

COONAMBLE
SHIRE COUNCIL

MINUTES

**Ordinary Council Meeting
Wednesday, 14 February 2024**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 14 FEBRUARY 2024 AT 3.00 PM**

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

IN ATTENDANCE: Paul Gallagher (General Manager), Bruce Quarmby (Director Corporate Services), Marina Colwell (Executive Support Officer), Phillip Perram (Acting Director Community, Planning, Development & Governance), Lesley Duncan (Manager Planning, Regulatory & Compliance), Mick Bell (Manager Parks & Urban Services), Deborah Tatton (Manager Finance & Procurement), Kylie Kerr (Manager Roads), David Levick (Manager Economic Development & Growth)

Apology – Kerrie Murphy (Director Infrastructure)

1 OPENING MEETING

The Mayor opened the meeting at 3.32 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.

RESOLUTION 2024/1

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That Item 10.7 Quarterly Budget Review be brought forward to allow Mr Cooper to talk to the report.

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

Against: Nil

CARRIED 7/0

3 COMMUNITY CONSULTATION

Mr John Cooper – Item 10.7 Quarterly Budget Review

Mr Cooper began to speak to item 10.7 on the Sons of the Soil (SOTS) development – he was advised by the Mayor that he could only speak to the section with in the report being the “building purchase” and not the development which will be a separate report to council. He will be able to speak on the item then. Council deferred the report for consideration to coincide with its sequence with in the business paper.

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**5 DEPUTATION/DELEGATIONS**

NIL

6 CONFIRMATION OF MINUTES**RESOLUTION 2024/2**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 13 December 2023 be confirmed as a correct record of the proceedings of the meeting.

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

Against: Nil

CARRIED 7/0

7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Barbara Deans declared a non-pecuniary conflict of interest with:

Item 10.20 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 Terry Lees declared a non-pecuniary conflict of interest with the following Items:

10.13 – Waste and Recycling Review; and

10.14 – Waste, Recycling & Employment Opportunities; and

10.15 – Waste and Recycling – Old Landfill Site; and

10.16 – Waste, Recycling and Employment Opportunities – Community Recycling Centre - as he drives trucks for the Contractor.

As he works part-time for the contractor that is engaged at the Waste depot, he indicated that he would remain in the room and participate in the discussion on the items.

8 MAYORAL MINUTE

MAYORAL MINUTE

RESOLUTION 2024/3

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That the report be received and noted.

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

Against: Nil

CARRIED 7/0

RESOLUTION 2024/4

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That Council thank Mr Phillip Perram who for his contributions during his time at council and wishes him well in his retirement.

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

Against: Nil

CARRIED 7/0

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 2024/5

Moved: Cr Brian Sommerville
 Seconded: Deputy Mayor Bill Fisher

That the report be received and noted.

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

Against: Nil

CARRIED 7/0

10.2 COUNCIL RESOLUTIONS UPDATE

RESOLUTION 2024/6

Moved: Cr Terence Lees
 Seconded: Cr Brian Sommerville

That Council notes the Council Resolution status (Annexure 1).

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

Against: Nil

CARRIED 7/0

10.3 APRIL AND JUNE 2024 MEETINGS - CHANGE OF DATE

RESOLUTION 2024/7

Moved: Cr Barbara Deans
 Seconded: Deputy Mayor Adam Cohen

- 1. That Council notes the information contained in this report.**
- 2. That Council changes by one week the date of the April Meeting from Wednesday 10 to Wednesday 17 April 2024 and the June Meeting from Wednesday 12 to Wednesday 19 June 2024 and requests the General Manager to ensure that these changes are communicated to the community through its usual media and communications avenues.**

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

Against: Nil

CARRIED 7/0

10.4 STATUS OF INVESTMENTS - DECEMBER 2023 AND JANUARY 2024**RESOLUTION 2024/8**

Moved: Cr Barbara Deans
Seconded: Deputy Mayor Adam Cohen

That Council notes the list of investments from 1 December 2023 to 31 January 2024 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, Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, Terence Lees and Brian Sommerville

Against: Nil

CARRIED 7/0**10.5 RATES AND CHARGES COLLECTIONS - JANUARY 2024****RESOLUTION 2024/9**

Moved: Cr Pat Cullen
Seconded: Cr Barbara Deans

That Council note the information provided in the report.

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

Against: Nil

CARRIED 7/0**10.6 COUNCILLOR REQUESTS FOR INCLUSION IN THE DRAFT 2024/25 OPERATIONAL BUDGET.****RESOLUTION 2024/10**

Moved: Deputy Mayor Adam Cohen
Seconded: Cr Barbara Deans

- 1. That Council note the contents of this report.**
- 2. That Councillor requests for items to be considered for inclusion in the draft 2024/25 Operational Plan and Budget be returned to Council's Corporate Services Department by 29 February 2024.**

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

Against: Nil

CARRIED 7/0

10.7 QUARTERLY BUDGET REVIEW - DECEMBER 2023**RESOLUTION 2024/11**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

- 1. That Council approves the variations to votes as listed in the budget review documents distributed under separate cover.**
- 2. That Council resolves to reallocate the unspent loan funds of \$237,256 previously obtained for the Bertram Street reconstruction to fund the completion of the construction of the Coonamble SES Headquarters.**
- 3. That Council notes, in the opinion of the Responsible Accounting Officer based on the information as presented in the December Budget review; that Council will be in a satisfactory financial position as at 30 June 2024.**
- 4. That Council notes the classification and position of Council's estimated restricted (reserve) funds as at 31 December 2023.**

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

Against: Nil

CARRIED 7/0

10.8 COMMUNITY SERVICE PROGRESS REPORT**RESOLUTION 2024/12**

Moved: Cr Terence Lees

Seconded: Cr Barbara Deans

That Council notes the information contained in this report.

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

Against: Nil

CARRIED 7/0

10.9 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**RESOLUTION 2024/13**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That Council note the information in the report.

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

Against: Nil

CARRIED 7/0

10.10 CODE OF CONDUCT TRAINING**RESOLUTION 2024/14**

Moved: Deputy Mayor Bill Fisher

Seconded: Deputy Mayor Adam Cohen

That Council note:

- 1. The deferral of Code of Conduct training for Councillors until November 2024 after the Council elections, and**
- 2. The inclusion of the training for Code of Conduct in the mandatory Councillors' Induction and Professional Development Program.**

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

Against: Nil

CARRIED 7/0

10.11 COMMUNITY SERVICES HIGH LEVEL REVIEW**RESOLUTION 2024/15**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That Council note the focus on the creation of a Community Development Plan.

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

Against: Nil

CARRIED 7/0

10.12 AUDIT, RISK & IMPROVEMENT COMMITTEE**RESOLUTION 2024/16**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

That Council:

- 1. Appoint Councillor Barbara Deans to ARIC as a non-voting member.**
- 2. Note that:**
 - a. The statutory force given to key elements of the OLG Guidelines for Risk Management and Internal Audit for Local government in NSW.**
 - b. The proactive participation required by Councillors.**
 - c. The ARIC meeting scheduled for 22 February 2024.**

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

Against: Nil

CARRIED 7/0

10.13 WASTE AND RECYCLING - REVIEW**RESOLUTION 2024/17**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That Council:

- 1. Adopt the 24 waste and recycling Strategies, and**
- 2. Note that significant additional resources will be required to achieve compliance and sustainability.**

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

Against: Nil

CARRIED 7/0

10.14 WASTE, RECYCLING AND EMPLOYMENT OPPORTUNITIES REPORT**RESOLUTION 2024/18**

Moved: Cr Barbara Deans
Seconded: Cr Brian Sommerville

That Council note:

- 1. The December and January waste, recycling and employment initiatives report.**
- 2. Note the Quambone Waste Management Facility will be a managed site from 6 February 2024.**

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

Against: Nil

CARRIED 7/0**10.15 WASTE AND RECYCLING - OLD COONAMBLE LANDFILL****RESOLUTION 2024/19**

Moved: Cr Barbara Deans
Seconded: Deputy Mayor Adam Cohen

That Council note that:

- 1. Clean-up Notice 1585791 is required to be finalised.**
- 2. Options in respect of the implementation of the phased remediation are being developed.**

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

Against: Nil

CARRIED 7/0

**10.16 WASTE, RECYCLING AND EMPLOYMENT OPPORTUNITIES REPORT -
COMMUNITY RECYCLING CENTRE****RESOLUTION 2024/20**

Moved: Cr Barbara Deans

Seconded: Cr Brian Sommerville

That Council note:

- 1. The status of the Community Recycling Centre, and**
- 2. The completion of the CRC Operational Deed 2023-2027.**

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

Against: Nil

CARRIED 7/0**10.17 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT****RESOLUTION 2024/21**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

**That the Environment and Strategic Planning Progress Report be received and
noted.**

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

Against: Nil

CARRIED 7/0

10.18 DRAFT RURAL LANDS STRATEGY**RESOLUTION 2024/22**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

- 1. That the draft Rural Lands Strategy be placed on public exhibition for a period of twenty-eight days and consultation be undertaken with relevant State agencies.**
- 2. That Council receive a further report, together with all submissions received at the conclusion of the public exhibition period for Council's further consideration and adoption of the Rural Lands Strategy.**

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

Against: Nil

CARRIED 7/0

10.19 DRAFT SECTION 7.11 DEVELOPER CONTRIBUTIONS PLAN**RESOLUTION 2024/23**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

- 1. That the draft Section 7.11 Developer Contributions Plan be placed on public exhibition for a period of 28 days**

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

Against: Nil

CARRIED 7/0

10.20 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2024/24**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That the report be received and noted.

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

Against: Nil

CARRIED 7/0

10.21 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS

RESOLUTION 2024/25

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

That the information be received and noted.

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

Against: Nil

CARRIED 7/0

10.22 SUPPLEMENTARY BUSINESS - ENDORSEMENT OF 'REAL COUNTRY' TOURISM DESTINATION STRATEGIC PLAN AND SUITE OF BUSINESS CASES

RESOLUTION 2024/26

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council accepts the following late report being item, 10.22 - Endorsement of 'Real Country' Tourism Destination Strategic Plan and Suite of Business Cases, as Supplementary Business.

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

Against: Nil

CARRIED 7/0

RESOLUTION 2024/27

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council:

- 1. Note the community submissions received, along with the commentary provided by the consultant, *People, Place and Partnership*.**
- 2. Formally endorse the Real Country Destination Strategic Plan and the Business Case for the Warrena Creek Reserve, incorporating any amendments following consideration of relevant submissions.**
- 3. Note the learning captured in the Community Engagement Report, from *People, Place and Partnership* and incorporate this into future community engagement initiatives where appropriate.**
- 4. Authorise the General Manager to pursue opportunities to fund the implementation of the endorsed business case for the Warrena Creek Reserve development and the marketing initiatives detailed in the Real Country Destination Strategic Plan.**
- 5. Consider allocating funding in the 2024-25 Budget to begin implementation of marketing strategies identified in the Real Country Destination Strategic Plan.**
- 6. Finalise the draft Plan of Management of the Warrena Creek Reserve to guide future development at the site.**

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

Against: Nil

CARRIED 7/0

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

Nil

At 5.12pm Council breaks for afternoon tea.

At 5.20pm Council resumes the meeting.

12 CONFIDENTIAL MATTERS**RESOLUTION 2024/28**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

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 Coonamble Aerodrome Operational Matters

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.

12.2 SPT33223COO - Aggregate and Road Base Crushing Campaign - Option to Renew

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.

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

Against: Nil

CARRIED 7/0

12.1 COONAMBLE AERODROME OPERATIONAL MATTERS**RESOLUTION 2024/29**

Moved: Cr Barbara Deans

Seconded: Cr Terence Lees

That Council receive and note the information in this report.

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

Against: Nil

CARRIED 7/0**12.2 SPT33223COO - AGGREGATE AND ROAD BASE CRUSHING CAMPAIGN - OPTION TO RENEW****RESOLUTION 2024/30**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

That Council:

- 1. Extend the existing contract for SPT33223COO - Aggregate and Road Base Crushing Campaign for a period of 12 months in accordance with the General Conditions of Contract; and**
- 2. Accept the reviewed Schedule of Fees received from Glendun Group Pty Limited for SPT33223COO - Aggregate and Road Base Crushing Campaign.**

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

Against: Nil

CARRIED 7/0**RESOLUTION 2024/31**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

That Council moves out of Closed Session into Open Council.

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

Against: Nil

CARRIED 7/0

Following an omission for inclusion to Item 10.7 Quarterly Budget Review, Council discussed the establishment of additional soccer fields whilst current works are in progress.

RESOLUTION 2024/32

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Barbara Deans

That Council resolve to allocate a further \$45,000 towards the completion of the establishment of the additional playing fields at the Coonamble sportsground.

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

Against: Nil

CARRIED 7/0

13 CONCLUSION OF THE MEETING

The Meeting closed at 5.59pm.

The minutes of this meeting were confirmed at the Council held on 13 March 2024.

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CHAIRPERSON