



# **MINUTES**

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

**MINUTES OF COONAMBLE SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE QUAMBONE COMMUNITY HALL, QUAMBONE  
ON WEDNESDAY, 14 AUGUST 2024 AT 10.00 AM**

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

**IN ATTENDANCE:** Paul Gallagher (General Manager), Bruce Quarmby (Director Corporate Services), Kerrie Murphy (Director Infrastructure), Barry Broe (Director Community, Planning, Development & Environment), Jennifer Maundrell (Executive Manager Corporate Governance), Deborah Tatton (Manager Finance), Kylie Kerr (Manager Roads), Lesley Duncan (Manager Planning, Regulatory & Compliance), Mick Bell (Manager Parks & Urban Services), David Levick (Manager Economic Development & Growth).

## **1 OPENING MEETING**

The Mayor opened the meeting at 10.06 am, 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****4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS****APOLOGY****RESOLUTION 2024/189**

Moved: Cr Terence Lees

Seconded: Cr Pat Cullen

**That the apology from Cr Barbara Deans be noted and approved.****In Favour:** Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Terence Lees and Brian Sommerville**Against:** Nil**CARRIED 6/0****5 DEPUTATION/DELEGATIONS****6 CONFIRMATION OF MINUTES****RESOLUTION 2024/190**

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Bill Fisher

**That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 10 July 2024 and the Extraordinary Council Meeting of the Coonamble Shire Council held on Tuesday, 6 August 2024 be confirmed as a correct records of the proceedings of the meetings.****In Favour:** Crs Tim Horan, Adam Cohen, Bill Fisher, Pat Cullen, Terence Lees and Brian Sommerville**Against:** Nil**CARRIED 6/0****7 DISCLOSURES OF CONFLICTS OF INTEREST**

Cr Adam Cohen declared a pecuniary interest in item 12.4 Coonamble Swimming Pool Management as he is a partner in the business that is currently managing the pool and a contractor who has submitted a tender.

**8 MAYORAL MINUTE****MAYORAL MINUTE****RESOLUTION 2024/191**

Moved: Mayor Tim Horan

Seconded: Cr Pat Cullen

- 1. That the report be received and noted.**
- 2. As the pool table has some value, Council delegate authority to the General Manager to dispose of the table by way of expressions of interest.**

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

Against: Nil

**CARRIED 6/0**

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

Nil

**10 REPORTS TO COUNCIL****10.1 CORRESPONDENCE****RESOLUTION 2024/192**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

**That the report be received and noted.**

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

Against: Nil

**CARRIED 6/0**

**10.2 COUNCIL RESOLUTIONS/ACTIONS UPDATE****RESOLUTION 2024/193**

Moved: Cr Terence Lees

Seconded: Deputy Mayor Bill Fisher

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

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

Against: Nil

**CARRIED 6/0**

**10.3 COMMUNITY DEVELOPMENT****RESOLUTION 2024/194**

Moved: Cr Terence Lees

Seconded: Deputy Mayor Bill Fisher

**That Council receives and notes the information contained within the Community Development section report.**

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

Against: Nil

**CARRIED 6/0**

**10.4 CORPORATE GOVERNANCE PROGRESS REPORT****RESOLUTION 2024/195**

Moved: Deputy Mayor Bill Fisher

Seconded: Deputy Mayor Adam Cohen

**That Council receive and note the Corporate Governance Progress Report.**

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

Against: Nil

**CARRIED 6/0**

**10.5 PRIVACY MANAGEMENT PLAN FOR ADOPTION****RESOLUTION 2024/196**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

**That Council adopts the draft Privacy Management Plan.**

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

Against: Nil

**CARRIED 6/0**

**10.6 STATUS OF INVESTMENTS - JULY 2024****RESOLUTION 2024/197**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Pat Cullen

**That Council receives and notes the list of investments from 1 July 2024 to 31 July 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, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 6/0**

**10.7 RATES AND CHARGES COLLECTIONS - JULY 2024****RESOLUTION 2024/198**

Moved: Cr Terence Lees

Seconded: Cr Brian Sommerville

**That Council receives and note the information provided in the report.**

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

Against: Nil

**CARRIED 6/0**

**10.8 COONAMBLE SHIRE COUNCIL ACTIVE TRANSPORT PLAN****RESOLUTION 2024/199**

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Terence Lees

**That:**

- 1. Council adopt the Coonamble Shire Council Active Transport Plan;**
- 2. The late submission from TfNSW be considered with appropriate amendments being incorporated into the Active Transport Plan; and**
- 3. That Council actively source grant funding to implement the strategies contained within the Active Transport Plan.**

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

Against: Nil

**CARRIED 6/0**

**10.9 QUARTERLY BUDGET REVIEW - JUNE 2024****RESOLUTION 2024/200**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

- 1. That Council approves the variations to votes as listed in the budget review documents distributed under separate cover.**
- 2. That Council notes the opinion of the Responsible Accounting Officer, based on the information as presented in the June Budget review, that Council will be in a satisfactory financial position as at 30 June 2024.**
- 3. That Council notes the position of Council's estimated restricted (reserve) funds as at 30 June 2024.**

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

Against: Nil

**CARRIED 6/0**

**10.10 PLANNING, REGULATORY & COMPLIANCE PROGRESS REPORT****RESOLUTION 2024/201**

Moved: Cr Terence Lees

Seconded: Deputy Mayor Bill Fisher

**That the Planning, Regulatory and Compliance Progress Report be received and noted.**

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

Against: Nil

**CARRIED 6/0**

**10.11 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT****RESOLUTION 2024/202**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

**That Council:**

- 1. Support the Harvest Lunch tourism initiative through a \$5,000 sponsorship donation.**
- 2. Receive and note the Economic Development and Growth report.**

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

Against: Nil

**CARRIED 6/0**

**10.12 WASTE OPERATIONS REPORT JULY 2024****RESOLUTION 2024/203**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

**That the monthly report on waste activities be received and noted.**

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

Against: Nil

**CARRIED 6/0**



**10.13 GULARGAMBONE SEWAGE TREATMENT PLANT LABORATORY BUILDING - REQUEST FOR BUDGET TRANSFER**

**RESOLUTION 2024/204**

Moved: Cr Terence Lees  
 Seconded: Deputy Mayor Bill Fisher

**That Council approve the transfer of \$90,000.00 from the Gulargambone Sewer Mains Relining budget of \$300,000.00 to create a budget for the installation of a Laboratory Building and a dual tank pressure pump system at the Gulargambone sewage treatment plant to meet EPA licence and legislative requirements for sewage treatment.**

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

Against: Nil

**CARRIED 6/0**

**10.14 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**

**RESOLUTION 2024/205**

Moved: Cr Terence Lees  
 Seconded: Cr Brian Sommerville

**That the information be received and noted.**

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

Against: Nil

**CARRIED 6/0**

**11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION MOTIONS**

Nil

**12 CONFIDENTIAL MATTERS**

At 11.13am Council moves into Closed session.

**RESOLUTION 2024/206**

Moved: Deputy Mayor Bill Fisher  
 Seconded: Cr Brian Sommerville

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 Gulargambone Sportsground Construction of new Amenities Building -**

**including changerooms, canteen, unisex disabled toilet and mothers (baby) changeroom**

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.

**12.2 Sewage Pump Station - Yarran Street Subdivision**

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.

**12.3 Tooraweenah Road Upgrade Tender**

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**12.4 Coonamble Swimming Pool Management**

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

Against: Nil

**CARRIED 6/0**

## **12.1 GULARGAMBONE SPORTSGROUND CONSTRUCTION OF NEW AMENITIES BUILDING - INCLUDING CHANGEROOMS, CANTEEN, UNISEX DISABLED TOILET AND MOTHERS (BABY) CHANGEROOM**

### **RESOLUTION 2024/207**

Moved: Deputy Mayor Adam Cohen

Seconded: Cr Terence Lees

#### **That Council**

- 1. Award Tender 20240322TWC – for the Construction of the new Gulargambone Sportsground Amenities Building to Winsman Group Pty Ltd to the value of \$544,000.000 ex GST, and**
- 2. That Council approve the reallocation of \$100,000 from the loan funds currently allocated to the Caravan Park internal road project, to the Gulargambone Sportsground Amenities Building project.**

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

Against: Nil

**CARRIED 6/0**

## **12.2 SEWAGE PUMP STATION - YARRAN STREET SUBDIVISION**

### **RESOLUTION 2024/208**

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Terence Lees

#### **That Council**

- 1. Award Tender VP416457 – Design and Construct, Yarran Street Sewage Pump Station to TWS Evolution Pty Ltd for the total contract price of \$426,000 including GST.**
- 2. Allocate the remaining funds within the budget allocation to install gravity mains within the subdivision via a staged approach.**

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

Against: Nil

**CARRIED 6/0**

### 12.3 TOORAWEEAH ROAD UPGRADE TENDER

#### RESOLUTION 2024/209

Moved: Cr Terence Lees

Seconded: Deputy Mayor Bill Fisher

1. That Council rejects all tenders as there is insufficient grant funds to upgrade the whole road.
2. That Council acknowledges the grant funding is not sufficient to complete the full project, and subject to the funding authorities approval, council undertake the project in two (2) stages.
3. That council receive a further report on the project delivery and funding options to meet the shortfall.

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

Against: Nil

**CARRIED 6/0**

At 11.48am , Deputy Mayor Adam Cohen left the meeting for the discussion and voting on the following item.

### 12.4 SUPPLEMENTARY BUSINESS - COONAMBLE SWIMMING POOL MANAGEMENT

#### RESOLUTION 2024/210

Moved: Deputy Mayor Bill Fisher

Seconded: Cr Brian Sommerville

**That Council accept the Tender for the management of the Coonamble Swimming Pool for a period of three (3) years, from A J Cohen and D R Lee trading as Lee & Co Operations in the sum of \$574,732 (ex GST) and enter into a contract accordingly.**

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

Against: Nil

**CARRIED 5/0**

At 11.53am Deputy Mayor Adam Cohen returned to the meeting.

At 11.57am Council moves out of Closed session and resumes in Open Council.

**RESOLUTION 2024/211**

Moved: Deputy Mayor Bill Fisher  
Seconded: Cr Brian Sommerville

**That Council moves out of Closed Council into Open Council.**

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

Against: Nil

**CARRIED 6/0**

**13 CONCLUSION OF THE MEETING**

**The Meeting closed at 12.02 pm.**

**The minutes of this meeting were confirmed at the Council held on 11 September 2024.**

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**CHAIRPERSON**