

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 25 FEBRUARY 2020 AT 1.13PM**

PRESENT: Cr Catherine Redding (Mayor), Cr Cameron Staines (Deputy Mayor), Cr Maxine Booby, Cr Ron Campbell, Cr Ron Campey, Cr Lloyd Finlay, Cr Robert Kneale, Cr Annie McMahon

IN ATTENDANCE: Stewart Todd (General Manager), Darren Raeck (Director Infrastructure Delivery), Lindsay Mason (Director Corporate & Community Services), Daniel Boyce (Executive Manager Planning and Environment), Delece Hartnett (Minute Clerk)

Proceedings of the meeting commenced at 1.13pm.

1 OPENING PRAYER BY A MEMBER OF THE NARRABRI MINISTER'S FRATERNAL

Members and officers were upstanding for the opening prayer by Rev Paul Cosier of Narrabri Uniting Church, in association with the Narrabri Ministers Fraternal.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Owners of the land on which the Council met, the Kamilaroi people, and the Council paid its respects to Elders past, present and emerging.

3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

MINUTE 001/2020

Moved: Cr Ron Campey Seconded: Cr Lloyd Finlay

That Council accept the apology received from Cr Loder.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

4 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

Councillors are reminded of their obligation to declare their interest in any matters listed before them.

In considering your interest, you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.

Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.

Councillors must state their reasons in declaring any type of interest.

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Lloyd Finlay	Item 10.1 – Modification to Tarrawonga Coal Mine	Non-pecuniary	Lease country from Whitehaven Coal.
Cr Ron Campbell	Item 10.1 – Modification to Tarrawonga Coal Mine	Pecuniary	Business has a contract with Whitehaven Coal for waste needs.
Cr Lloyd Finlay	Item 12.11 – Notice of Rescission, Vickery Mine Extension	Non-pecuniary	Lease country from Whitehaven Coal.
Cr Ron Campbell	Item 12.11 – Notice of Rescission, Vickery Mine Extension	Pecuniary	Business has a contract with Whitehaven Coal for waste needs.
Cr Ron Campbell	Item 12.12 – Narrabri Gas Project - VPA	Pecuniary	Collection of waste products.

5 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING

MINUTE 002/2020

Moved: Cr Robert Kneale Seconded: Cr Maxine Booby

The Council consider the following matters in the Closed (Public Excluded) Meeting:

13.1 Contract 2018-19/22 - Wee Waa & Boggabri Sewage Treatment Plant Upgrade and Narrabri Sewer Pump Station Improvement Works

13.2 Land Acquisition Plan

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

6 PRESENTATIONS

MINUTE 003/2020

Moved: Cr Catherine Redding Seconded: Cr Annie McMahon

That Council defer the presentation by Mr Geoff Allen from Forsyths – presenting Council Financial Reports, until Agenda Item 12.4 - 2018/2019 Annual Financial Statements is dealt with.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

7 CONFIRMATION OF MINUTES

MINUTE 004/2020

Moved: Cr Robert Kneale Seconded: Cr Lloyd Finlay

That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 17 December 2019 comprising Minute Nos 284/2019 to 318/2019 as circularised be confirmed and signed as a correct record by the Mayor.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

8 MAYORAL MINUTE

8.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR DECEMBER 2019/JANUARY/FEBRUARY 2020**MINUTE 005/2020**

Moved: Cr Catherine Redding

That Council note the Mayoral Appointments for the period December 2019 and January/February 2020.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

8.2 MAYORAL MINUTE - WAIVING OF SWIMMING POOL FEES - SEASON TICKET HOLDERS**MINUTE 006/2020**

Moved: Cr Catherine Redding

- 1. That Council note the Mayors application of Section 226 of the Local Government Act (‘the Act’) to provide pro rata refunds to eligible season passes as soon as payment details are received, commencing January 2020.**
- 2. That Council agree to cease providing a refund at 30 December 2020.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

8.3 MAYORAL MINUTE - PASSING OF FORMER STAFF MEMBER, DIRECTOR OF CORPORATE SERVICES, Mr PAUL WEARNE**MINUTE 007/2020**

Moved: Cr Catherine Redding

That Council write a letter of condolence to the family of Mr Paul Wearne, thanking him for his service to Narrabri Shire Council during his time of employment.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

CHANGE TO STANDING ORDERS**MINUTE 008/2020**

Moved: Cr Cameron Staines Seconded: Cr Ron Campey

That Council bring forward Agenda Item 12.11 and that it be dealt with next.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

Cr Campbell declared a pecuniary interest in relation to item 12.11, due to ownership of a business and that has a waste contract with Whitehaven Coal, and was not present at or in sight of the meeting during the consideration of the item.

At 1:25 pm, Cr Ron Campbell left the meeting.

Cr Finlay declared a pecuniary interest in relation to item 12.11, due to leasing country back from Whitehaven Coal, and was not present at or in sight of the meeting during the consideration of the item.

At 1:25 pm, Cr Lloyd Finlay left the meeting.

12.11 NOTICE OF RESCISSION - VICKERY MINE EXTENSION

MOTION

Moved: Cr Maxine Booby Seconded: Cr Annie McMahon

That the undermentioned motion adopted at the Council Meeting held on 17 December 2019:
"Minute 298/2019

That Council make a submission to the NSW Government and Independent Planning Commission objecting to the Vickery Extension Project on the basis that it is not in the public interest".

be rescinded.

AMENDMENT

Moved: Cr Cameron Staines

1. That Council make a submission to the NSW Government and the Independent Planning Commission expressing its concerns with the Vickery Extension Project as per Item 10.3 Assessment of the Community Benefits associated with the proposed Vickery Coal Mine Extension Project and the associated report presented at the 2019 December Ordinary Meeting of Council.
2. That Council formally request Whitehaven to respond to Council's concerns on the Vickery Extension Project.
3. That Council Review its position on the Vickery Extension Project after all the concerns have been addressed by Whitehaven, as outlined in Council's most recent submissions.
4. That Council separate to Council's position on the Vickery Mine Extension; Council continue to pursue mediation (Minute No. 269/2019); and with regards to such mediation that it be undertaken by an Independent Mediator, not the State Government, to try and achieve an outcome that is in the public interest.

THE AMENDMENT LAPSED DUE TO THE WANT OF A SECONDER

MINUTE 009/2020

Moved: Cr Maxine Booby Seconded: Cr Annie McMahon

**That the undermentioned motion adopted at the Council Meeting held on 17 December 2019:
“Minute 298/2019**

That Council make a submission to the NSW Government and Independent Planning Commission objecting to the Vickery Extension Project on the basis that it is not in the public interest”.

be rescinded.

In Favour: Crs Catherine Redding, Maxine Booby, Ron Campey and Robert Kneale

Against: Crs Cameron Staines and Annie McMahon

CARRIED 4/2

MINUTE 010/2020

Moved: Cr Maxine Booby Seconded: Cr Annie McMahon

- 1. That Council make a submission to the NSW Government and Independent Planning Commission objecting to the Vickery Extension Project on the basis that it is not in the public interest.**
- 2. That Council include in the submission to the NSW Government and the Independent Planning Commission concerns with the Vickery Extension Project as per Item 10.3 Assessment of the Community Benefits associated with the proposed Vickery Coal Mine Extension Project and the associated report presented at the 2019 December Ordinary Meeting of Council.**
- 3. That Council formally request Whitehaven to respond to Council’s concerns on the Vickery Extension Project.**
- 4. That Council review its position on the Vickery Extension Project only after Council is satisfied that all the concerns have been addressed by Whitehaven, as outlined in Council’s most recent submissions.**
- 5. Consistent with Council’s position on the Vickery Mine Extension; Council continue to pursue mediation (Minute No. 269/2019); and with regards to such mediation that it be undertaken by an Independent Mediator, not the State Government, to try and achieve an outcome that is in the public interest.**

In Favour: Crs Catherine Redding, Maxine Booby, Ron Campey and Robert Kneale

Against: Crs Cameron Staines and Annie McMahon

CARRIED 4/2

9 OUR SOCIETY

At 1:35 pm, Cr Lloyd Finlay returned to the meeting.

At 1:35 pm, Cr Ron Campbell returned to the meeting.

At 1:35 pm, Cr Annie McMahon left the meeting.

At 1:38 pm, Cr Annie McMahon returned to the meeting.

CHANGE TO STANDING ORDERS**MINUTE 011/2020**

Moved: Cr Catherine Redding Seconded: Cr Cameron Staines

That Council bring forward Agenda Item 12.4 and that it be dealt with next.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.4 2018/2019 ANNUAL FINANCIAL STATEMENTS

Council received a presentation from external auditors Forsyths; Mr Geoff Allen

MINUTE 012/2020

Moved: Cr Cameron Staines Seconded: Cr Lloyd Finlay

That Council note the 2018/2019 audited Annual Financial Statements.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

9.1 2020 WESTERN DIVISION OF COUNCILS ANNUAL CONFERENCE**MOTION**

Moved: Cr Cameron Staines Seconded: Cr Robert Kneale

That Council:

- 1. Determine Councillor attendance at the Broken Hill 2020 Western Division of Councils Annual Conference to be held between 18 – 20 March 2020.**
- 2. Determine Cr Campbell, Cr McMahon and Cr Staines attend as Council delegates to the Western Division of Councils Annual Conference to be held at Broken Hill between 18 – 20 March 2020.**

AMENDMENT

Moved: Cr Robert Kneale Seconded: Cr Maxine Booby

- 1. That Council determine Councillor attendance at the Broken Hill 2020 Western Division of Councils Annual Conference to be held between 18 – 20 March 2020.**
- 2. That Council determine to send one (1) Staff member and two (2) Councillors as delegates to the Western Division of Councils Annual Conference to be held at Broken Hill between 18 – 20 March 2020.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campey, Lloyd Finlay and Robert Kneale

Against: Crs Ron Campbell and Annie McMahon

CARRIED 6/2

THE AMENDMENT THEN BECAME THE MOTION

MINUTE 013/2020

Moved: Cr Robert Kneale Seconded: Cr Maxine Booby

1. **That Council determine Councillor attendance at the Broken Hill 2020 Western Division of Councils Annual Conference to be held between 18 – 20 March 2020.**
2. **That Council determine to send one (1) Staff member and two (2) Councillors as delegates to the Western Division of Councils Annual Conference to be held at Broken Hill between 18 – 20 March 2020.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campey, Lloyd Finlay and Robert Kneale

Against: Crs Ron Campbell and Annie McMahon

CARRIED 6/2

MINUTE 014/2020

Moved: Cr Annie McMahon Seconded: Cr Cameron Staines

That Council determine Cr Redding and Cr McMahon attend as Council delegates to the Western Division of Councils Annual Conference to be held at Broken Hill between 18 – 20 March 2020, and that in the event the Mayor is unable to attend the conference, that the Deputy Mayor attend as a suitable attendee.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Crs Ron Campbell and Ron Campey

CARRIED 6/2

9.2 GRANT ACTIVITY REPORT - 1 JULY 2019 TO 31 DECEMBER 2019**MINUTE 015/2020**

Moved: Cr Maxine Booby Seconded: Cr Lloyd Finlay

That Council note the grant activity report for the period 1 July 2019 to 31 December 2019.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

9.3 SUPPLY OF WATER TO NARRABRI GOLF CLUB DUE TO FAILED BORE**MINUTE 016/2020**

Moved: Cr Ron Campbell Seconded: Cr Maxine Booby

That Council provide emergency water use to the Narrabri Golf at the Narrabri Usage Charge Rate, waiving the associated Bulk Water fees during the emergency period.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

9.4 NORTHERN INLAND ACADEMY OF SPORT (NIAS) PARTNERSHIP PROPOSAL 2020 - REQUEST FOR COUNCIL SUPPORT**MINUTE 017/2020**

Moved: Cr Cameron Staines Seconded: Cr Annie McMahon

That Council review the proposal supplied by Northern Inland Academy of Sport (NIAS) and the availability of Council funding in the amount of \$2,000.00 plus GST and determine a course of action.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

At 2:29 pm, Cr Maxine Booby left the meeting.

Cr Finlay declared a pecuniary interest in relation to item 10.1, due to leasing country back from Whitehaven Coal, and was not present at or in sight of the meeting during the consideration of the item.

At 2:29 pm, Cr Lloyd Finlay left the meeting.

Cr Campbell declared a pecuniary interest in relation to item 10.1, due to ownership of a business and that has a waste contract with Whitehaven Coal, and was not present at or in sight of the meeting during the consideration of the item.

At 2:29 pm, Cr Ron Campbell left the meeting.

At 2:30 pm, Cr Maxine Booby returned to the meeting.

10 OUR ENVIRONMENT

10.1 MODIFICATION TO TARRAWONGA COAL MINE**MINUTE 018/2020**

Moved: Cr Ron Campey Seconded: Cr Cameron Staines

- 1. That Council write to Whitehaven and seek clarifications to the matters listed in the draft correspondence attached to the report (Attachment 2).**
- 2. That Council include within Council's submission, that Whitehaven Coal make a concerted effort to engage local tradespeople/contractors, material and resource providers and employees during modification period.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campey, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 6/0

At 2:40 pm, Cr Ron Campbell returned to the meeting.

At 2:40 pm, Cr Lloyd Finlay returned to the meeting.

11 OUR ECONOMY

11.1 DRAFT LOCAL STRATEGIC PLANNING STATEMENT AND GROWTH MANAGEMENT STRATEGY**MINUTE 019/2020**

Moved: Cr Cameron Staines Seconded: Cr Maxine Booby

- 1. That Council place the draft Narrabri Local Strategic Planning Statement on public exhibition for a minimum period of 28 days and in accordance with the Community Participation Plan.**
- 2. That Council place the draft Growth Management Strategy on public exhibition for a minimum period of 28 days and in accordance with the Community Participation Plan.**
- 3. That Council receive a further report following public exhibition of the draft Narrabri Local Strategic Planning Statement and draft Growth Management Strategy.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12 OUR CIVIC LEADERSHIP

12.1 OPERATIONAL AND SERVICE PLAN QUARTERLY REPORT - DECEMBER 2019**MINUTE 020/2020**

Moved: Cr Cameron Staines Seconded: Cr Ron Campbell

That Council adopt the December 2019 Quarterly Operational and Service Plan Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.2 DELIVERY PROGRAM 6 MONTHLY PROGRESS REPORT - DECEMBER 2019**MINUTE 021/2020**

Moved: Cr Ron Campey Seconded: Cr Maxine Booby

That Council adopt the Delivery Program 6 Monthly Progress Report, as attached, detailing Council's progress in meeting its objectives, strategies and measures up to the December 2019 period.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.3 QUARTERLY BUDGET REVIEW STATEMENT - DECEMBER 2019**MINUTE 022/2020**

Moved: Cr Ron Campbell Seconded: Cr Maxine Booby

That Council adopt the Quarterly Budget Review Statement for the period ended 31 December 2019 as the revised Budget estimates for the year ended 30 June 2020 and the Operational Plan and Capital Works Plan be amended accordingly.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.5 INVESTMENT REPORT - DECEMBER 2019**MINUTE 023/2020**

Moved: Cr Ron Campbell Seconded: Cr Maxine Booby

That Council note the Investment Report for December 2019.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.6 INVESTMENT REPORT - JANUARY 2020**MINUTE 024/2020**

Moved: Cr Ron Campey Seconded: Cr Robert Kneale

That Council note the Investment Report for January 2020.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

SUSPENSION OF STANDING ORDERS**MINUTE 025/2020**

Moved: Cr Catherine Redding Seconded: Cr Ron Campey

That Council suspend standing orders for a break at 3.06pm.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

RESUMPTION OF STANDING ORDERS**MINUTE 026/2020**

Moved: Cr Ron Campey Seconded: Cr Ron Campbell

That Council resume standing orders at 3.33pm.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.7 FRAUD AND CORRUPTION POLICY**MINUTE 027/2020**

Moved: Cr Maxine Booby Seconded: Cr Lloyd Finlay

That Council adopt the Fraud and Corruption Policy.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.8 RENEWAL OF ALCOHOL FREE ZONES**MINUTE 028/2020**

Moved: Cr Robert Kneale Seconded: Cr Ron Campey

That Council initiate a public consultation process in accordance with Section 644A of the Local Government Act 1993, to re-establish the following Alcohol-Free Zones up until 1 July 2023.

Alcohol Free Zones (Narrabri CBD and surrounds) to include all the public roads and public car-parks within the area described by the following streets:

- **Tibbereena Street** - from Fitzroy Street to Killarney Street
- **Maitland Street** - from 100m south of RSL Club to Killarney Street
- **Barwan Street** - from Fitzroy Street to Killarney Street
- **Fitzroy Street** - from Tibbereena Street to Barwan Street
- **Denison Street** - from Tibbereena Street to Barwan Street
- **Bowen Street** - from Tibbereena Street to Barwan Street
- **Dewhurst Street** - from Tibbereena Street to Barwan Street
- **Doyle Street** - from Tibbereena Street to Barwan Street
- **Lloyd Street** - from Tibbereena Street to Barwan Street
- **Killarney Street** - from Tibbereena Street to Barwan Street

- Violet Street - from Tibbereena Street to Gibbons Street
- Gibbons Street - from Violet Street to Grace Street
- Selina Street - from the Newell Highway to the railway line
- Cameron Street - from the Newell Highway to Narrabri Hospital
- Buri Street - from Mooloobar Street to Goobar Street
- Goobar Street - from Buri Street to Burigal Street
- Narrabri Airport - Public Car Park and Airport Terminal

Alcohol Free Zones (Boggabri CBD and surrounds) to include all the public roads and public car parks within the area described by the following streets;

- Wee Waa Street - from Dalton Street to Caxton Street
- Merton Street - from Dalton Street to Caxton Street
- Laidlaw Street - from Dalton Street to Caxton Street
- Lynn Street - from Dalton Street to Caxton Street
- Caxton Street - from Wee Waa Street to Lynn Street
- Brent Street - from Wee Waa Street to Lynn Street
- Dalton Street - from Wee Waa Street to Lynn Street

Alcohol Free Zones (Wee Waa CBD and surrounds) to include all the public roads and public car parks within the area described by the following streets;

- Cowper Street - from Warrior Street to Rivers Street
- Rose Street - from Warrior Street to Rivers Street
- Alma Street - from Warrior Street to Rivers Street
- Rivers Street - from Cowper Street to Alma Street
- Nelson Street - from Cowper Street to Alma Street
- George Street - from Cowper Street to Alma Street
- Church Street - from Cowper Street to Alma Street
- Charles Street - from Cowper Street to Alma Street
- Warrior Street - from Cowper Street to Alma Street

And further that the results of the public consultation process are to be reported to a future Ordinary Meeting of Council.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.9 ACCEPTANCE OF TENDERS UNDER DELEGATION - DECEMBER 2019**MINUTE 029/2020**

Moved: Cr Robert Kneale Seconded: Cr Ron Campey

That Council note that there was no determination of tenders under delegation for the period between 1 October 2019 and 31 December 2019.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.10 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**MINUTE 030/2020**

Moved: Cr Cameron Staines Seconded: Cr Ron Campey

That Council note the Minutes of the Audit, Risk and Improvement Committee meeting held on 18 December 2019.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

Cr Campbell declared a pecuniary interest in relation to item 12.12, due to business having a contract with Whitehaven Coal for waste needs, and was not present at or in sight of the meeting during the consideration of the item.

At 3:34 pm, Cr Ron Campbell left the meeting.

12.12 NARRABRI GAS PROJECT - VOLUNTARY PLANNING AGREEMENT**MINUTE 031/2020**

Moved: Cr Maxine Booby Seconded: Cr Lloyd Finlay

- 1. That Council agree in principle to the terms of the Voluntary Planning Agreement offered by Santos NSW (Eastern) Pty Ltd in the total amount of \$14.5 million, comprising the following:**
 - a. \$13 million - Contribution amounts.**
 - b. \$1.5 million – Road Maintenance Agreement.**
- 2. That Council formally advise Santos of its decision on the matter.**
- 3. That Council formally advise the Department of Planning, Industry and Environment of its decision on the matter.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 7/0

At 3:50 pm, Cr Ron Campbell returned to the meeting.

13 CONFIDENTIAL (CLOSED COUNCIL) MEETING

MINUTE 032/2020

Moved: Cr Maxine Booby Seconded: Cr Lloyd Finlay

That at 3.50pm Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

13.1 Contract 2018-19/22 - Wee Waa & Boggabri Sewage Treatment Plant Upgrade and Narrabri Sewer Pump Station Improvement Works

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.

13.2 Land Acquisition Plan

This matter is considered to be confidential under Section 10A(2) - (c) and (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 information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13.1 CONTRACT 2018-19/22 - WEE WAA & BOGGABRI SEWAGE TREATMENT PLANT UPGRADE AND NARRABRI SEWER PUMP STATION IMPROVEMENT WORKS**MINUTE 033/2020**

Moved: Cr Maxine Booby Seconded: Cr Ron Campey

1. That Council Note that after assessing the tenders submitted (in accordance with the criteria specified in the tender documents) and having regard to all the circumstances, the Tender Panel recommends that Council accept the tender from Gongues Constructions Pty Ltd in the GST exclusive amount of \$12,164,000.00 for Wee Waa and Boggabri STP upgrades and Narrabri Sewer Pump Station Improvement Works for Contract No. 2018-19/22.
2. That Council accept the tender from Gongues Constructions Pty Ltd in the GST exclusive amount of \$12,164,000.00 for Contract No. 2018-19/22, – Wee Waa and Boggabri STP Upgrades Narrabri Sewer Pump Station Improvement Works and authorise the General Manager to sign the Letter of Acceptance and Formal Instrument of Agreement under Delegation.
3. That Council accept the tender from Gongues Constructions Pty Ltd in the GST exclusive amount of \$12,164,000.00 for Contract No. 2018-19/22, – Wee Waa and Boggabri STP upgrades and Narrabri Sewer Pump Station Improvement Works and authorise the Director Infrastructure Delivery to sign the contract documents under Delegation.

COUNCIL HAS TEMPORARILY WITHHELD RESOLUTIONS 4 & 5 FOR THIS MATTER under Section 10A(2) of the Local Government Act 1993, for the following reasons:

- (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,*
 - (ii) *confer a commercial advantage on a competitor of the council*

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13.2 LAND ACQUISITION PLAN**MINUTE 034/2020**

Moved: Cr Cameron Staines Seconded: Cr Ron Campbell

That Council request the General Manager to develop a Land Acquisition Plan and present same to a future meeting of Council.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

MINUTE 035/2020

Moved: Cr Maxine Booby Seconded: Cr Cameron Staines

That at 4.03pm Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out aloud.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

14 MEETING CLOSED

The Meeting closed at 4.06pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 24 March 2020.

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CHAIRPERSON