any” in resolution 2022/20 to be substituted with the word “other” to read as follows:**

**That Council fully supports the Return and Earn program and authorises the General Manager to consult with the operators and other potential operator about expansion and where Council may assist and report back to Council.**

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

Against: Nil

**CARRIED 9/0**

**7 DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Churchill declared a conflict of interest with Item 10.8 Applications for Financial Assistance under Council’s Donations Policy, as she is a member of the Coonamble Auto Club. She indicated that she will stay in the room, participate in the discussions and voting on the item.

Cr Deans declared a conflict of interest with Item 10.15 Environment and Strategic Planning Progress Report, as she lives near the proposed Black Hollow Quarry and the planned Inland Rail route will be going through her property. She indicated that she will stay in the room, participate in discussions and voting on the item as the proposed development has only been included in the report for the information of Councillors.

Cr Lees declared a conflict of interest with Item 12.2 Unlawful Demolition of Barry Jackson Pavilion Coonamble Showground, as he is an employee of one of the implicated parties. He indicated that he will leave the room, not partaking in any discussions or voting on the item.

**8 MAYORAL MINUTE****RESOLUTION 2022/43**

Moved: Mayor Tim Horan

- 1. That Council be an employer supportive of its employees who wish to be available for our NSW Fire and Rescue and other emergency services. Further, that Council encourages other employers to do the same.**

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

Against: Nil

**CARRIED 9/0**

**RESOLUTION 2022/44**

Moved: Mayor Tim Horan

Seconded: Cr Pat Cullen

- 2. That Council investigates options to better manage maintenance of the streets, lanes and public areas within the whole Shire – potentially awarding a prize for the tidiest street in town using Coonamble cash – and including a curb-side pickup collection service to be held at least annually.**

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

Against: Nil

**CARRIED 9/0**

The Mayor allowed for the following motion to be dealt with as part of his Mayoral Minute.

**RESOLUTION 2022/45**

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

**That Council voices its concern with the inadequacy of the Rural Fire Service's new early warning system which does not make mention of the property name and which causes unnecessary confusion about the location of incidents. Further, that since the new system is managed out of Sydney, Council is concerned that local knowledge is not being adequately made use of.**

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

Against: Nil

**CARRIED 9/0**

**RESOLUTION 2022/46**

Moved: Mayor Tim Horan

**3. That the Mayoral Minute be received.**

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

Against: Nil

**CARRIED 9/0**

**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 2022/47**

Moved: Cr Ahmad Karanouh

Seconded: Deputy Mayor Karen Churchill

**That Council notes the information in this report.**

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

Against: Nil

**CARRIED 9/0**

## 10.2 COUNCIL RESOLUTIONS UPDATE

### RESOLUTION 2022/48

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Pat Cullen

**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, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

## 10.3 ADOPTION OF THE 2021 REVISED MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

Cr Churchill questioned whether the General Manager should have the sole responsibility to make decisions on applications from community or group members to address Council (Clause 4.7 of the Model Code of Meeting Practice), as the refusal of the Coonamble Aquatic Club's application the previous week to address Council – based on the fact that the Warrena Weir matter was not included within the order of business in Council's Business Paper – caused concern with this club.

### RESOLUTION 2022/49

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

- 1. That Council in principle adopts those sections printed in red ink of the Model Code of Meeting Practice as were discussed at the Council Meeting, with the exception of the General Manager having sole responsibility for approving and/refusing applications for Public Forums (Clause 4.7), and further for the Attendance of Meetings by Audio-Visual Link only to be permissible in exceptional circumstances (Clauses 5.16 to 5.30), for a discussion point of Urgent Matters to be added to the General Order of Business (Clause 8.2), for Motions Requiring the Expenditure of Funds not to be included (Clauses 9.10 and 10.9) , and for Time Limits on Council Meetings not to be included (Clauses 18.1 to 18.5).**
- 2. That the General Manager amends the Model Code of Meeting Practice to reflect the preferences and guidance of Council obtained at the Meeting as is mentioned in paragraph one above, as well as with regards to other ancillary matters, and that this amended version be brought back to Council for formal adoption – including clarification around Council's ability to change the wording of the non-mandatory Clause 4.7.**

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

Against: Nil

**CARRIED 9/0**

#### **10.4 BUSINESS CASE AND CONCEPT DESIGN - COONAMBLE ARTESIAN BATHING EXPERIENCE.**

##### **RESOLUTION 2022/50**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

**That the Feasibility, Business Case and Concept Design for the Coonamble Artesian Bathing Experience be discussed.**

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

Against: Nil

**CARRIED 9/0**

##### **RESOLUTION 2022/51**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

**1. That Council notes the contents of this report and the Feasibility, Business Case and Concept Design for the Coonamble Artesian Bathing Experience.**

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

Against: Nil

**CARRIED 9/0**

##### **RESOLUTION 2022/52**

Moved: Mayor Tim Horan

Seconded: Cr Terence Lees

**2. That the Feasibility, Business Case and Concept Design for the Coonamble Artesian Bathing Experience be placed on public exhibition for a period of 28 days, making it clear that this Business Case is not necessarily site specific and for the public to identify other viable site options.**

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

Against: Cr Karen Churchill

**CARRIED 8/1**

**RESOLUTION 2022/53**

Moved: Cr Karen Churchill

Seconded: Cr Brian Sommerville

- 3. That a report be prepared for Council's consideration, including the community feedback gathered, so that it can be used to inform the future direction and progress of the project and further, that this report includes a list of available Council owned or controlled land as well as information on the Native Title status of the land adjoining the Coonamble Jockey Club.**

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

Against: Nil

**CARRIED 9/0**

**10.5 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT****RESOLUTION 2022/54**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Terence Lees

**That Council notes the contents of this report.**

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

Against: Nil

**CARRIED 9/0**

**RESOLUTION 2022/55**

Moved: Mayor Tim Horan

Seconded: Cr Terence Lees

**That the meeting be adjourned at 1.11pm for lunch and the Councillor Workshop on Council's Road Challenges, and the meeting be resumed after the Workshop in Coonamble.**

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

Against: Nil

**CARRIED 9/0**

Cr Fisher had to leave the Councillor Workshop at 2.40pm because of personal business reasons.



The Council Meeting resumed at 3.20pm in the Council Chamber, Coonamble.

## 10.6 WORKPLACE INJURY MANAGEMENT REPORT

### RESOLUTION 2022/56

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Terence Lees

**That Council notes the contents of the Workplace Injury Management Report.**

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

Against: Nil

**CARRIED 8/0**

## 10.7 PAYMENT OF SUPERANNUATION TO COUNCILLORS

### RESOLUTION 2022/57

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

**That Council resolves not to participate in the Superannuation Scheme for Councillors in NSW.**

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

Against: Nil

**CARRIED 8/0**

## 10.8 APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER COUNCIL'S DONATIONS POLICY

Cr Churchill declares a conflict of interest as a member of the Coonamble Auto Club.

**RESOLUTION 2022/58**

Moved: Cr Barbara Deans

Seconded: Cr Ahmad Karanouh

1. **That Council notes the report.**
2. **That Council resolves to provide the following financial assistance:**

(a) St Barnabas Anglican Parish	\$1,500.00
(b) Gulargambone Rural Transaction Centre	\$1,500.00
(c) Gulargambone Pioneers Memorial Presbyterian Church	\$1,500.00
(d) Gulargambone Jockey Club	\$5,000.00
(e) Coonamble Meals on Wheels	\$3,200.00
(f) Coonamble CWA (Evening Branch)	\$2,500.00
(g) Coonamble Community Radio Inc	\$1,500.00
(h) Quambone Resources Committee	\$1,000.00
(i) Marthaguy Picnic Race Club	\$3,000.00
(j) Quambone Polocrosse Club	\$2,000.00
(k) Coonamble Auto Club	\$ 500.00
(l) Coonamble Community Men's Shed	\$1,500.00
3. **That Council notes that due to there being insufficient funds in the current donations vote that the amount sought by the Meals on Wheels be sourced from the Mayoral Donations allocation.**

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

Against: Nil

**CARRIED 8/0**

**RESOLUTION 2022/59**

Moved: Cr Karen Churchill

Seconded: Cr Terence Lees

4. **That Council amends its current Donations Policy to increase the number of times that Council will consider applications for financial assistance to four times per year, and that the effectiveness and efficiency of this change be revisited after a period of 12 months.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Cr Barbara Deans

**CARRIED 7/1 Carried**

As a point of clarification, the Mayor stated that with this change in frequency, it is not

the expectation for Council staff to be advertising four funding rounds, rather, that applications will be presented to Council for consideration on a rolling basis four times per year.

## 10.9 STATUS OF INVESTMENTS - FEBRUARY 2022

### RESOLUTION 2022/60

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

**That Council notes the list of investments as at 28 February 2022 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, Adam Cohen, Pat Cullen, Barbara Deans, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 8/0**

## 10.10 RATES AND CHARGES COLLECTIONS - FEBRUARY 2022

### RESOLUTION 2022/61

Moved: Cr Terence Lees

Seconded: Cr Barbara Deans

**That Council notes the information provided in the report.**

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

Against: Nil

**CARRIED 8/0**

## 10.11 URBAN SERVICES - WORKS IN PROGRESS

### RESOLUTION 2022/62

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

**That Council notes the information in this report.**

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

Against: Nil

**CARRIED 8/0**

**10.12 DRAFT CONCEALED WATER LEAKS POLICY****RESOLUTION 2022/63**

Moved: Cr Karen Churchill

Seconded: Cr Terence Lees

1. That Council places the draft Concealed Water Leaks Policy, as attached to the report as Annexure 1, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. 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 further consideration and adoption of the Concealed Water Leak Policy (with or without changes) at its May 2022 Ordinary Meeting.
3. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the Investment Policy without any changes as a policy of Council.
4. That Council notes the information contained in the Concealed Leaks Application form, as attached to the report as Annexure 2.

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

Against: Nil

**CARRIED 8/0**

**10.13 COMMUNITY STRATEGIC PLAN DEVELOPMENT****RESOLUTION 2022/64**

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

**That Council notes the information contained in this report.**

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

Against: Nil

**CARRIED 8/0**

**10.14 COMMUNITY SERVICE PROGRESS REPORT****RESOLUTION 2022/65**

Moved: Cr Terence Lees  
Seconded: Cr Ahmad Karanouh

**That Council notes the information contained in this report.**

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

Against: Nil

**CARRIED 8/0**

**10.15 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT****RESOLUTION 2022/66**

Moved: Deputy Mayor Karen Churchill  
Seconded: Cr Pat Cullen

**1. That Council notes the contents of this report.**

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

Against: Nil

**CARRIED 8/0**

**RESOLUTION 2022/67**

Moved: Cr Tim Horan  
Seconded: Cr Karen Churchill

**2. That Council makes an appropriate industrial block available to the Bucking Bull Hotel for purposes of expanding the current Return and Earn Service in Coonamble, at a rental price of \$100 per week and with a 12 months' notice period, with the understanding that there is no further cost to Council and for the Bucking Bull Hotel to follow due process regarding all applicable planning procedures.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Cr Barbara Deans

**CARRIED 7/1**

**RESOLUTION 2022/68**

Moved: Cr Ahmad Karanouh  
Seconded: Cr Terence Lees

**3. That a letter be written to Castlereagh Industries notifying them of Council's**

**resolution.**

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

Against: Nil

**CARRIED 8/0**

**10.16 SALEYARDS REPORT- FEBRUARY 2022****RESOLUTION 2022/69**

Moved: Cr Terence Lees

Seconded: Cr Pat Cullen

**That Council notes the information provided in this report.**

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

Against: Nil

**CARRIED 8/0**

**10.17 DRAFT REGULATORY AND ENFORCEMENT POLICY****RESOLUTION 2022/70**

Moved: Cr Barbara Deans

Seconded: Cr Ahmad Karanouh

- 1. That Council places the draft Regulatory and Enforcement 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 Executive Leader Environment, Strategic Planning and Community 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 Regulatory and Enforcement Policy (with or without changes) at its May 2022 Ordinary Council Meeting.**
- 3. That Council, in the event of it not receiving any submissions during the public exhibition period, formally adopts the Regulatory and Enforcement Policy without any changes as a policy of Council.**

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

Against: Nil

**CARRIED 8/0**

**10.18 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS****RESOLUTION 2022/71**

Moved: Cr Karen Churchill

Seconded: Cr Terence Lees

**That Council notes the information in this report.**

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

Against: Nil

**CARRIED 8/0**

**10.19 TOOLOON STREET SCHOOL CROSSING - REQUEST FOR BUDGET ALLOCATION****RESOLUTION 2022/72**

Moved: Cr Terence Lees

Seconded: Cr Pat Cullen

**That Council notes that the Tooloon Street School Crossing Project has now been fully funded by Transport for NSW.**

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

Against: Nil

**CARRIED 8/0**

**10.20 CORRESPONDENCE****RESOLUTION 2022/73**

Moved: Cr Barbara Deans

Seconded: Cr Brian Sommerville

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

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

Against: Nil

**CARRIED 8/0**

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

Nil.

**RESOLUTION 2022/74**

Moved: Mayor Tim Horan

Seconded: Deputy Mayor Karen Churchill

**That Council suspends standing orders and the formal Council Meeting for purposes of informal discussion.**

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

Against: Nil

**CARRIED 8/0**

**RESOLUTION 2022/75**

Moved: Mayor Tim Horan

Seconded: Deputy Mayor Karen Churchill

**That Council resumes standing orders and the formal Council Meeting to deal with the matters listed in the Business Paper as confidential items.**

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

Against: Nil

**CARRIED 8/0**

**12 CONFIDENTIAL MATTERS****RESOLUTION 2022/76**

Moved: Cr Karen Churchill

Seconded: Cr Adam Cohen

**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 - 9 February 2022**

**12.2 UNLAWFUL DEMOLITION OF BARRY JACKSON PAVILION - COONAMBLE SHOWGROUND**

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 Review of Staff Exits Report**

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).



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

Against: Nil

**CARRIED 8/0**

## **12.1 CLOSED (PUBLIC EXCLUDED) COUNCIL MEETING OF THE COONAMBLE SHIRE COUNCIL - 9 FEBRUARY 2022**

The two items considered (i.e. 12.2 and 12.3) are listed below.

## **12.2 UNLAWFUL DEMOLITION OF BARRY JACKSON PAVILION - COONAMBLE SHOWGROUND**

Cr Lees declared a conflict of interest with this matter, left the room and did not participate in any of the discussions or voting on the item.

Cr Karanouh also left the meeting for personal business reasons.

### **RESOLUTION 2022/77**

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

- 1. That Council issues a formal warning letter to Mr Matthew Cock for contravening the provisions of s. 4.2(1)(a) of the *Environmental Planning and Assessment Act 1979* because Mr Cock was responsible for instructing Newbold Haulage Pty Ltd to undertake the demolition of the Barry Jackson Pavilion at the Coonamble Showgrounds, well knowing that the necessary development application consent in this regard had not been obtained.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, and Brian Sommerville

Against: Cr Barbara Deans

**CARRIED 5/1**

### **RESOLUTION 2022/78**

Moved: Cr Karen Churchill

Seconded: Cr Brian Sommerville

- 2. That a formal warning letter be issued to Mr Chris Newbold and his company Newbold Haulage Pty Ltd highlighting the need to follow due process to ensure their demolition projects have received the necessary development application approvals to proceed and, if his company fails to adhere to this directive into the future and demolishes a structure for which consent has not been formally granted, that Council will have no choice but to issue a penalty infringement notice or proceed with court**

**proceedings.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, and Brian Sommerville

Against: Nil

**CARRIED 6/0**

**RESOLUTION 2022/79**

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

- 3. That a letter be written to the Coonamble Show Society as the development applicant to explain the unlawful demolition matter to them and to provide advice about the necessity of obtaining formal pre-lodgement development application advice and engaging in suitable project planning to ensure development applications and the associated construction works are dealt with in a timely manner.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, and Brian Sommerville

Against: Nil

**CARRIED 6/0**

**RESOLUTION 2022/80**

Moved: Cr Pat Cullen

Seconded: Cr Brian Sommerville

- 4. That Council in due course pursues the preparation of a Crown Lands Plan of Management for the Coonamble Showgrounds, complete with a comprehensible procedure around how development projects should be dealt with by all the members of the Coonamble Showground Users Group.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, and Brian Sommerville

Against: Nil

**CARRIED 6/0**

Cr Lees returned to the meeting.

**12.3 REVIEW OF STAFF EXITS REPORT****RESOLUTION 2022/81**

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

- 1. That Council notes the contents of the report “Review of exists for calendar year 2022” dated 189 February 2022 as received from Local**

**Government NSW – Management Solutions.**

**2. That Council’s Workforce Plan be revisited to ensure that the recommendations contained in the report mentioned in paragraph one above, are included with this Plan.**

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

Against: Nil

**CARRIED 7/0**

**RESOLUTION 2022/82**

Moved: Deputy Mayor Karen Churchill  
Seconded: Cr Terence Lees

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

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

Against: Nil

**CARRIED 7/0**

**RESOLUTION 2022/83**

Moved: Deputy Mayor Karen Churchill  
Seconded: Cr Terence Lees

**That Council adopts in Open Council the Resolutions passed in Closed Council (Resolution 2022/77 to 2022/81).**

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

Against: Nil

**CARRIED 7/0**

The Mayor read the adopted resolutions out loudly.

**13 CONCLUSION OF THE MEETING**

**The Meeting closed at 5.53pm.**

**The minutes of this meeting were confirmed at the Council held on 13 April 2022.**

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**CHAIRPERSON**