

**MINUTES OF ORDINARY MEETING OF COONAMBLE SHIRE COUNCIL
HELD IN THE SHIRE CHAMBER, COONAMBLE ON WEDNESDAY, 11TH
SEPTEMBER 2019, COMMENCING AT 10.47 A.M.**

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PRESENT: Cr Ahmad Karanouh, Mayor, in the Chair, with Crs Pat Cullen, Karen Churchill, Bill Fisher, Barbara Deans, Robert Thomas and Paul Wheelhouse.

Also present were the General Manager, Mr Hein Basson, the Director of Community Services, Ms Robyn Ryan, the Director of Corporate and Urban Services, Mr Bruce Quarmby, the Director of Engineering Services, Mrs Kookie Atkins and Mrs Jill Moorhouse.

1.0 OPENING MEETING

At this juncture, 10.47 a.m. the Mayor opened the meeting.

2.0 ACKNOWLEDGEMENT OF ORIGINAL OWNERS OF THE LAND

The Mayor acknowledged the traditional custodians of this land, the Wailwan people, and paid his respects to elders past and present.

3.0 COMMUNITY CONSULTATION

No bookings were made for Community Consultation at this meeting.

4.0 APOLOGIES / APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 DEPUTATIONS / DELEGATIONS

No delegation to this meeting

6.0 CONFIRMATION OF THE MINUTES

4500 RESOLVED on the motion of Crs Fisher and Wheelhouse that the minutes of the Ordinary Meeting of Coonamble Shire Council held on 14 August 2019 be confirmed as a correct record of the proceedings of the meeting.

7.0 DISCLOSURES OF INTEREST

Note: The Mayor disclosed a pecuniary interest in Item 12.12 "Recovery Action – Costs Associated with Demolition of Fire Damaged Buildings – Corner Aberford and Castlereagh Streets, Coonamble" as an owner of one of the blocks in question. The Mayor indicated that he would leave the Chamber while the matter was being discussed and determined; not partaking in the debate or voting on the item.

8.0 RESOLUTION BOOK UPDATE

8.1 Resolutions in Progress

4501 RESOLVED on the motion of Crs Thomas and Wheelhouse that the items listed in the Resolution Book Update be received and noted.

a) Proposed Bore Baths

4502 RESOLVED on the motion of Crs Karanouh and Fisher that the General Manager prepares a detailed report to a future Meeting of Council on the items listed below and be authorised to address interim issues, as they arise:

- (1) The existing water licences that Council has;
- (2) How these quantities translate into being used for the purpose of a bore bath development;
- (3) Whether it would be necessary for water to be recirculated and heated;
- (4) What the possibility would be to potentially buy additional water licences;
- (5) What the possibility would be to get the necessary approvals from the NSW Water Office and possibly other Government Agencies to use large quantities of water from the Great Artesian Basin for purposes of a new bore bath development;
- (6) What the amount of water is going to be that would be available for irrigation to the Golf and Racing Clubs;
- (7) What the costs associated with these preliminary actions are going to be in the lead-up to the design concept being done and finalised;
- (8) Any other matters than would need to be considered as part of the information seeking and pre-planning phase of the project.

Note: The Director of Engineering Services informed the meeting that the Department of Water will not give any approval before the design of the proposed structure is determined; acknowledging that this scenario could be interpreted to provide for a “chicken and egg” situation.

4503 RESOLVED on the motion of Crs. Thomas and Wheelhouse that the Resolution Book Update be noted.

9.0 MAYORAL REPORT

Note: The Mayor provided a verbal report to Council, advising that generally the period since the August Meeting has been quiet. Cr Karanouh referred to a meeting he had with Mr Rod Crowfoot of Macquarie Home Stay who has requested to address Council at its December meeting. Mr Crowfoot wants to give Council an overview of how the facility operates and provides for people from all over the western area. The Mayor informed the meeting that Tour de OROC continues to raise funds for the operation of this facility.

4504 RESOLVED on the motion of Crs Churchill and Thomas that an invitation be extended to Mr Rod Crowfoot of Macquarie Home Stay to address Council’s December 2019 Ordinary Meeting.

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Note: The Mayor also informed Council that he was interviewed by ABC regarding Inland Rail.

10.0 CORRESPONDENCE

Nil this meeting.

11.0 COMMITTEE REPORTS

Nil this meeting.

12.0 REPORTS TO COUNCIL

12.1 Development Applications Determined under Delegated Authority

4505 RESOLVED on the motion of Crs Churchill and Cullen that Council notes there were no Development Applications or Complying Development Applications approved under delegated authority since the August 2019 Ordinary Council Meeting.

12.2 Status Report Regarding Councillor Enquiries

4506 RESOLVED on the motion of Crs. Thomas and Deans that Council notes the information provided.

12.3 Gulargambone Preschool Inc – Request for Council Contribution

4507 RESOLVED on the motion of Crs Wheelhouse and Fisher that this matter be received and dealt with.

Note: Council noted that the Development Application documentation and conditions imposed have not yet been released due to non-receipt of authorisation from the Department of Education.

Note: Cr Wheelhouse suggested that the matter be deferred, pending this authority.

A MOTION

PROPOSED by Cr Churchill **SECONDED** by Cr Deans that Council contributes \$38,000 from the Development Fund for costs associated with demolition of the existing building, **WAS LOST**.

4508 RESOLVED on the motion of Crs. Fisher and Wheelhouse that Council contributes a further \$4,500 from its Development Fund towards the cost of the Development Application, noting that with the \$5,000 already provided, will account for the full payment of the Development Application fees. **FURTHER**, that Council funds from its Development Fund the total cost of water and sewer connections to the facility in accordance with Council's adopted List of Fees and Charges, and that both the

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mentioned contributions be conditional upon Council receiving the necessary letter of authorisation from the NSW Education Department as owner of the subject land for the proposed development to proceed.

Note: The Mayor noted that, in the event of the Gulargambone Preschool's grant funding applications not being successful, Council may potentially reconsider the quantum of its monetary assistance to this development into the future.

12.4 2018 – 2019 Operational Plan Review

4509 RESOLVED on the motion of Crs. Thomas and Churchill that this matter be received and dealt with.

4510 RESOLVED on the motion of Crs. Churchill and Thomas that Council notes the activity progress against the actions contained in Council's 2018 – 2019 Operational Plan and measures against its 2017 – 2021 Delivery Program.

12.5 Community Services Progress Report

4511 RESOLVED on the motion of Crs Thomas and Wheelhouse that the report be received and dealt with.

4512 RESOLVED on the motion of Crs Churchill and Fisher :

1. That Council notes the information in this report.
2. That Council approves the request and advises the Coonamble Streets Ahead Committee of Council's commitment to undertake the coordination and delivery of the Coonamble Christmas Carnivale.

Warrena Creek Weir Amenities Block

4513 RESOLVED on the motion of Crs.Wheelhouse and Fisher that Council progresses with the refurbishment of the Warrena Weir facilities utilising \$32,600 secured under Round Two of the Stronger Country Communities Fund, as well as utilising the \$70,000 allocated from Council's Development Fund for the original purpose of constructing a new ablution block, based on the understanding that a further report be prepared for Council's consideration delineating exactly what the proposed upgrade would entail and at what cost. FURTHER, that the proposed upgrade plan and costings be approved by a fully constituted meeting of the Coonamble Ski Club before the matter is referred back to Council at the October Council meeting.

Note: Cr Churchill asked that her name be recorded as voting against this resolution.

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Note: At this juncture, 11.35 a.m., the meeting adjourned for morning tea and resumed at 12.00 noon.

12.6 Rates and Charges Collections – August 2019

4514 RESOLVED on the motion of Crs. Wheelhouse and Fisher that the information be noted.

12.7 Status of Investments – August 2019

4515 RESOLVED on the motion of Crs. Fisher and Wheelhouse that the list of investments as at 31 August 2019 be noted and it also be noted that Council's 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.

12.8 Financial Reports for Year Ended 30/06/2019

Note: The Director of Corporate and Urban Services advised that to comply with statutory requirements, the Financial Statements must be referred to Council's Auditor, with authorisation from the Mayor, General Manager, the Responsible Accounting Officer and a nominated Councillor.

4516 RESOLVED on the motion of Crs. Wheelhouse and Deans

- 1) That the Mayor and Councillor Fisher, the General Manager and the Responsible Accounting Officer be authorised to sign the Statement by Councillors and Management on the Financial Reports for the year ended 30 June 2019.
- 2) That Council's financial reports for the year ended 30 June 2019 be referred for audit.

12.9 Review of Coonamble Showground Expenditure

4517 RESOLVED on the motion of Crs Wheelhouse and Deans that this item be received and dealt with.

Note: The Director of Corporate and Urban Services referred to this report and said it contained more detailed information on the breakdown of expenditure incurred at the Coonamble Showground. He referred to staff time taken to keep the area watered in the unfavourable climatic conditions and suggested that an option would be to install a sprinkler system.

4518 RESOLVED on the motion of Crs. Churchill and Fisher:

- 1) That Council notes the information in this report.
- 2) That Council requests the Director of Corporate and Urban Services to locally advertise the invitation for quotations for the

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installation of an irrigation system for the grassed area at the Showground, and for staff to operationally deal with the allocation of the successful quote because of the short timeframe before the summer months start. FURTHER, that Council approves the cost of the proposed irrigation system to be funded from the Show Grounds Reserve.

12.10 Proposal to Upgrade Lighting at Coonamble Sportsground

4519 RESOLVED on the motion of Crs. Thomas and Deans that this matter be received and dealt with.

Note: Cr Cullen referred to improvements having recently been carried out at the Warren Oval where lighting has been renewed and suggested that it may be prudent for Council to consider a lighting upgrade for No 1 Oval initially, so that night football can be played in Coonamble.

4520 RESOLVED on the motion of Crs Thomas and Wheelhouse:

- 1) That Council does not include the upgrade to the lighting at the Coonamble Sportsground as part of an application to the Round Three Stronger Country Communities Fund; acknowledging the number of other worthy grant applications submitted by community groups.
- 2) That Council requests the Director of Corporate and Urban Services to develop a project brief, including a scope of works and costing estimates, for the upgrade of lighting at No. 1 Oval at the Coonamble Sportsground.
- 3) That Council requests the Director of Corporate and Urban Services and Director of Community Services to monitor future grant funding opportunities and when an opportunity is identified to fully fund the initial construction costs of the project, to submit an application.

12.11 Urban Services – Works in Progress – August 2019

4521 RESOLVED on the motion of Crs. Wheelhouse and Fisher that Council notes the information contained in this report.

Note: The Mayor, having declared a pecuniary interest in the following matter, vacated the Chair and left the Chamber at 12.20 p.m. The Deputy Mayor took the Chair for the duration of discussion and voting on the following matter.

12.12 Recovery Action – Costs Associated with Demolition of Fire Damaged Buildings – Corner Aberford and Castlereagh Streets, Coonamble

Note: All Councillors were afforded the opportunity to speak to this issue. The General Manager and Directors responded to questions concerning issues raised. There was lengthy deliberation on the best way forward to settle the matters as amicably as possible.

4522 RESOLVED on the motion of Crs. Fisher and Thomas that Council requests its Insurer's legal team to verify whether the actions taken by Council in the past were legitimate and reasonable considering the particular circumstances, as well as providing an opinion on Council's legal position in the instance of the matter being taken to a Court of Law by one or more of the land owners, and for this legal advice to be brought back to Council for its consideration once available.

At this juncture, 1.23 p.m. the Mayor returned to the Chamber and resumed the Chair.

12.13 Saleyards Report

4523 RESOLVED on the motion of Crs. Churchill and Deans that Council notes the information.

12.14 Shower Facility – Coonamble Saleyards

4524 RESOLVED on the motion of Crs. Fisher and Wheelhouse:

- 1) That Council installs the Avadata system on the shower facility at the Saleyards for a 12 month trial period.
- 2) That signage be installed at the shower facility for users to clean the facilities after use.
- 3) That Council sends notification letters to known transport companies operating in the Local Government Area informing them of the installation and further, that a notice be posted on the facility prior to the installation.
- 4) That the usage and cleanliness of the facility be monitored over the next year and a report be brought back to Council after this period of time, in order for Council to assess the service being provided to truck drivers.

12.15 Engineering Services – Works in Progress

4525 RESOLVED on the motion of Crs. Wheelhouse and Deans that the information be noted by Council.

12.16 Planning Portal – Development Application Processing

Note: A letter from the Office of the Secretary, Department Planning and Environment, had been received and provided an update on the integration of the Department's DA Online service with Councils' systems. A copy of this letter was provided in the Business Paper.

4526 RESOLVED on the motion of Crs. Deans and Churchill that Council notes the information in the report.

12.17 Ranger's Report – August 2019

4527 RESOLVED on the motion of Crs. Wheelhouse and Thomas that the information for the month of August 2019 be noted.

13.0 NOTICES OF MOTION / QUESTIONS WITH NOTICE / RESCISSION MOTIONS

4528 RESOLVED on the motion of Crs Fisher and Deans that Notice of Motions submitted by Cr. Deans be now received and dealt with.

i) Inland Rail Route – Independent Inquiry

A MOTION

PROPOSED by Cr Deans **SECONDED** by Cr Wheelhouse:

1) That Council supports an independent inquiry into the Inland Rail route selection and supports the social and economic benefit to Coonamble Shire if the route selection can be changed to use the existing line to Gulargambone and Coonamble and keeping our assets variable and opening up economic development opportunities.

2) That Council sends a letter to the following members of Parliament notifying them of Council's support for an inquiry because we want the social and economic benefit for our Shire. (Noting that Council has written to Hon. Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional notifying him of Council's support for an independent inquiry):

1. Roy Butler MP, Member for Barwon.
2. The Honourable Robert Gordon Stokes MP NSW Minister for Planning and Public Spaces.
3. The Hon. Mark Coulton MP in his role as the Member for Parkes and the Minister for Regional Services, Decentralisation and Local Government notifying him of Council's support for an inquiry.
4. The Hon. Adam Searle, MLC Shadow Minister for Planning and Better Living NSW.
5. The Shadow Minister for Infrastructure, Transport and Regional Development [Hon Catherine King MP.](#)

WAS LOST.

ii) **Supporting the Right to Repair**

A MOTION

PROPOSED by Cr. Deans **SECONDED** by Cr Thomas that Council writes a letter to ACT Consumer Affairs Minister Shane Rattenbury and Federal Minister Michael Sukkar, asking Government to be supportive of the “right to repair” initiative that is currently topical in the media, and having reference to the following definition: *“Supporting the right to repair” means people have the right to special tools, software and manuals to be able to repair goods and machinery* **WAS LOST.**

14.0 CLOSURE OF MEETING – CLOSED SESSION

4529 RESOLVED on the motion of Crs Churchill and Wheelhouse that Council moves into Closed Session to consider Item No 15.1, pursuant to the provisions of Section 10A(2)(c) and (d) of the *Local Government Act 1993*, which stipulate the following:

“(c) *information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;*

(d) *commercial information of a confidential nature that would, if disclosed:*

(i) *Prejudice the commercial position of the person who supplied it, or*

(ii) *Confer a commercial advantage on a competitor of Council”.*

4530 RESOLVED on the motion of Crs Churchill and Wheelhouse that the press and public be excluded from the meeting.

RESUME OPEN MEETING

4531 RESOLVED on the motion of Crs Churchill and Wheelhouse that Council resumes its Open Meeting.

ADOPTION OF RECOMMENDATION OF CLOSED SESSION

4532 RESOLVED on the motion of Crs Churchill and Wheelhouse that Council adopts the recommendation from the Closed Council Session, being Recommendation No 15.1, into the Open Council Meeting – as set out hereunder:

15.1 Supply and Delivery of Concrete Pipes

Resolved on the motion of Crs Churchill and Wheelhouse:

1) *That Holcim (Australia) Pty Ltd ty/a Humes be awarded this contract as the Single Source supplier to participating Orana Region Councils for the period 1 October 2019 to 30 September 2021.*

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2) *That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 September 2022.*

3) *That Holcim (Australia) Pty Ltd t/a Humes conforming pricing schedule be adopted for the term of the contract.*

16.0 CLOSURE OF MEETING

The Mayor closed the meeting at 1.57 p.m.

These Minutes Pages (1/6397 to 10/6406) were confirmed on the 9th day of **OCTOBER 2019** and are a full and accurate record of proceedings of the Ordinary Meeting of Coonamble Shire Council held on **11th September 2019**

MAYOR