



MINUTES

**Ordinary Council Meeting
Wednesday, 14 December 2022**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 14 DECEMBER 2022 AT 4.30 PM**

PRESENT: Mayor Tim Horan, Deputy Mayor Karen Churchill, Cr Barbara Deans, 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.

3 COMMUNITY CONSULTATION

Nil

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**APOLOGY****RESOLUTION 2022/287**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

That the apologies from Crs Fisher, Cullen and Cohen be noted and leave of absence granted.

CARRIED**5 DEPUTATION/DELEGATIONS**

Nil

6 CONFIRMATION OF MINUTES**RESOLUTION 2022/288**

Moved: Cr Ahmad Karanouh

Seconded: Cr Brian Sommerville

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 9 November 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 non-pecuniary conflict of interest with item 10.17 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 Karen Churchill declared a conflict of interest in discussions on the Coonamble and Gulargambone Pools, as her daughter is employed by the contractor operating the pools and will leave the room and not partake in any discussions.

8 MAYORAL MINUTE**MAYORAL MINUTE****RESOLUTION 2022/289**

Moved: Mayor Tim Horan
Seconded: Cr Barbara Deans

That the Mayoral Minute be received and noted.

CARRIED

MOTION

Moved: Cr Ahmad Karanouh
Seconded: Cr Barbara Deans

That Council keep the moratorium on the mining operations in the Coonamble LGA, and undertakes a review of the signage at the entrances to Coonamble in consultation with the community members who funded the signs.

MOTION

Moved: Cr Ahmad Karanouh
Seconded: Cr Barbara Deans

That Council makes the necessary enquiries into a 'swipe card entry system' to the Coonamble pools similar to the system that Warrumbungle Shire is currently utilising.

MOTION

Moved: Mayor Tim Horan
Seconded: Cr Terence Lees

That Council approaches Lifeguard Service Australia (LSA) to negotiate the possible free entry to the Coonamble and Gulargambone Pools for the remainder of the swimming season to compensate the community for the late start to the swimming season.

SUPPLEMENTARY BUSINESS - MAYORAL MINUTE - SUPPLEMENTARY**RECOMMENDATION**

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

Mayor Horan takes this opportunity to wish everyone a very Merry Christmas and a safe happy New Year.

MOTION

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Terence Lees

That the 2023 Christmas Carnival be held on a Thursday evening as previous years with the local Rotary Club as the event manager/organiser.

LOST

RESOLUTION 2022/290

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

1. That Council's Events Officer undertakes an evaluation of the 2022 Coonamble Street Carnival with a view to ensuring that feedback is obtained from all stakeholders, including businesses and stall operators.

2. That following the evaluation process a report be prepared for consideration at a future meeting of Council.

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 2022/291**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

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

CARRIED

10.2 COUNCIL RESOLUTIONS UPDATE

RESOLUTION 2022/292

Moved: Cr Ahmad Karanouh

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 ADMINISTRATION OF COUNCIL ORDINARY ELECTIONS 2024

RESOLUTION 2022/293

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Barbara Deans

- 1. That Council note the information contained in this report.**
- 2. That Coonamble Shire Council resolves:**
 - I. pursuant to s. 296(2) and (3) of the *Local Government Act 1993 (NSW)*(Act) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.**
 - II. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.**
 - III. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.**

CARRIED

10.4 ORGANISATIONAL RESTRUCTURE - DIRECTORATE TITLE NAME CHANGE

RESOLUTION 2022/294

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

That Council note the contents of this report.

CARRIED

10.5 COMMUNITY SERVICES REPORT**RESOLUTION 2022/295**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Ahmad Karanouh

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

CARRIED

10.6 RATES AND CHARGES COLLECTIONS - NOVEMBER 2022**RESOLUTION 2022/296**

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Karen Churchill

That Council notes the information provided in the report.

CARRIED

10.7 STATUS OF INVESTMENTS - 30 NOVEMBER 2022**RESOLUTION 2022/297**

Moved: Cr Terence Lees

Seconded: Deputy Mayor Karen Churchill

That Council notes the list of investments as at 30 November 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

10.8 SALEYARDS REPORT- 30 NOVEMBER 2022**RESOLUTION 2022/298**

Moved: Cr Ahmad Karanouh

Seconded: Deputy Mayor Karen Churchill

That Council note the information provided in this report.

CARRIED

10.9 CODE OF CONDUCT COMPLAINTS - ANNUAL STATISTICS 2022**RESOLUTION 2022/299**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Barbara Deans

That Council note the annual statistics in relation to Code of Conduct Complaints received relating to a Councillor or the General Manager for the reporting period 1 September 2021 to 31 August 2022 contained in this report.

CARRIED

10.10 COONAMBLE RESOURCING STRATEGY - WORKFORCE MANAGEMENT STRATEGY 2022-2026**RESOLUTION 2022/300**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

- 1. That Council note the information contained in this report.**
- 2. That Council places the draft Workforce Management Strategy 2022-2026 on public exhibition for a minimum period of 28 days for the purpose of inviting submissions from the community.**
- 3. That a further report, together with all submissions received, provided to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Workforce Management Strategy 2022-2026 (with or without changes) at its February 2023 Ordinary Meeting.**
- 4. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the document without any changes as a plan of Council.**

CARRIED

10.11 PRESENTATION OF FINANCIAL STATEMENTS AND AUDIT REPORTS FOR THE YEAR ENDED 30 JUNE 2022**RESOLUTION 2022/301**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Brian Sommerville

That Council note the tabling of the presentation and tabling of its Auditors Report and Financial Reports for the year ended 30 June 2022.

CARRIED

10.12 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**RESOLUTION 2022/302**

Moved: Cr Barbara Deans

Seconded: Cr Brian Sommerville

Saleyards

1. That Council note the information in the report.
2. In relation to the Coonamble Regional Livestock Market the 'Saleyards', that Council:
 - (a) convert some pens at the Saleyards to hold healthy sheep in emergency situations.
 - (b) sell off batches of 10 pens at the no-longer-used sheepyards on Back Gular Road, through expression of interest, with unsold pens sold as scrap metal, with all revenue raised being allocated to the upkeep of the Coonamble Regional Livestock Market (the Saleyards).

Flood Damage – Insurance Agencies

3. That Council make representations to the Insurance Council of Australia, and any other relevant forum, to seek to have the risk modelling currently being utilised by insurance companies when determining insurance premiums reviewed.

CARRIED

10.13 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT**RESOLUTION 2022/303**

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Karen Churchill

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

CARRIED

10.14 STREET TREE POLICY**RESOLUTION 2022/304**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Ahmad Karanouh

That Council formally adopts the Street Tree Policy as presented.

CARRIED

10.15 DRINKING WATER QUALITY POLICY**RESOLUTION 2022/305**

Moved: Cr Ahmad Karanouh

Seconded: Deputy Mayor Karen Churchill

That Council formally adopts the Drinking Water Quality Policy as presented.

CARRIED

10.16 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**RESOLUTION 2022/306**

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Karen Churchill

That Council note the information in this report.

CARRIED

10.17 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2022/307**

Moved: Deputy Mayor Karen Churchill

Seconded: Cr Terence Lees

That the information be received and noted.

CARRIED

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

Nil

At 6.00pm Council adjourned for a short tea break.

Council resumes the meeting at 6.18pm

12 CONFIDENTIAL MATTERS**RESOLUTION 2022/307**

Moved: Cr Ahmad Karanouh

Seconded: Cr Terence Lees

At 6.20pm 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 SPT33223COO - Aggregate & Road Base Crushing Campaign

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.

12.2 Master Inland Rail Development Agreement (MIRDA)

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 Coonamble Waste Management Services - Short term waste management facility contract

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.

12.4 Audit, Risk and Improvement Committee - Appointment of Share Independent Chairperson

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**RESOLUTION 2022/308**

Moved: Cr Ahmad Karanouh

Seconded: Deputy Mayor Karen Churchill

At 6.40pm Council moves out of Closed Council into Open Council.**CARRIED****12.1 SPT33223COO - AGGREGATE & ROAD BASE CRUSHING CAMPAIGN****This item was deferred pending the receipt of further information.**

12.2 MASTER INLAND RAIL DEVELOPMENT AGREEMENT (MIRDA)

This item was deferred until the February 2023 meeting waiting further information.

12.3 COONAMBLE WASTE MANAGEMENT SERVICES - SHORT TERM WASTE MANAGEMENT FACILITY CONTRACT**RESOLUTION 2022/308**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

- 1. That the information be received and,**
- 2. That Council note the appointment of Castlereagh Hire Pty Ltd to undertake the management of Coonamble and Gulargambone Waste Management Facilities until the end of the 2022/23 financial year.**

CARRIED

12.4 SUPPLEMENTARY BUSINESS - AUDIT, RISK AND IMPROVEMENT COMMITTEE - APPOINTMENT OF SHARE INDEPENDANT CHAIRPERSON**RESOLUTION 2022/309**

Moved: Cr Ahmad Karanouh

Seconded: Cr Barbara Deans

That Mr Graeme Fleming is appointed as the Joint Chair for the Coonamble and Gilgandra Shire Council's Audit, Risk and Improvement Committees, subject to the following conditions:

- (a) Complete criminal and financial status (bankruptcy) checks with no adverse findings**
- (b) Letter of Appointment signed, agreeing to the terms and conditions in line with the *Guidelines for Risk Management and Internal Audit for Local Councils in NSW*.**

CARRIED

12.5 MAYORAL MINUTE - SUPPLEMENTARY - GENERAL MANAGER RECURITMENT**RESOLUTION 2022/310**

Moved: Mayor Tim Horan

Seconded: Cr Ahmad Karanouh

RECOMMENDATION

1. Recommended that the preferred applicant as detailed in the Mayoral minute be offered the position of General Manager of Coonamble Shire Council for a period of five (5) years subject to the obtaining of satisfactory reports relating to all required checks.
2. That the terms and conditions be in accordance with the Standard Contract for General Managers in New South Wales Councils developed by the NSW Office of Local Government.
3. That the Total Remuneration Package be negotiated and finalised by the Mayor and Peter Evans of Local Government Management Solutions.
4. That the Contract of Employment for the General Manager of Coonamble Shire be executed under the seal of Council.
5. That the details of the appointment remain confidential until the contract provision are finalised and contract executed.
6. That once the contracts are finalised that the Mayor notify all staff of the appointment and issue a press release.

CARRIED

13 CONCLUSION OF THE MEETING

The Meeting closed at 6.48pm.

The minutes of this meeting were confirmed at the Council held on 8 February 2023.

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CHAIRPERSON