



MINUTES

**Ordinary Council Meeting
Wednesday, 12 October 2022**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 12 OCTOBER 2022 AT 10.00 AM**

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

IN ATTENDANCE: Ross Earl (General Manager), Bruce Quarmby (Executive Leader Corporate & Sustainability), Daniel Noble (Executive Leader Infrastructure), David Levick (Acting Manager Economic Development & Growth), Marina Colwell (Executive Support Officer)

1 OPENING MEETING

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.

MOTION

RESOLUTION 2022/242

Moved: Mayor Tim Horan

Seconded: Cr Bill Fisher

That Council suspends Standing Orders at 10.05 am to be offered a presentation from representatives from St Vincent de Paul.

CARRIED

MOTION

RESOLUTION 2022/243

Moved: Mayor Tim Horan

Seconded: Cr Bill Fisher

That Council returns Standing Orders at 10.22 am .

CARRIED

3 COMMUNITY CONSULTATION

Nil

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

5 DEPUTATION/DELEGATIONS

Nil

6 CONFIRMATION OF MINUTES

RESOLUTION 2022/244

Moved: Cr Ahmad Karanouh

Seconded: Cr Adam Cohen

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 14 September 2022 be confirmed as a correct records of the proceedings of the meetings.

CARRIED

7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Barbara Deans declared a 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 will remain in the room and participate in the discussion on the item.

Cr Adam Cohen declared a non pecuniary interest with item 12.1 in closed session as he rents a house from one of the business owners.

Cr Brian Sommerville declared a non pecuniary conflict of interest with item 12.2 in closed session as his employee has a pecuniary interest in the Coonamble Waste Management Facility.

8 MAYORAL MINUTE

MAYORAL MINUTE

RESOLUTION 2022/245

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

1. That the Mayoral Minute be received and noted.
2. That the Interim General Manager progress the recommendations in relation to the Fire and Rescue Facilities in Coonamble.

CARRIED

SUPPLEMENTARY BUSINESS - MAYORAL MINUTE -

RECOMMENDATION

That Council accepts the following item, 8.2 - Mayoral Minute -, as Supplementary Business.

RESOLUTION 2022/246

Moved: Mayor Tim Horan

Seconded: Cr Pat Cullen

That Council contact the bureau of Meteorology requesting urgent action to have the official rain gauge at Coonamble Aerodrome repaired so that during times of heavy rainfall and subsequent flooding Council and the emergency services can make informed decisions regarding the safety of residents and property.

CARRIED

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL

SECTION B - MATTERS FOR INFORMATION ONLY

9 COMMITTEE REPORTS

Nil

10 REPORTS TO COUNCIL

10.1 CORRESPONDENCE

RESOLUTION 2022/247

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

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

CARRIED

10.2 COUNCIL RESOLUTIONS UPDATE

RESOLUTION 2022/248

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Barbara Deans

That Council notes the contents of Annexure 1 attached to the report on the status of Council resolutions.

CARRIED

10.3 RATES AND CHARGES COLLECTIONS - SEPTEMBER 2022

RESOLUTION 2022/249

Moved: Cr Bill Fisher

Seconded: Cr Ahmad Karanouh

That Council notes the information provided in the report.

CARRIED

10.4 STATUS OF INVESTMENTS - 30 SEPTEMBER 2022**RESOLUTION 2022/250**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council notes the list of investments as at 30 September 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.

CARRIED**10.5 SALEYARDS REPORT- 30 SEPTEMBER 2022****RESOLUTION 2022/251**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That Council notes the information provided in this report.

CARRIED**10.6 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT****RESOLUTION 2022/252**

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

- 1. That Council note the contents of this report.**
- 2. That Council prepare a submission to the Public Library Infrastructure Grants program for improved lighting, triple glazing and improved air conditioning at the Coonamble Library.**

CARRIED

At 11.33 am Council breaks for morning tea.

At 11.56 am Council resumes the meeting.

10.7 ADOPTION OF THE REVISED CODE OF CONDUCT FOR COUNCILS**RESOLUTION 2022/253**

Moved: Cr Pat Cullen
Seconded: Cr Adam Cohen

That Council adopts the Model Code of Conduct as published by the Office of Local Government.

CARRIED

10.8 ADOPTION OF DRAFT COUNCILLOR AND STAFF INTERACTION POLICY**RESOLUTION 2022/254**

Moved: Cr Ahmad Karanouh
Seconded: Cr Bill Fisher

1. That the following be inserted in the into the respective sections of the new policy:

Part 1 1.2 Coonamble Shire Council

Part 4 4.6 Nine (9) Councillors

Part 5 5.3 The Executive Assistant to the Mayor and General Manager

5.4 (d) request that a staff member be present at a meeting (other than a meeting of the council) for the purpose of providing advice the meeting.

5.7 three (3) days

5.8 three (3) days

5.18 six (6) days monthly

Part 6 6.5 Executive Assistant to the Mayor and General Manager.

Schedule 1 All Executive Leaders Names.

Part 5 Executive Assistant to the Mayor and General Manager.

2. That Council adopts the Draft Model Councillor and Staff Interaction Policy with the amendments detailed in the report.

3. That Council provides all Councillors and Staff with a copy of the new policy.

The recommendation was accepted as presented however the motion was not adopted at this time.

In Favour: Nil

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

Sommerville

LOST 0/9

10.9 AMENDMENT TO COUNCILLORS EXPENCES AND FACILITIES POLICY**RESOLUTION 2022/255**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

- 1. That each Councillor be provided with:**
 - (a) Two (2) shirts and a tie or scarf all of which have the Coonamble Shire Logo, with the value of the clothing be capped at \$200.00 per councillor.**
 - (b) That the Council's Policy relating to the payment of expenses and the provision of facilities be amended accordingly,**
 - (c) That Council note the provision of the corporate attire as detailed is not deemed to be a substantial change to the policy as such that Council does not need to give public notice of the proposed amendment to the policy.**

CARRIED**10.10 PROPOSED CLOSURE OF OFFICE - CHRISTMAS/NEW YEAR****RESOLUTION 2022/256**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That Council closes its administrative office, libraries, Service NSW agency, the Visitor Information & Exhibition Centre, Council depots and quarry from close of business on Friday 23 December 2022 and re-open on Tuesday, 3 January 2023.**
- 2. That Council staff avail themselves of accumulated leave provisions for the annual festive period closedown on days not covered by public holiday provisions, namely the Wednesday, Thursday and Friday – 28, 29 and 30 December 2022.**

CARRIED

10.11 COMMUNITY SERVICE PROGRESS REPORT**RESOLUTION 2022/257**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

That Council notes the information contained in the Community Services Progress Report.

CARRIED

10.12 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT**RESOLUTION 2022/258**

Moved: Cr Terence Lees

Seconded: Cr Barbara Deans

That Council notes the information contained within the Environmental and Strategic Planning Progress Report.

CARRIED

10.13 COONAMBLE RESOURCING STRATEGY DOCUMENTS**RESOLUTION 2022/259**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That Council notes the information contained in this report.**
- 2. That Council notes no submissions were received from the public in relation to these documents.**
- 3. That Council adopts the Resourcing Strategy documents attached to the report.**

CARRIED

10.14 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**RESOLUTION 2022/260**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Terence Lees

- 1. That Council notes the information in this report.**
- 2. That Council investigate options to undertake improvements to the water outlets and pump facilities into the river from within the town to ensure they work effectively.**

CARRIED

10.15 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2022/261**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That the information be received and noted.

CARRIED

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

Nil

12 CONFIDENTIAL MATTERS**RESOLUTION 2022/262**

Moved: Cr Ahmad Karanouh

Seconded: Cr Bill Fisher

At 2.58 pm 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 - 14 September 2022

12.2 SPT292223COO - Plumbing & Electrical Services

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.

12.3 Coonamble Waste Management Facility Long Term Plan of Management (LTPOM)

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

12.4 TEN220914 - Euronne Gully Culvert Upgrade

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.

12.5 Proposed trial of mobile crushing and screening at Mt Magometon Quarry

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.

12.6 SPT572122COO - Construction Plant Hire Price adjustment for rise in diesel costs

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

12.7 Write off of Council Debts

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).

12.9 Expression of interest to Purchase Council-owned land

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.

12.8 Review of Organisational Structure

This matter is considered to be confidential under Section 10A(2) - a and f 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) and

details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

CARRIED

RESOLUTION 2022/63

Moved: Cr Bill Fisher

Seconded: Cr Terence Lees

That Council moves out of Closed Council into Open Council.

CARRIED

Cr Karanough left the meeting at 3.02 pm.

The General Manager on the request of the Mayor detailed the motions passed whilst in Closed session.

12.1 SPT292223COO - PLUMBING & ELECTRICAL SERVICES

RESOLUTION 2022/264

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That all tenders as submitted be accepted.**
- 2. That all tenderers be included on the panel of the listing of preferred suppliers to Coonamble Shire Council for the period of 1 October 2022 to 30 September 2024 specifically:**
 - a. 360 Engineering Pty Ltd - Electrical**
 - b. HJ & A Wiatkowski Pty Ltd - Electrical**
 - c. Moe Jacobs Plumbing - Plumbing**
 - d. QA Electrical NSW Pty Ltd – Electrical**
- 3. That in accordance with the tender specification a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 September 2025.**

CARRIED

12.2 COONAMBLE WASTE MANAGEMENT FACILITY LONG TERM PLAN OF MANAGEMENT (LTPOM)**RESOLUTION 2022/265**

Moved: Cr Barbara Deans
Seconded: Cr Ahmad Karanouh

That the draft Long Term Plan of Management for the Coonamble Waste Management Facility be adopted as presented, or suggested minor amendments to be received by Councillors within seven (7) days to the General Manager.

CARRIED

12.3 TEN220914 - EURONNE GULLY CULVERT UPGRADE**RESOLUTION 2022/266**

Moved: Deputy Mayor Karen Churchill
Seconded: Cr Ahmad Karanouh

That the tender TEN220914 for the Euronne Gully Culvert Upgrade be awarded to the Conex Group Pty Ltd for \$833,380.90 including GST.

CARRIED

12.4 PROPOSED TRIAL OF MOBILE CRUSHING AND SCREENING AT MT MAGOMETON QUARRY**RESOLUTION 2022/267**

Moved: Cr Bill Fisher
Seconded: Cr Pat Cullen

- 1. That Council call for tenders for the provision of mobile crushing and screening services at the Mt Magometon Quarry for a 12 month period with a review at the end of the 12 month term on the continuing operations of the quarry.**
- 2. That the contract proposed meets the current and anticipated demands of Coonamble Shire Council over the next two (2) years.**

CARRIED

12.5 SPT572122COO - CONSTRUCTION PLANT HIRE PRICE ADJUSTMENT FOR RISE IN DIESEL COSTS

RESOLUTION 2022/268

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

That Council accepts the adjusted plant hire rates for its approved suppliers contracted under SPT572122COO Plant Hire, to offset the rise in fuel and diesel costs.

CARRIED

12.6 WRITE OFF OF COUNCIL DEBTS

RESOLUTION 2022/269

Moved: Cr Ahmad Karanouh

Seconded: Cr Bill Fisher

- 1. That Council notes the information contained within this report.**
- 2. That in accordance with the Regulation 213 of the NSW Local Government Regulations 2021 that Council resolves to write off the following list of debts owed to Council.**

Account Type	Amount
Sundry Debtor Account	\$690.00
Sundry Debtor Account	\$3,056.00
Sundry Debtor Account	\$9,216.92
Sundry Debtor Account	\$2,120.60
Sundry Debtor Account	\$69.56
Sundry Debtor Account	\$334.20
Sundry Debtor Account	\$368.00
Sundry Debtor Account	\$1,793.80
Sundry Debtor Account	\$1,612.00
Sundry Debtor Account	\$1,323.78
Sundry Debtor Account	\$3,138.00

- 3. Further, that in accordance with the requirements of Local Government Regulation 213 (4c) that the particulars of the debts to be written off be recorded in Council's register of write off of bad debts.**

CARRIED

MOTION**RESOLUTION 2022/270**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

That Council investigate the disposal of the steel structure of the old sheep yards with a report brought back to the November Council Meeting including future potential use of the land.

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

Against: Cr Ahmad Karanouh

CARRIED 8/1

12.7 REVIEW OF ORGANISATIONAL STRUCTURE**RESOLUTION 2022/271**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That the Report on the Organisational Structure prepared by Local Government Management Solutions be received and noted.**
- 2. That Council adopt a structure with three departments each led by a Director, who reports to the General Manager.**
- 3. That the Manager of Economic Development will now fall under the Director Community, Planning and Development.**
- 4. The Human Resources and Risk Manager continues to report to the General Manager.**
- 5. That the newly created Governance Officer reports directly to the General Manager.**
- 6. That the General Manager finalise the balance of the structure based on the recommendations contained within the report.**
- 7. That the new structure be presented to Council at the November Meeting.**
- 8. That the newly created position of Quarry Manager reports directly to the Director Infrastructure.**

CARRIED

13 CONCLUSION OF THE MEETING

The Meeting closed at 3.09 pm.

The minutes of this meeting were confirmed at the Council held on 9 November 2022.

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CHAIRPERSON