



MINUTES

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

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 9 NOVEMBER 2022 AT 4.30 PM**

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 (Acting 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 Mayor opened the meeting at 4.37 pm, advising the attendees of the following:

The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast;

- Attendance at the meeting is to be taken as consent by a person to their image and /or voice being webcast (time will be allowed by the Chairperson for people to leave the meeting before it starts);
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent;
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending the meetings – all liability will rest with the individual who made the comments;
- The recording will be available on Council's website for a minimum of 12 months and retained as a Council record;
- Individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting under the Council's Code of Meeting Practice;
- The meeting must not be recorded by others without the prior written consent of the Council in accordance with the Council's Code of Meeting Practice.

2 ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the traditional custodians of this land on which we meet today, the Wailwan people and the Gamilaroi people and recognise their continuing connection to land, water and culture. We pay our respects to Elders past, present and emerging.

Cr Pat Cullen arrived at 4.41 pm.

3 COMMUNITY CONSULTATION

Mr John Mclsaac – President of the Gulargambone Swim Club

Mr Mclsaac spoke on the Gulargambone Pool Operations and the concerns that club members are having to travel to a neighbouring shire to train due to the late opening of the Gulargambone Pool.

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

5 DEPUTATION/DELEGATIONS

Nil

6 CONFIRMATION OF MINUTES**RESOLUTION 2022/263**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 12 October 2022 be confirmed as a correct record of the proceedings of the meeting.

CARRIED

7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Barbara Deans declared a conflict of interest with item 10.12 Tooraweenah Road Upgrade – Monthly Status Update, as her property and place of residence is on that road. She indicated that she would remain in the room and participate in the discussion on the item.

Cr Brian Sommerville declared a non-pecuniary conflict of interest with item 12.5 in closed session as his employee has a pecuniary interest in the Coonamble Waste Management Facility.

8 MAYORAL MINUTE**MAYORAL MINUTE****UPKEEP OF CEMETRIES****RESOLUTION 2022/264**

Moved: Mayor Tim Horan

Seconded: Cr Terence Lees

That a Plan of Management be developed for the ongoing maintenance and future improvement of cemeteries within Coonamble Shire.

CARRIED

TRAFFIC STOPS IN THE CBD**RESOLUTION 2022/265**

Moved: Mayor Tim Horan

Seconded: Cr Barbara Deans

- 1. That Council undertake community consultation and seek feedback in relation to the retention or removal or other options of the traffic stops in the Coonamble CBD to enable Council to make a decision as to their future.**
- 2. That Council allow a period of 28 days for the receipt of submissions.**

CARRIED

RESOLUTION 2022/266

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

- 1. That Council commence recruiting for the appointment of a General Manager, with Mr Peter Evans of Local Government Management Solutions (LGMS) will again facilitate the recruitment process which will begin on 11 November with applications closing 5 December 2022.**
- 2. That all Councillors be invited to participate in the shortlisting process and the interview and selection process for the new General Manager.**

CARRIED

HOUSING STRATEGY**RESOLUTION 2022/267**

Moved: Mayor Tim Horan

Seconded: Cr Bill Fisher

That Council seeks expressions of interest from persons who have land or housing available for sale which would be suitable for residential, commercial, or industrial development.

CARRIED

SALEYARDS OPERATIVE**RESOLUTION 2022/268**

Moved: Mayor Tim Horan

Seconded: Cr Pat Cullen

That Council:

- 1. Allocate the proceeds of the sale of land to GrainCorp to the Saleyards Reserve for expenditure on the immediate issues to be addressed.**
- 2. That a Charter be established for the operation of the Saleyards Advisory Committee including the composition of the committee and the roles and responsibilities of the Committee.**
- 3. That Council prepare a Plan of Management for the Coonamble Livestock Marketing Complex including options available for the maintenance and supervision of the facility.**

CARRIED

WARRENA WEIR DRAFT PLAN OF MANAGEMENT**RESOLUTION 2022/269**

Moved: Cr Pat Cullen

Seconded: Cr Ahmad Karanouh

That the Warrena Weir Draft Plan of Management be put on Community consultation for a period of 28 days.

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

Mayors Encouragement Message to Councillors

Councillors

As we deliberate on the issues before us this afternoon, I wish to take a moment to remind each of us individually, and all of us collectively, of our duty to the community and the confidence residents have in electing us to this leadership role.

We can discharge this duty by being cautious and tentative in our decision-making, maintaining the status quo, and keeping everything as it is without rocking the boat,

Or

We can be considered audacious, making decisions that move our community forward step-by-step, towards the goals identified in our Community Strategic Plan, and thus meet the expectations of our community and contribute to its future prosperity.

Some of the goals of the Community Strategic Plan are that “our community leaders enrich and empower us”, and “our community believes in the integrity of council’s decisions”. These are great words that meet the governments’ “feel good” needs, but we need to make them actions words!!!

Enrich, empower, community leaders.

Each of our meetings is an opportunity for us to demonstrate to our community that we have the best interests at heart, not ours personally, **but** what is best for the entire community rather than what is best for select groups of stakeholders.

We really need to start addressing some of the root causes of the issues that our community faces if we are to avoid seeing it stagnate. Some of these are the availability of quality housing, the availability of industrial land, our roads, the condition and ambience of Coonamble’s main street, and our reliance solely on agriculture to keep our local economy thriving.

Several of these items are addressed in the business paper this evening. It is necessary that we explore each of these issues with robust consultation, weighing up the pros and cons of ways to move forward with them.

I invite us all to recognise that what is best for the part is ultimately achieved by deciding what is best for the whole, and that we need to act with conviction and courage if we are to see Coonamble Shire develop as a leading centre within our region, rather than one that is left behind!

Councillors we are planned out, we have plans for everything, **but** Councillors do we really have a plan?

We can’t keep treading water, the waves are drowning us and soon the tsunami will hit, and it will be too late. We can’t wait for the grants that may come, we can’t wait for someone else to do it. Everyone is looking to us to do it!

I came into Council this term very sceptical, but you would see that I change my views on many things taking into account the facts. That’s all I ask of everyone.

In our deliberations this evening and going forward, let us confidently pursue the goals of our community and be bold in our decision making, while considering deeply

the long-term consequences of these decisions, weighing up whether they simply maintain the status quo or whether they stimulate the vitality needed for us to prosper.

Councillors, as leaders, we must take the lead not for our own needs but the needs of the entire Shire and its residents. How do we expect others to act if we do not!

We spoke about the ABC story on the Inland Rail last meeting and its negative view of the Shire. Councillors' bad news sells stories! Let's change this to good news stories of a council determined to make it right.

As we have heard, meeting after meeting, and at our training since being elected to our roles, there are never-ending rules about what we can't do, and it seems governments do not want local voices in making local decisions or even speaking out for their communities.

I want to genuinely be a part of the betterment of our Shire and our residents expect this from us!

I want to be heard, and if that means breaking the rules that block us, rather than help us, then so be it.

We come here as Councillors with good intentions and yes, a lot of what we hear comes from the community but that's no reason to put it aside.

If we were listened to months ago, I am sure we would not be talking about the issues being raised this afternoon.

I want to be a part of a better future for Coonamble not its failures and downfall. Everything is working against us so let's step up, forge on with strength and leadership and make the hard decisions while we can, 12 months has already passed.

There's a wise old saying; the best time to plant a tree was 20 years ago. The next best time is now.

Councillors,

As community leaders let us *enrich and empower our community*.

Let's action these words!!

Tim Horan

Mayor

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 2022/270**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

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

CARRIED

RESOLUTION 2022/271

Moved: Mayor Tim Horan

Seconded: Cr Ahmad Karanouh

Moved: Mayor Tim Horan

Seconded: Cr Ahmad Karanouh

That a letter be sent to Minister Farraway thanking him for the \$50 million Pot Hole Fund, and we look forward to his ongoing support.

CARRIED

10.2 COUNCIL RESOLUTIONS UPDATE**RESOLUTION 2022/272**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

That Council note 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 2022/273**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

That Council note the information provided in the report.

CARRIED

10.4 STATUS OF INVESTMENTS - 31 OCTOBER 2022**RESOLUTION 2022/274**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council note the list of investments as at 31 October 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- 31 OCTOBER 2022**RESOLUTION 2022/275**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That Council note the information provided in this report.

CARRIED

10.6 COUNCILLOR CODE OF CONDUCT TRAINING**RESOLUTION 2022/276**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

That council note the attendance of all Councillors at the Code of Conduct Training held on 31 October 2022.

CARRIED

10.7 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**RESOLUTION 2022/277**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

- 1. That Council note the contents of this report.**
- 2. That Council commit to promoting the 'Real Country' campaign in the *Regional Lifestyle Magazine* at a cost of \$6,000 + GST.**

CARRIED

10.8 COMMUNITY SERVICE PROGRESS REPORT**RESOLUTION 2022/278**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

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

CARRIED

10.9 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT**RESOLUTION 2022/279**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

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

CARRIED

10.10 QUARTERLY BUDGET REVIEW - SEPTEMBER 2022**RESOLUTION 2022/280**

Moved: Cr Bill Fisher

Seconded: Cr Adam Cohen

- 1. That Council approves the variations to votes as listed in the budget review documents as distributed.**
- 2. That Council notes, in the opinion of the Responsible Accounting Officer based on the information as presented in the September Budget review; that Council will be in a satisfactory financial position as at 30 June 2023.**
- 3. That Council notes the classification and position of Council's estimated restricted (reserve) funds as at 30 September 2022.**

CARRIED

10.11 WARRENA WEIR - DRAFT PLAN OF MANAGEMENT.**RESOLUTION 2022/281**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Brian Sommerville

- 1. That Council note the information contained within this report.**

CARRIED

10.12 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2022/282**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That the information be received and noted.**CARRIED****10.13 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS****RESOLUTION 2022/283**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council notes the information in this report.**CARRIED****11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS**

Nil

At 6.15 pm the meeting was paused for tea break. Council resumes at 6.29 pm.

12 CONFIDENTIAL MATTERS**RESOLUTION 2022/284**

Moved: Cr Bill Fisher

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:**12.2 Expression of interest to purchase Council-owned land - Industrial**

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 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.

12.4 Disaster Recovery Funding Arrangement (DRFA) Project Management

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 SPT101617COO - Coonamble Waste Management Services - Proposed terms for continuation of contract

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 Preliminary Investigation into the Redevelopment of the Sons of the Soil Hotel Site.

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.

CARRIED

Council moves into Closed Session at 6.30 pm.

RESOLUTION 2022/287

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council move out of Closed Session and revert back to Open Council.

CARRIED

At 7.49 pm Crs Cohen and Karanouh left the meeting.

The Mayor Cr Tim Horan asked the General Manager to detail the motions which were passed in Closed Council. Those motions were as follows:

POOL OPERATIONS

RESOLUTION 2022/286

Moved: Cr Adam Cohen

Seconded: Cr Ahmad Karanouh

1. That Council does not proceed with a tender process in relation to the operations of the Coonamble and Gulargambone Pools given the extenuating circumstances of the situation under the Local Government Act 1993, section 55 (i) and that Council accepts the proposal from Life Guards Australia (LSA).
2. That Council authorises the General Manager to negotiate and finalise the contract details with Life Guards Australia (LGA).

CARRIED

RESOLUTION 2022/285

Moved: Cr Terence Lees
Seconded: Cr Ahmad Karanouh

That council review the current operating hours of the Coonamble and Gulargambone pools and bring a report to the December meeting.

CARRIED

12.2 EXPRESSION OF INTEREST TO PURCHASE COUNCIL-OWNED LAND - INDUSTRIAL

RESOLUTION 2022/288

Moved: Cr Ahmad Karanouh
Seconded: Cr Pat Cullen

That Council:

1. Agree to the sale of Lot 1, DP262649 (2 Buckley Drive, Coonamble), and
2. Call for Expressions of Interest from the community to purchase the block,
3. Authorise the Acting General Manager to negotiate the sale of the block to the party making the highest offer, provided the offer meets or exceeds the reserve / minimum price,
4. Failing the acceptance of any offer, the matter be again brought to Council for further consideration.

CARRIED

12.3 EXPRESSION OF INTEREST TO PURCHASE COUNCIL-OWNED LAND**RESOLUTION 2022/289**

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That Council notes the information in this report.**
- 2. That Council agrees to the terms and conditions of the following heads of agreement.**
 - a. Heads of Agreement - Access Licence for Part Lot 240 DP754199.**
 - b. Heads of Agreement - Offer to Lease with lessee option to purchase for Part Lot 2 DP1254635.**
- 3. That Council resolves to affix the common seal of the Coonamble Shire Council to the following documents.**
 - a. Heads of Agreement - Access Licence for Part Lot 240 DP754199.**
 - b. Heads of Agreement - Offer to Lease with lessee option to purchase for Part Lot 2 DP1254635.**

CARRIED

12.4 DISASTER RECOVERY FUNDING ARRANGEMENT (DRFA) PROJECT MANAGEMENT**RESOLUTION 2022/28590**

Moved: Cr Ahmad Karanouh

Seconded: Cr Bill Fisher

- 1. That Council does not proceed with a tender process in relation to the assessment and project management of the flood damage works given the emergency of the situation (*Local Government Act, Section 55 3(i)*), and the need to have the work completed as expeditiously as possible.**
- 2. That Council accepts the fee proposal of Built Environment Collective (BEC) for the project management of Council's Disaster Recovery Funding (DFRA).**

CARRIED

12.5 SPT101617COO – COONAMBLE WAST MANAGEMENT SERVICES – PROPOSED TERMS FOR CONTINUATION OF CONTRACT

RESOLUTION 2022/286

Moved: Cr Ahmad Karanouh
Seconded: Cr Barbara Deans

That item 12.5 in close session regarding the Coonamble waste management services – proposed continuation of contract, be deferred whilst additional information is obtained to enable Council to make an informed decision.

CARRIED

12.6 PRELIMINARY INVESTIGATION INTO THE REDEVELOPMENT OF THE SONS OF THE SOIL HOTEL SITE.

RESOLUTION 2022/291

Moved: Cr Ahmad Karanouh
Seconded: Cr Barbara Deans

- 1. That information be received and noted.**
- 2. That further investigations be carried out, with a view to identifying additional financially sustainable opportunities to further develop and enhance the Coonamble CBD precinct.**

CARRIED

13 CONCLUSION OF THE MEETING

The Meeting closed at 7.53 pm.

The minutes of this meeting were confirmed at the Council held on 14 December 2022.

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CHAIRPERSON