



MINUTES

**Ordinary Council Meeting
Wednesday, 14 October 2020**

**MINUTES OF COONAMBLE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE QUAMBONE MEMORIAL HALL, MUNGIE STREET, QUAMBONE
ON WEDNESDAY, 14 OCTOBER 2020 AT 10.00AM**

PRESENT: Cr Ahmad Karanouh (Mayor), 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), Noreen Vu (Executive Leader Environment, Strategic Planning and Community), Kookie Atkins (Executive Leader Infrastructure), Jill Moorhouse (Executive Assistant) and Marina Colwell (Executive Support Officer).

1 OPENING MEETING

The Mayor opened the meeting at 10.12 a.m.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor did the following 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

LEAVE OF ABSENCE

RESOLUTION 2020/145

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

That the written application for leave of absence, including the reason for such application, from Cr Churchill be noted and approved.

The meeting noted that Cr Wheelhouse tendered an apology for non-attendance of the Meeting by telephone to the receptionist at the Council Offices at 9.30 a.m.

CARRIED

5 DEPUTATION/DELEGATIONS

Nil.

6 CONFIRMATION OF MINUTES**RESOLUTION 2020/146**

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 9 September 2020 and the Extra-Ordinary Council Meeting of the Coonamble Shire Council held on Wednesday, 9 September 2020 be confirmed as correct records of the proceedings of these meetings.

CARRIED

7 DISCLOSURES OF CONFLICTS OF INTEREST

Cr Deans informed the meeting that she has a non-pecuniary conflict of interest in Item 12.3 – Economic Development Progress Report – the section dealing with the Inland Rail Project. Cr Deans stated that her farming business is involved with grain production and her property is potentially affected by the proposed route of the Inland Rail Project. Cr Deans indicated that she would remain in the meeting during any discussions and voting on this item.

At this juncture, the Mayor formally welcomed Council's newly appointed Executive Leader Environment, Strategic Planning and Community, Ms Noreen Vu and Mrs Marina Colwell in the role of Executive Support Officer.

8 RESOLUTION BOOK

Nil.

9 MAYORAL MINUTE**i) Local Government NSW – Federal Budget Update**

Council noted the information contained in the communication from the Local Government NSW (LGNSW) President, Cr Linda Scott. Key amongst the announcements was a range of road and local infrastructure packages. Cr Scott said there is no 'quick fix' as the economic recovery will be an ongoing process, but LGNSW will continue to support Councils to do what they do best: lead local communities in desperately needed financial recovery during extremely challenging times.

ii) September Activity Report

The meeting noted that the Mayor, Cr Thomas and the General Manager attended the annual meeting of Gulargambone RTC at Gulargambone Bowling on 23 September 2020.

iii) Tender Medical Service – Coonamble Multipurpose Service

The Mayor read out a letter dated 9 October 2020, received from the Acting Chief Executive of the Western NSW Local Health District, regarding the tender for medical services within the northern part of the health district – also affecting the Coonamble Multipurpose Service. A copy of this letter was distributed to all Councillors present and the Mayor read the letter at the meeting.

RESOLUTION 2020/147

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council notes the information contained in this report.

CARRIED

10 PRECIS OF CORRESPONDENCE**SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL****10.1 NSW STATE EMERGENCY OPERATIONS CENTRE****RESOLUTION 2020/148**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council notes the information contained in this report.

CARRIED

10.2 COUNTRY MAYORS' ASSOCIATION OF NSW

This matter concerns the inclusion of NSW Regional Fire Service (RFS) assets in councils' balance sheets. Leeton Shire Council made representations to the Country Mayors' Association for support in lobbying that this requirement be changed.

A copy of the letter from Leeton Shire Council was included in the Country Mayors' Association's correspondence and provided to Council as part of the business paper.

The Association supports Leeton Council's view and is requesting the Auditor General to intervene and address the matter, pointing out the importance of local councils' financial accounts reflecting the true state of affairs, and having assets included, over which councils have no control, is unacceptable.

Council carried out a review of its approach to the accounting treatment of assets utilised by the NSW RFS in 2018 and agreed to recognise associated land and buildings in its assets schedules, but not RFS fleet and plant.

If Council includes these assets it would have a negative impact on Council's asset maintenance and renewal ratios as measures of Council's financial state.

The matter of inclusion of NSW Regional Fire Service (RFS) assets being recorded in Councils' balance sheets was raised by Leeton Shire Council. The Country Mayors'

Association has decided to support Leeton Council's representations in opposing the negative effect of including RFS assets in Councils' balance sheets.

RESOLUTION 2020/149

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

1. That Council strongly supports Leeton Shire Council's representations to the Country Mayors' Association.
2. That Council revisits its Accounting Position Statement on the NSW Regional Fire Service's assets and requests the Executive Leader Corporate and Sustainability to further investigate this situation and prepare a report for Council's further consideration, taking into account the commentary included in the body of the report.

CARRIED

11 COMMITTEE REPORTS

Nil.

12 REPORTS TO COUNCIL**12.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY****RESOLUTION 2020/150**

Moved: Cr Pat Cullen

Seconded: Cr Robert Thomas

That Council notes Development Application Number 018/2020 and Complying Development Application Numbers 0022/2020, 023/2020, 025/2020 and 026/2020 have been approved under delegated authority since Council's September 2020 Ordinary Meeting.

CARRIED

12.2 STATUS REPORT REGARDING COUNCILLOR ENQUIRIES**RESOLUTION 2020/151**

Moved: Cr Robert Thomas

Seconded: Cr Barbara Deans

That Council notes the information in this report.

CARRIED

12.3 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT

The Manager – Economic Development and Growth provided a summary of issues raised in her report, including the following :

- The offer to purchase Mac’s Dry Cleaners building has been withdrawn and, at this stage, the supermarket development will not proceed. It was noted that Council will retain the building for future strategic use.
- An expression of interest has been submitted to the Productivity Enhancement Program stream of Round Two of the Interface Improvement Program relevant to the Inland Rail Project.
- Small Business Month Grant - Agri-tourism – the webinar-workshop with agri-tourism experts (Regionality) was held recently. The workshop was targeted at local agri-businesses with a focus on providing information and support to diversify with a agri-tourism offering. Cr Deans participated in the webinar-workshop and congratulated staff on securing funding, saying it was very informative.

RESOLUTION 2020/152

Moved: Cr Pat Cullen

Seconded: Cr Barbara Deans

- 1. That Council notes the contents of this report.**
- 2. That Council retains the former Mac’s Dry Cleaning building for future strategic use.**

CARRIED

12.4 RATES AND CHARGES COLLECTIONS - SEPTEMBER 2020**RESOLUTION 2020/153**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council notes the information provided in the report.

CARRIED

12.5 STATUS OF INVESTMENTS - SEPTEMBER 2020

Cr Deans raised the issue of the currently low interest rates on investments and enquired about the feasibility of using Council's own money to progress the bore baths facility.

The Executive Leader Corporate and Sustainability said that Council may borrow internally from its own funds, for example using funds from its Water and Sewer Reserves, but only if following the correct procedures. Mr Quarmby said that the Council must maintain adequate unrestricted funds to provide for sufficient cash flow for day to day operations.

The General Manager reminded Council that every new asset acquired has to be maintained and renewed by Council into the future and that the capital cost is only the tip of the iceberg compared to the whole of lifecycle cost of the asset.

RESOLUTION 2020/154

Moved: Cr Robert Thomas

Seconded: Cr Barbara Deans

That Council notes the list of investments as at 30 September 2020 and that these investments comply with section 625(2) of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

CARRIED

12.6 CONDITION REPORT - QUAMBONE SWIMMING POOL

Councillors debated the future of the Quambone pool; whether to carry out further repairs or consider renewing the facility, bearing in mind the significant amount of money already spent in repairs.

The Executive Leader Corporate and Sustainability said that when a replacement cost was sought previously it was in the vicinity of \$500,000.

The general consensus was that Council should investigate the renewal of the facility in forthcoming budgets and before taking any definitive action, consult with the community.

RESOLUTION 2020/155

Moved: Cr Bill Fisher

Seconded: Cr Robert Thomas

1. That Council notes the information contained in this report and that the Quambone Pool will remain closed until the necessary repairs are undertaken.
2. That Council allocates the required \$31,000.00 from its Internal Reserve – Public Pools – to allow for the repairs as detailed in the body of the report to proceed.
3. That Council requests the Executive Leader Corporate and Sustainability to consult with specialised companies on the renewal costs associated with the replacement of the Quambone pool and to prepare a report in this regard for Council's consideration.

CARRIED

At this juncture, 11.00 a.m., Council adjourned for morning tea and resumed at 11.30 a.m.

12.7 REVIEW OF PROCUREMENT POLICY**RESOLUTION 2020/156**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

1. That Council places the draft Procurement Policy, as was attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.
2. That Council requests the Executive Leader Corporate and Sustainability to present a further report, together with all submissions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the Procurement Policy (with or without changes) at its December 2020 Ordinary Meeting.
3. That the General Manager, in association with the Executive Leader Corporate and Sustainability, be requested to arrange for a Council Workshop where the provisions of this Procurement policy is further discussed and explained, as well as for the necessary training in this regard to be provided to all applicable staff members.

CARRIED

12.8 URBAN SERVICES - WORKS IN PROGRESS**RESOLUTION 2020/157**

Moved: Cr Robert Thomas

Seconded: Cr Pat Cullen

That Council notes the information in this report.

CARRIED

12.9 2019 - 2020 OPERATIONAL PLAN PERFORMANCE REPORT**RESOLUTION 2020/158**

Moved: Cr Robert Thomas

Seconded: Cr Barbara Deans

That Council notes the activity progress against the actions contained in the 2019-2020 Operational Plan and measures against the Council's 2017-2021 Delivery Program.

CARRIED

RESOLUTION 2020/159

Moved: Cr Ahmad Karanouh

Seconded: Cr Pat Cullen

That Council makes application under Round 2 of the Regional Aviation Access Program / Remote Airstrip Upgrade Program for the necessary funds to "hot mix" seal part of the taxiway and apron area at the Coonamble Airport.

CARRIED

12.10 RANGER'S MONTHLY REPORT**RESOLUTION 2020/160**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

That Council notes the information in this report.

CARRIED

12.11 COMMUNITY SERVICE PROGRESS REPORT

RESOLUTION 2020/161

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

That Council notes the information contained in this report.

CARRIED

RESOLUTION 2020/162

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That Council resolves into Committee of the Whole and Standing Orders be suspended to enable Council to more informally discuss the contents of the supplementary report submitted.

CARRIED

RESOLUTION 2020/163

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

That Council resumes Open Council and returns to Standing Orders.

CARRIED

12.12 ENGINEERING SERVICES - WORKS IN PROGRESS**RESOLUTION 2020/164**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

- 1. That Council increases the amount of the maintenance grading vote provision in the 2020/21 Operational Plan and Budget by \$200,000 – which will be offset by expected flood damage funding of a matching amount.**
- 2. That Council notes the Minutes of the Roads Committee Meeting that was held on 1 October 2020 and approves the recommendations made by this Committee as follows**
 - (a) That, as a guideline and starting point, Bramble Road, Billeroy Road and Wingadee Road be considered good candidates for the expenditure of the \$400,000 supplementary funding under the Local Roads and Community Infrastructure Program that had been allocated by Council to its rural local roads to bring pinch points in these roads up to a better standard than what they were before the flood damage.**
 - (b) That Council progresses the establishment of formalised quarries at the five (5) identified sites located on the Floddenfield Road, Beanbah Road, Carinda Road, Gorianawa Road and Merri Merri Road.**
 - (c) That traffic counters be used on arterial/feeder roads specifically to monitor harvest traffic movements during the harvest time to assist with future grant funding applications.**
- 3. That Council notes the information contained in the report regarding observations about the condition of particular roads after a roads inspection that has been done on 11 October 2020 and requests the Executive Leader Infrastructure to, as a matter of urgency, pursue the problem areas highlighted in the body of the report on the following roads, in conjunction with the roads operationally identified as in need of urgent maintenance and as have already been included with the roads maintenance works program – the information of which had been verbally conveyed to the Meeting by the Executive Leader Infrastructure:**
 - (a) Vatua Lane;**
 - (b) Billeroy Road;**
 - (c) Fairmile Road;**
 - (d) Winnaba Road;**
 - (e) Kensington Road;**
 - (f) Floddenfield Road;**
 - (g) Wingadee Road;**
 - (h) Tooraweenah Road;**
 - (i) Willow Downs Road;**

- (j) Walla Walla Road;**
 - (k) Urawilke Road.**
- 4. That, as general short term direction, Council requests the Executive Leader Infrastructure to direct her roads team to over the next three (3) weeks or so, before harvesting starts in all earnest, focus on the lower lying areas of the above-mentioned roads in paragraph three (3) and for the road reserve areas in those lower lying locations to be graded as well, so that the “tails” are not assisting in damming water up during wet times. Further, to ensure that these areas that are provided in the road reserve areas for the drainage of water from the road surface, are actually lower than the road surface level, so as to ensure effective drainage.**
 - 5. That Council does not favourably consider the request received from a land owner for him to engage a licenced contractor (Mr David Keir who does work for the Walgett Shire Council) at his own cost to upgrade four (4) to five (5) kilometres on the Kensington Road, as maintenance work on this road has already been scheduled in as part of Council’s Infrastructure Department’s roads maintenance works program.**

CARRIED

12.13 ROAD CLOSURE

RESOLUTION 2020/165

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

- 1. That Council advertises the proposed closure to the road reserve on the northern end of Old Wongy Road for a period of 28 days and invites public submissions.**
- 2. That, if no submissions are received, Council proceeds with the formal closing of this roads reserve area mentioned in paragraph one (1) above.**
- 3. That Council advertises for expressions of interest for the purchase of the subject portion of land when the road closure has been formalised.**

CARRIED

12.14 COONAMBLE LEVEE EASEMENTS PRIVATE AND CROWN LAND**RESOLUTION 2020/166**

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

- 1. That Council acquires an easement for the flood levee identified as “A” in DP1261917, Schedule “B”, affecting the privately owned land listed below, by authority contained in the *Local Government Act 1993* and pursuant to the relevant provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*:**

- Lot 237 DP4003
- Lot 83 DP754227
- Lots 181 & 216 DP754227
- Lot 236 DP40042
- Lot 253 DP820715
- Lot 212 DP754227
- Lot 1 DP132662
- Lot 1 & 2 DP1196608
- Lot 10 DP1073724
- Lot 2 DP668047
- Lot A DP323610
- Lot 1 DP1011199
- Lots 1, 2, 3 & 4 DP2677
- Lot 1 DP132233
- Lot B DP421622
- Lot 1 DP1085172
- Lot A DP400276
- Lots 1 & 2 DP325914
- Lot 1 DP1066240
- Lot 12 DP523657
- Lot 80 DP1149616
- Lot 2,3, & 4 DP8496
- Lot 1 DP361842
- Lot 4 DP999368
- Lot 41 & 42 DP229965
- Lot 6 Sec. 1 DP758282
- Lot 1 DP918387
- Lot 2 DP659183
- Lot 1 S.42 DP758282

- 2. That Council pays the necessary compensation to the affected landowners as per the valuation advice received by Council.**
- 3. That Council reserves the right to proceed via the compulsory acquisition process to acquire the necessary easements over individual allotments, should agreement with those individual landowners be unable to be reached.**
- 4. That Council acquires an easement for flood levee shown as “A” in DP1261917 Schedule “B” and “Y” in DP1238428 Schedule “C” over the portions of Crown Land listed below via the compulsory acquisition**

process, by authority contained in the *Local Government Act 1993* and pursuant to the relevant provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*. These portions of Crown land are identified as:

- Lot 701 DP1072175
- Lot 8 S.1 DP758282
- Lot Y in DP1238428 (part of the bed of the Castlereagh River)
- Lot A in DP1261917 (part of the bed of the Castlereagh River)

5. That the Terms of the Easement for the flood levee be as shown on Schedule "A" and as included with the body of this report.
6. That the afore-mentioned land acquisitions are not for the purpose of resale.
7. That all mineral rights are excluded from the afore-mentioned land acquisitions.
8. That the necessary land acquisition applications be made to the NSW Minister for Local Government and the NSW Governor.
9. That the General Manager be delegated the authority to finalise each individual land acquisition, including the necessary signing of the Transfer Granting Easement Form and Deed of Agreement of Compensation, with a witness.

CARRIED

12.15 WORKPLACE INJURY MANAGEMENT REPORT

RESOLUTION 2020/167

Moved: Cr Pat Cullen

Seconded: Cr Bill Fisher

That Council notes the contents of the WHS Monthly Report for its information.

CARRIED

12.16 SALEYARDS REPORT

RESOLUTION 2020/168

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

That Council notes the information provided in this report.

CARRIED

13 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS**13.1 NOTICE OF MOTION - FUTURE TESTING OF WATER SUPPLIES****RESOLUTION 2020/169**

Moved: Cr Barbara Deans

Seconded: Cr Robert Thomas

- 1. That Council writes to the NSW Premier and NSW Department of Planning, Industry and Environment requesting for this Department to meet the cost of bore water testing for water supplies in the Coonamble Shire Council Local Government Area (LGA), including the townships of Gulargambone, Coonamble and Quambone, in perpetuity.**
- 2. That this testing includes analysis of water purity and water levels so that residents are assured of safety for consumption and surety of supply.**
- 3. That an independent organisation be commissioned to carry out this testing at least quarterly, starting immediately, to provide a benchmark prior to commencement of the Narrabri Gas Project.**

CARRIED

14 CONFIDENTIAL MATTERS**RESOLUTION 2020/170**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council considers the confidential report listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

14.1 Closed (Public Excluded) Council Meeting of the Coonamble Shire Council - 9 September 2020**1.1 Expressions of Interest for the lease of Coonamble Riverside Caravan Park**

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

14.1 CLOSED (PUBLIC EXCLUDED) COUNCIL MEETING OF THE COONAMBLE SHIRE COUNCIL - 9 SEPTEMBER 2020

EXPRESSIONS OF INTEREST FOR THE LEASE OF COONAMBLE RIVERSIDE CARAVAN PARK

RESOLUTION 2020/171

Moved: Cr Barbara Deans

Seconded: Cr Bill Fisher

- 1. That Council notes the contents of this report.**
- 2. That Council authorises the General Manager to negotiate an appropriate lease agreement of the Coonamble Riverside Caravan Park with BelgraviaPRO – *inter alia* including terms that adequately address the lease period, commitment of capital investment and proportion of accommodation income – and in accordance with the principles enshrined within the draft lease agreement advertised as part of the Expression of Interest documentation and as further discussed in the body of the report.**

CARRIED

RESOLUTION 2020/172

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

That Council moves out of Closed Council into Open Council and adopts the above Resolution No 2020/171 into Open Council.

CARRIED

15 CONCLUSION OF THE MEETING

The Meeting closed at 1.28 p.m.

The minutes of this meeting were confirmed at the Council Meeting held on 11 November 2020.

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CHAIRPERSON