



MINUTES

**Ordinary Council Meeting
Wednesday, 12 August 2020**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SHIRE CHAMBER, COONAMBLE
ON WEDNESDAY, 12 AUGUST 2020 AT 10.00 AM**

PRESENT: Cr Ahmad Karanouh (Mayor), Cr Paul Wheelhouse (Deputy Mayor), Cr Karen Churchill, Cr Pat Cullen, Cr Barbara Deans, Cr Bill Fisher, Cr Robert Thomas.

IN ATTENDANCE: Hein Basson (General Manager), Bruce Quarmby (Executive Leader – Corporate and Sustainability), Kookie Atkins (Executive Leader – Infrastructure), Pip Goldsmith (Manager – Economic Development and Growth) and Jill Moorhouse (Minutes).

1 OPENING MEETING

The Mayor opened the meeting at 10.06 a.m.

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

Nil.

5 DEPUTATION/DELEGATIONS

Nil.

6 CONFIRMATION OF MINUTES

The Mayor drew to Councillors' attention the fact that at the Extraordinary Meeting he submitted an apology on behalf of Cr Wheelhouse, which he should not have done. The Mayor apologised for this oversight and reminded Councillors that, should they be unable to attend meetings, it is their responsibility to submit a leave of absence request or apology.

RESOLUTION 2020/102

Moved: Cr Bill Fisher
Seconded: Cr Pat Cullen

1. That the minutes of the Ordinary Meeting of the Coonamble Shire Council

held on Wednesday, 8 July 2020 and the Extraordinary Council Meeting of the Coonamble Shire Council held on Thursday, 23 July 2020 be confirmed as correct records of the proceedings of the meetings.

2. That Council notes the commentary of the General Manager in regards to Clauses 5.3, 5.4, 5.5 and 5.6 of Council's Code of Meeting Practice; specifically that Councillors who are unable to attend Ordinary Meetings of Council should make the necessary applications for leave of absence (and not only provide an apology) in order for Council to formally and reasonably consider these applications and the grounds upon which the leave of absence is being sought.

CARRIED

7 DISCLOSURES OF CONFLICTS OF INTEREST

i) Cr Deans advised that she has a non-pecuniary conflict of interest in Item 12.5 Economic Development Progress report – section dealing with the Inland Rail Project. Cr Deans informed the meeting that her business is grain producer and her property is potentially affected by the proposed route of the Inland Rail Project. Cr Deans indicated she would remain in the Council Chamber, taking part in the discussion and voting on the item.

ii) Cr Wheelhouse advised he has two (2) disclosures of conflicts of interest:

a) Item 14.3 - Drought Stimulus Program – Riverside Caravan Park.

Cr Wheelhouse informed the meeting that he has a pecuniary conflict of interest in this item. Cr Wheelhouse said he would leave the Council Chamber, not partaking in the discussion or voting on the item.

b) Item 14.4 – Tender STP181920COO Construction of DN300 Sewer Rising Main.

Cr Wheelhouse informed the meeting that he has a non-pecuniary conflict of interest in this item; indicating that he would remain in the Council Chamber, taking part in the discussion and voting on the item.

8 RESOLUTION BOOK

There is no Resolution Book included, as important outstanding resolutions are being recorded monthly in various progress reports from the different departments.

9 MAYORAL MINUTE

Mayor's Activities Report:

The Mayor gave a verbal report of additional activities undertaken during the month, including :

- Possible grant funding sources for the bore bath facilities are being discussed and will be pursued.
- A request for a meeting with a resident to discuss concerns in Gulargambone has been received by the Mayor. On a question from the Mayor, the Executive Leader Corporate and Sustainability said that funds to carry out a general town clean-up have been provided in the budget. When a date has been selected, advertising will commence.

- The Clay Target Club made enquiry with the Mayor about the future of the superfluous RFS shed. In response to an question from the Mayor, Mr Quarmby indicated that Council has received formal notification from the RFS regarding vacating the current building, that Council has no identified use for it and a process would be followed in regards to the future of the shed when take-over is effected.

RESOLUTION 2020/103

Moved: Cr Ahmad Karanouh

Seconded: Cr Bill Fisher

That Council notes the Mayor's activities report for the month of July 2020.

CARRIED

10 PRECIS OF CORRESPONDENCE**SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL**

Nil.

SECTION B - MATTERS FOR INFORMATION ONLY

Nil.

11 COMMITTEE REPORTS

Nil.

12 REPORTS TO COUNCIL**12.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY****RESOLUTION 2020/104**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That Council notes Development Applications and/or Complying Development Applications Nos 017/2020 and 020/2020 have been approved under delegated authority since Council's July 2020 meeting.

CARRIED

12.2 STATUS REPORT REGARDING COUNCILLOR ENQUIRIES

RESOLUTION 2020/105

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

That Council notes the information in this report.

CARRIED

Cr Deans asked whether any progress has been made with improving the presentation of Quambone Tip. The meeting was informed that regular patrols are carried out to monitor the situation and options will be investigated to prevent illegal dumping.

The General Manager advised that under the new organisation structure waste management would be placed with the Executive Leader Environment, Strategic Planning and Community and when an appointment is made, the successful applicant will be tasked to investigate appropriate options in this regard, noting that the Executive Leader Infrastructure's department does not currently have the capacity to attend to this matter.

12.3 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

RESOLUTION 2020/106

Moved: Cr Bill Fisher

Seconded: Cr Robert Thomas

- 1. That Council notes this report.**
- 2. That Council nominates the Mayor, the General Manager, Councillor Deans and Councillor Cullen to attend the Conference from 22 to 24 November 2020, noting that the last-mentioned two (2) Councillors would only be able to attend during a period of wet weather, as the Conference would in all probability coincide with the harvesting period.**
- 3. That Council nominates the Mayor, Councillor Ahmad Karanouh, to be registered as its voting delegate.**

CARRIED

12.4 ROADS CONSULTATIVE COMMITTEE - TERMS OF REFERENCE

RESOLUTION 2020/107

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

- 1. That Council notes the report.**
- 2. That Council formally adopts the Terms of Reference for the Roads Consultative Committee as attached to the report as an Annexure, noting that some titles of Council Staff will be amended in accordance with Council's adopted organisation restructure.**
- 3. That Council convenes a meeting of the Roads Committee on Thursday, 20 August 2020 at 10.00 a.m. in the Council Chamber, noting that social distancing and limited numbers at venues are still being implemented to combat the spread of COVID-19.**

CARRIED

12.5 ECONOMIC DEVELOPMENT PROGRESS REPORT

The Manager – Economic Development and Growth, Pip Goldsmith provided Council with the following verbal updates since the time of writing her report.

- The construction company, Westbury Constructions, has advised that it will be commencing to prepare the site of the new Visitor Information Centre as early as next week.
- Working with the Coonamble Chamber of Commerce, the result of their members' survey on relevant topics will be used as an indication as to whether Council's priorities are in line with community/business expectations.
- With regard to the Inland Rail Project, non-disclosure agreements are being finalised. This step will allow stakeholders to share confidential information that will contribute to the development of the business case to upgrade the rail line between Coonamble and Gilgandra and provide a connection to the Inland Rail at Curban. Round Two of the Expressions of Interest close on 17 August 2020.
- Funding for the sculptures approved in accordance with the Coonamble Shire Masterplan has been confirmed and the deed executed with the funding body.
- Staff is busy liaising with NSW Department of Transport discussing options in relation to the reconfiguration of the Main Street entry, i.e. the Castlereagh / Aberford Streets intersection; however, it will be a long term project. The possibility of a 40km speed limit being implemented on a section of the Castlereagh Highway through the town, was also discussed.

RESOLUTION 2020/108

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council notes the contents of this report.

CARRIED

12.6 COMPULSORY ACQUISITION OF LAND FOR A BORE BATH FACILITY**RESOLUTION 2020/109**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

1. That Council proceeds with the compulsory acquisition of a portion of the land described as Lot 212 DP 754199 for the purpose of a bore bath facility in accordance with the requirements of Section 29 of the Land Acquisition (Just Terms Compensation) Act 1991.
2. That Council makes an application to the Minister of Local Government and the Deputy Secretary of the NSW Office of Local Government for approval to acquire a portion of Lot 212 DP 754199 or description of interest by compulsory process under Section 186(1) of the Local Government Act 1993.
3. That Council, pursuant to the provisions of Section 31 of the Local Government Act 1993 classifies the land referred to in paragraphs one (1) and two (2) above as community land.

CARRIED

12.7 COONAMBLE CBD PUBLIC AMENITIES**RESOLUTION 2020/110**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

- 1. That Council reconsiders the planned location of the public toilets in the Central Business District (CBD) of Coonamble, given the information discussed in the body of the report.**
- 2. That Council determines the Skillman's Lane carpark as the community's preferred location of public toilets in the Coonamble CBD.**
- 3. That Council advises the funding body of the preferred location mentioned in paragraph two (2) above, provides evidence of community support for this location as has been demonstrated and reported to Council (including sending the original letters of support and opposition received by the General Manager over the last couple of weeks to the funding body for verification of the numbers quoted in the body of the report) and requests approval of the relevant project variation to meet funding requirements.**
- 4. That Council commissions a design of Skillman's Lane carpark to ensure the placement of the amenities building will complement future development of the site.**
- 5. That a community-led public art project calls for creative contribution to the artwork on the amenities building and it's surrounds in Skillman's Lane carpark, and staff prepare a report to allow Council to review and consider this community contribution and suggestions before making a decision about the design and artwork to be used on the amenities building.**
- 6. That relevant Council staff oversee the project management of the installation of the amenities building and completion of development of the site, including the employment of local concreting, electrical, plumbing and landscaping contractors wherever possible.**
- 7. That Council increases its financial contribution towards the public toilet project in the Coonamble CBD from the current \$81,529 to an amount of \$99,026 and that such increase be funded from Council's working capital.**

CARRIED

12.8 RATES AND CHARGES COLLECTIONS - JULY 2020**RESOLUTION 2020/111**

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

That Council notes the information provided in the report.

CARRIED

12.9 STATUS OF INVESTMENTS - JULY 2020**RESOLUTION 2020/112**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That Council notes the list of investments as at 31 July 2020 and also 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

12.10 URBAN SERVICES - WORKS IN PROGRESS**RESOLUTION 2020/113**

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council notes the information in this report.

CARRIED

At this juncture, 11.03 a.m. the Mayor adjourned the meeting for morning tea and resumed at 11.23 a.m.

12.11 PROPOSED COONAMBLE SES BUILDING - FUNDING UPDATE**RESOLUTION 2020/114**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

- 1. That Council formally approaches the NSW State Emergency Services with a view to securing the necessary additional funding required to complete a new State Emergency Services facility in Coonamble.**
- 2. That, should the approach to the NSW State Emergency Services be unsuccessful, Council submits an application under the ClubGrants Category 3 infrastructure scheme (opening on 21 September 2020) for the additional funding required to allow the works mentioned in paragraph one (1) above to proceed.**

CARRIED**12.12 SALEYARDS REPORT****RESOLUTION 2020/115**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That Council notes the information in the report.**CARRIED**

Council noted that the Saleyards Management Committee met on 23 July 2020. It also noted that if yardings are kept under 1,000 head, there is no need for Council to renew its licence with the EPA – which renewal could have a cost implication of between \$200,000 and \$300,000. This matter has been discussed with the stock and station agents, who have agreed to work with Council.

12.13 RANGER'S MONTHLY REPORT**RESOLUTION 2020/116**

Moved: Cr Barbara Deans

Seconded: Cr Karen Churchill

That the information be noted.**CARRIED**

12.14 CLASSIFICATION AND CATEGORISATION OF CROWN RESERVES**RESOLUTION 2020/117**

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

1. That Council endorses the initial classification and categorisation of Crown land as identified in Annexure 1.
2. That the General Manager be authorised to finalise and provide written notice of initial categorisation applied to Crown Land under the management of Council as a Crown Land Manager under Section 3.23 of the *Crown Land Management Act 2016* as identified in Annexure 1.

CARRIED**12.15 WORKPLACE INJURY MANAGEMENT REPORT - JULY 2020****RESOLUTION 2020/118**

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

That Council notes the information in this report for the month of July 2020.**CARRIED****12.16 COMMUNITY SERVICE PROGRESS REPORT****RESOLUTION 2020/119**

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

That Council notes the information contained in this report.**CARRIED**

12.17 ENGINEERING SERVICES - WORKS IN PROGRESS**Resolution 2020/120**

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

- 1. That Council notes the information in this report.**
- 2. That Council requests detail funding information from the State Government regarding its Roads Classification Review initiative before lodging a submission which identifies roads which could be the subject of reclassification.**

Carried

RESOLUTION 2020/121

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council submits a motion to the Annual LGNSW Conference seeking other support for clarification regarding the future funding arrangements pertaining to roads which are going to be reclassified as an outcome of the NSW Government's Road Classification Review and Transfer.

CARRIED

RESOLUTION 2020/122

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

That the following matter be received and dealt with.

CARRIED

12.18 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM**RESOLUTION 2020/123**

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

That Council approves the following projects under the Local Roads and Community Infrastructure Program:

1. Quambone toilet block	\$60,000.00
2. Aerodrome reseal and upgrade fencing	\$218,000.00
3. Back Gular Road re-sheeting	\$150,818.00
4. Rural Roads – additional maintenance*	\$400,000.00
5. Wingadee Road re-sheeting	\$100,000.00
TOTAL	\$928,818.00

***For the further improvement of roads that have been damaged as a result of flood damage; i.e. to re-instate those roads to a condition over and above what they were before the flood event, in order to make them better resistant to future flooding.**

CARRIED**12.19 AIRPORT FENCING**

The Mayor ruled for this matter to be considered in conjunction with ***Item 13.1 Notices of Motion / Questions with Notice / Rescission Motions.***

RESOLUTION 2020/124

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

That Council resolves to complete the perimeter fencing of the Coonamble Airport in the same style of electric exclusion fencing that the project began with.

CARRIED

Cr Wheelhouse requested that his name be recorded as voting against this resolution.

12.20 RURAL ROADS FUNDING AND PROGRAM**RESOLUTION 2020/125**

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That Council notes the information in the report.**CARRIED****13 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS****13.1 NOTICE OF MOTION - ERECTION OF SECURITY FENCE AROUND COONAMBLE AERODROME****MOTION**

Moved: Cr Paul Wheelhouse

Seconded: Cr Robert Thomas

“That Council erect an exclusion wire security fence with electric wire on top around the Coonamble Shire Aerodrome, with the electric fence to meet the prerequisites of the grant funding bodies”.

Clarifying note: As this motion was dealt with in conjunction with Item 12.19 and the resolution adopted in regard to this mentioned item was not supportive of this notice of motion (and therefore had already been determined) it lapsed.

LAPSED**14 CONFIDENTIAL MATTERS****RESOLUTION 2020/126**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

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*:

14.1 Report into the Management and Consideration of Tender TD19-01-MR

This matter is considered to be confidential under Section 10A(2) - a of the *Local Government Act 1993*, 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 personnel matters concerning particular individuals (other than councillors).

14.2 Drought Stimulus Program - Riverside Caravan Park

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, 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.

14.3 TENDER SPT181920COO CONSTRUCTION OF DN300 SEWER RISING MAIN

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, 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.

CARRIED

At this juncture, 12.18 p.m. the Mayor adjourned the meeting for a short break, resuming at 12.22 p.m.

14.1 REPORT INTO THE MANAGEMENT AND CONSIDERATION OF TENDER TD19-01-MR**RESOLUTION 2020/127**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

- 1. That Council notes the contents of the report**
- 2. That Council requests the General Manager to ensure that Council's Procurement Policy is updated to a best practice standard and for such revised policy to be brought back for Council's consideration and adoption at its October 2020 Ordinary Meeting.**

CARRIED

At this juncture, Cr Wheelhouse left the room while the following matter was being discussed and voted on.

14.2 DROUGHT STIMULUS PROGRAM - RIVERSIDE CARAVAN PARK**RESOLUTION 2020/128**

Moved: Cr Ahmad Karanouh

Seconded: Cr Robert Thomas

- 1. That the works be awarded to AKW Carpentry and Concreting conditional upon the following information being supplied within 21 days and meeting the required standards :**

- A floor plan, with front and side elevations that meets Australian Standards and the Disability Access Code.
 - A project plan detailing project inclusions and exclusions along with the proposed project duration.
 - Certified engineering plans for the concrete hardstand.
2. That if the required information specified in paragraph one (1) above is not supplied by AKW Carpentry and Concreting within 21 days, an updated quote be obtained from Taylor Made Buildings and the project be awarded to this mentioned company.
 3. That in accordance with the *Local Government (General) Regulation 2005* Council revotes the unspent budget allocation from the 2019/2020 Financial Year for this project.

CARRIED

Councillor Wheelhouse returned to the meeting.

14.3 TENDER SPT181920COO CONSTRUCTION OF DN300 SEWER RISING MAIN

RESOLUTION 2020/129

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

1. That Council, after due consideration of all tenders received, awards Tender STP181920COO Construction of DN300 Sewer Rising Main to Trazibat Pty Ltd.
2. That in accordance with the *Local Government (General) Regulation 2005* Council revotes the unspent budget allocation from the 2019/2020 Financial Year for this project.

CARRIED

RESOLUTION 2020/130

Moved: Cr Karen Churchill

Seconded: Cr Barbara Deans

That Council moves out of Closed Council into Open Council and that the resolutions adopted in Closed Session (Resolution Nos. 2020/127, 2020/128 and 2020/129) be adopted in Open Council.

CARRIED

15 CONCLUSION OF THE MEETING

The Meeting closed at 1.17 p.m.

The minutes of this meeting were confirmed at the Council Meeting held on 9 September 2020.

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CHAIRPERSON