

COONAMBLE
SHIRE COUNCIL

MINUTES

**Ordinary Council Meeting
Wednesday, 13 March 2024**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, COONAMBLE
ON WEDNESDAY, 13 MARCH 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), Kerrie Murphy (Director Infrastructure), Marina Colwell (Executive Support Officer), 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), Sergei Iagunkov (Manager Water & Sewage)

1 OPENING MEETING

The Mayor opened the meeting at 3.06 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

MOTION

RESOLUTION 2024/33

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That item 10.15 be brought forward to allow for discussion in the community consultation session.

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

Against: Nil

CARRIED 7/0

The following residents applied to speak to Council:

1. Mr Angus Chadwick – Item 10.15 DA040/2023 - Alterations and Additions to Existing Feedlot, he explained the need for expansion for repairs and maintenance for existing yards to house the current stock at the feedlot.

10.15 DA040/2023 - ALTERATIONS AND ADDITIONS TO EXISTING FEEDLOT**RESOLUTION 2024/34**

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Bill Fisher

That Council approves DA040/2023 for Alterations and Additions to an Existing Feedlot (construction of 26 new pens, extension of manure pad, ancillary infrastructure works and earthworks on Lot 113 DP754199, 701 Quambone Road subject to the following conditions:

Approved Plans and Documents

- The development being carried out in accordance with the development application and Statement of Environmental Effects except where amended by the following conditions:**

Plan Title	Drawing No.	Rev.	Date
Development Application Plans prepared by Premise			
Title Sheet & Schedule of Drawings	C001	C	01/11/2023
Existing Layout Plan	C002	C	01/11/2023
Proposed Layout Plan	C003	C	01/11/2023
Bulk Earthworks Proposed Feedlot Pens Layout	C004	C	01/11/2023
Bulk Earthworks Proposed Manure Pad Extension Layout Plan	C005	C	01/11/2023
Bulk Earthworks Cut-Fill Plan	C006	C	01/11/2023
Bulk Earthworks Typical Sections	C007	C	01/11/2023
Effluent Management System	-	B	2/11/2023
Statement of Environmental Effects	-	001B	2/11/2023

Capacity

- The approved capacity of the feedlot is limited to 10,000 head of cattle as approved by DA 14/97 issued by Coonamble Shire Council on 16 March 1998.**

Prior to Issue of a Construction Certificate

- Construction work with a value greater than \$25,000 or more requires payment of the NSW Governments Long Service Levy prior to release of any construction certificate. Evidence of payment must be provided to the registered certifier to allow release of any construction certificate. Payments should be made direct to the corporation at the following website <https://www.longservice.nsw.gov.au/>**

Prior to Commencement of Works

- 4. Prior to the commencement of construction works, the Applicant is to obtain a Construction Certificate from either Council or Registered Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Standards prior to any building works commencing.**

Note: It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable Council Standards in the case of building work. This may entail alterations to the proposal so that it complies with these standards.

- 5. The applicant is to submit to Coonamble Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.**

During Construction

- 6. No nuisance or interference with the amenity of the area is to be created by reason of any process or operation on the premises causing the emission of noise, dust, smoke or any polluted discharge whatsoever.**
- 7. Construction work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.**
- 8. Throughout the course of construction operations on the land, toilet facilities are to be provided, at or in the vicinity of the work site. Toilet facilities are to be provided at a rate of one toilet for every 20 persons or part of 20 persons employed at the site.**
- 9. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Coonamble Shire Council Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project.**

Note: No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road.

Note: The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

Protection of Aboriginal relics

- 10. Should Aboriginal relics be discovered work shall cease immediately and application be made for an Aboriginal Heritage Impact Permit under the provisions of the NSW National Parks and Wildlife Act 1974.**

Siding Springs Observatory – Maintaining Dark Sky

11. The development shall not contain:

Outside light fittings other than shielded light fittings, or

More than 7 shielded light fittings or more than 5 such light fittings that are not automatic light fittings, and

Be likely to result in the emission of light of 50,000 lumens or more.

Outside light fitting means a light fitting that is attached or fixed outside, including on the exterior of a building.

Shielded light fitting means a light fitting that does not permit light to shine above the horizontal plane.

Prior to Occupation or Commencement of Use

12. Prior to the occupation or use of the development, an Occupation Certificate must be obtained from the Principal Certifier for the subject development and all conditions of development consent fully complied with.

Prescribed Conditions under the Environmental Planning and Assessment Regulation 2000

13. A development consent for development that involves any building work must be issued subject to the following conditions:

(a) that the work must be carried out in accordance with the requirements of the Building Code of Australia, in force on the date of the application.

(b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance must be entered into and be in force before any building work authorised to be carried out by the certificate commences.

Note: This condition does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.

Note: This condition does not apply:

(a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), of the Environmental Planning and Assessment Regulation 2000, or

(b) to the erection of a temporary building, other than a temporary structure that is used as an entertainment venue.

Note: In this condition, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

14. A sign must be erected in a prominent position on any site on which

building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and**
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and**
- (c) stating that unauthorised entry to the site is prohibited.**

15. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

Note: This condition does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building, that does not affect the external walls of the building.

Note: This condition does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

Note: This condition applies to a complying development certificate issued before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

Note: Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

16. Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

- (a) in the case of work for which a principal contractor is required to be appointed:**
 - (i) the name and licence number of the principal contractor, and**
 - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,**
- (b) in the case of work to be done by an owner-builder:**
 - (i) the name of the owner-builder, and**
 - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.**

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

Against: Nil

CARRIED 7/0

MOTION**RESOLUTION 2024/35**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That item 10.1 be bought forward to allow for discussion in the community consultation session.

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

Against: Nil

CARRIED 7/0

The list of residents below applied to speak to council on item 10.1 Sons of the Soil redevelopment - disposal of internal assets and process for development/demolition:

1. Mr John Cooper – Item 10.1 Spoke against the demolition of the SOTS.
2. Mr Steven Butler – – Item 10.1 Spoke on the Main street needing revitalising and to involve local trades/trades people, in favour of progression.
3. Mr Shane Swansborough – Item 10.1 Spoke on the main street needing revitalisation.
4. Anne Cullen – Item 10.1 Spoke for demolition of the SOTS and the main street revitalisation.
5. Andrew Crawford – Item 10.1 Spoke against the demolition of the SOTS and the need to keep the nostalgic building.

Mayor Horan gave the Councillors an opportunity to speak freely on item 10.1 Sons of the Soil redevelopment - disposal of internal assets and process for development/demolition.

Cr Sommerville – requests that it be recorded that he advocated for the purchase of the SOTS for the main street revitalisation.

10.1 SONS OF THE SOIL REDEVELOPMENT - DISPOSAL OF INTERNAL ASSETS AND PROCESS FOR DEVELOPMENT/DEMOLITION**RESOLUTION 2024/36**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council;

1. a) **Hold a community auction of all the contents with the proceeds being dispersed to community groups via a donation or a community project.**
 - o **Offer the white goods (fridge and freezers) to sporting groups within the LGA. This may also include the kitchen cutlery, crockery and glasses.**
 - o **Offer the bed frames, cupboard, and dressers to a local charity for disbursement to the those that may require assistance with furniture. This may also include the plates and cutlery.**
2. **Receive and note the information on the development process.**
3. **Receive a further report on the demolition, partial demolition, or retention of the building costs once the RFQ has closed.**
4. **Council advise the OLG on the progress of the development of the SOTS.**
5. **That council continues to endeavour to keep the façade of the building.**

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

Against: Nil

CARRIED 7/0

4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

5 DEPUTATION/DELEGATIONS

Nil

6 CONFIRMATION OF MINUTES

RESOLUTION 2024/37

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Adam Cohen

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 14 February 2024 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 10.15 DA040/2023 – Alterations and Additions to Existing feedlot - as her son-in-law is employed with AJF Brien & Sons, the Chadwick Family who own the Feedlot, and

Item 10.25 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 Tim Horan declared a pecuniary conflict of interest with:

Item 12.1 Waste Plant – Hook Truck – as he is related to the contractor, he indicated that he will leave the room and not participate in the discussion or voting on the item.

Cr Terence Lees declared a pecuniary conflict of interest with:

Item 12.1 Waste Plant – Hook Truck – as he is employed by the contractor, he indicated that he will leave the room and not participate in the discussion or voting on the item.

Cr Brian Sommerville declared a non-pecuniary conflict of interest with:

Item 10.1 Sons of the Soil Redevelopment – disposal of internal assets and process for development/demolition, as he owns a business in the main street, he indicated that he will remain in the room and participate in the conversation and voting on the item.

8 MAYORAL MINUTE

MAYORAL MINUTE

RESOLUTION 2024/38

Moved: Mayor Tim Horan

Seconded: Cr Pat Cullen

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

SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL**SECTION B - MATTERS FOR INFORMATION ONLY****9 COMMITTEE REPORTS**

Nil

10 REPORTS TO COUNCIL

Council breaks for afternoon tea at 4.40pm

Council returns to meeting 4.55pm

10.2 CORRESPONDENCE**RESOLUTION 2024/39**

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

10.3 COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT**RESOLUTION 2024/40**

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Barbara Deans

That Council

- 1. Hold candidate information sessions commencing in June 2024, and**
- 2. Engage with the Far North West Joint Organisation to prepare a common candidate information pack for member Councils, and**
- 3. Note the preliminary concepts related to the mandatory Councillor Induction, and**
- 4. Note the preliminary concepts related to the mandatory Councillor Professional Development Program, and**

Request individual Councillors to refer any further suggestions to the General Manager.

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 COUNCIL RESOLUTIONS UPDATE

RESOLUTION 2024/41

Moved: Cr Brian Sommerville

Seconded: Cr Terence Lees

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

10.5 STATUS OF INVESTMENTS - FEBRUARY 2024

RESOLUTION 2024/42

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Barbara Deans

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

10.6 RATES AND CHARGES COLLECTIONS - FEBRUARY 2024

RESOLUTION 2024/43

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Pat Cullen

That Council receive and 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

10.7 COMMUNITY DEVELOPMENT

RESOLUTION 2024/44

Moved: Cr Barbara Deans
Seconded: Cr Terence Lees

That Council receives and 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

10.8 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT

RESOLUTION 2024/45

Moved: Cr Pat Cullen
Seconded: Deputy Mayor Adam Cohen

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

10.9 APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER COUNCIL'S DONATIONS POLICY

RESOLUTION 2024/46

Moved: Deputy Mayor Bill Fisher
Seconded: Cr Brian Sommerville

- 1. That Council notes the information contained within this report.**
- 2. That Council provides the following financial assistance from the Unallocated Donation vote.**

- a. Quambone Polocrosse \$2,000.00**
- b. Marthaguy Picnic Race Club \$4,000.00**

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 DRAFT LEGISLATIVE COMPLIANCE POLICY**RESOLUTION 2024/47**

Moved: Cr Barbara Deans

Seconded: Cr Brian Sommerville

- 1. That Council places the draft Legislative Compliance 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 receives 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 Legislative Compliance Policy (with or without changes) at its May 2024 Ordinary Meeting.**
- 3. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the Legislative Compliance Policy without any changes as a policy of Council.**

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 REVISED FRAUD AND CORRUPTION CONTROL POLICY**RESOLUTION 2024/48**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

- 1. That Council places the revised draft Fraud and Corruption Control Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting suggestions from the community.**
- 2. That Council receives 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 Fraud and Corruption Control Policy (with or without changes) at its May 2024 Ordinary Meeting.**
- 3. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the Fraud and Corruption Control Policy without any changes as a policy of Council.**

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 DRAFT CYBER SECURITY FRAMEWORK**RESOLUTION 2024/49**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

1. **That Council places the draft Cyber Security Framework, 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 receives 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 Cyber Security Framework (with or without changes) at its May 2024 Ordinary Meeting.**
3. **That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the Cyber Security Framework without any changes as a policy of Council.**

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 NETWASTE TENDER FOR COLLECTION AND RECYCLING OF WASTE TYRES**RESOLUTION 2024/50**

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Bill Fisher

That Council endorse the participation in the NetWaste collection and recycling of tyres contract.

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 DRAFT LOCAL ORDERS POLICY NO 21**RESOLUTION 2024/51**

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Bill Fisher

- 1. That the draft Local Orders Policy No. 21 be placed on public exhibitions for a period of 28 days and that submissions may be received for a period of 42 days.**
- 2. That Council receives a further report, together with all submissions received at the conclusion of the submission period for Council's further consideration and adoption of the draft Local Orders Policy No 21.**
- 3. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the draft Local Orders Policy No. 21 without any changes as a policy of Council.**

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 DRAFT COUNCIL-RELATED DEVELOPMENT APPLICATIONS POLICY**RESOLUTION 2024/52**

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Bill Fisher

- 1. That the draft Council-related Development Applications Policy be placed on public exhibition for a period of twenty-eight (28) days.**
- 2. That Council receives 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 Council-related Development Applications Policy.**
- 3. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the Council-related Development Applications Policy without any changes as a policy of Council.**

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 DRAFT INFANT AND FERAL ANIMAL POLICY**RESOLUTION 2024/53**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

- 1. That the draft Infant and Feral Animal Policy be placed on public exhibition for a period of twenty-eight (28) days.**
- 2. That Council receives 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 Infant and Feral Animal Policy.**
- 3. That, in the event of no submissions being received within the prescribed number of days, Council formally adopts the Infant and Feral Animal Policy without any changes as a policy of Council.**

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 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT**RESOLUTION 2024/54**

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Terence Lees

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

10.19 QUAMBONE RESOURCES COMMITTEE - SECTION 355**RESOLUTION 2024/55**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

That Council

- 1. Note the provision of Resource Committee records for the last two years.**
- 2. Dissolve the Section 355 Committee and donate funds equivalent to the Committee funds subject to:**
 - (a) Provision of reconciled financial statements,**
 - (b) Review of the funds held and commitments,**
 - (c) Provision of the public funds to Council.**
- 3. Delegate to the General Manager to power to affect this decision after his analysis and satisfaction with the Committee's financial statements.**
- 4. Note that the Section 355 Committee records will be kept in perpetuity and in accordance with the Records Act by the Committee.**

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 OFFICE OF LOCAL GOVERNMENT PERFORMANCE AND SUSPENSION ORDERS**RESOLUTION 2024/56**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

That Council note the Office of Local Government's publication of the Performance and Suspension Orders – Procedural Framework and the Minister's (and Office of Local Government's) powers.

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 AUDIT, RISK & IMPROVEMENT COMMITTEE**RESOLUTION 2024/57**

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Bill Fisher

That Council:

- 1. Note the status of the appointment of the independent members of ARIC, and**
- 2. Implement the Councillor's ARIC training and external provider for internal audits, and**
- 3. Undertake a review of the Terms of Reference in conjunction with Gilgandra Shire Council.**

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 WASTE AND RECYCLING FEES - SMALL MATTRESSES**RESOLUTION 2024/58**

Moved: Cr Barbara Deans

Seconded: Deputy Mayor Adam Cohen

That Council

- 1. Adopt the following fees for non-commercial disposal and recycling mattresses:**

Mattresses

Mattresses large (double and larger) \$30.00 (including GST)

Mattresses small (single and smaller) \$15.00 (including GST)

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

Against: Nil

CARRIED 7/0

10.23 CORPORATE GOVERNANCE - PROGRESS REPORT**RESOLUTION 2024/59**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

That Council receive and note the Corporate Governance Progress Report.

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

Against: Nil

CARRIED 7/0

10.24 DRAFT OPERATIONAL PLAN ACTION ITEMS**RESOLUTION 2024/60**

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Bill Fisher

That Council receive and note the 2023 / 24 Operational Plan report.

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

Against: Nil

CARRIED 7/0

10.25 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**RESOLUTION 2024/61**

Moved: Cr Pat Cullen

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

10.26 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**RESOLUTION 2024/62**

Moved: Cr Barbara Deans

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

11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS

Nil

Prior to going into Closed session:

Mayor Horan declared an interest in item 12.1 Waste Plant – Hook Truck, as he is related to the contractor. He vacated the chair and left the room for the discussion and voting; Deputy Mayor Fisher chaired the meeting.

At 6:13 pm, Cr Terence Lees declared an interest in Item 12.1 as he is employed by the contractor, he left the room for the discussion and voting.

12 CONFIDENTIAL MATTERS**RESOLUTION 2024/63**

Moved: Deputy Mayor Adam Cohen

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 Waste Plant - Hook Truck

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 Adam Cohen, Bill Fisher, Pat Cullen, Barbara Deans, and Brian Sommerville

Against: Nil

CARRIED 5/0

12.1 WASTE PLANT - HOOK TRUCK**RESOLUTION 2024/64**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

RECOMMENDATION

That Council note the plant requirements for Waste and Recycling and the current status.

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

Against: Nil

CARRIED 5/0

At 6:40 pm, Mayor Tim Horan returned to the meeting and resumed as chair of the meeting.

At 6:40 pm, Cr Terence Lees returned to the meeting.

RESOLUTION 2024/65

Moved: Cr Terence Lees

Seconded: Cr Pat Cullen

That council request a report on the quarry renewal program and its

operations.

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

Against: Nil

CARRIED 7/0

RESOLUTION 2024/66

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

That Council moves out of Closed Council 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

13 CONCLUSION OF THE MEETING

The Meeting closed at 7.11pm.

The minutes of this meeting were confirmed at the Council held on 10 April 2024.

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CHAIRPERSON