

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 26 APRIL 2022 AT 1.00PM**

PRESENT: Cr Ron Campbell, Cr Catherine Redding, Cr Rohan Boehm, Cr John Clements, Cr Greg Lamont, Cr Lisa Richardson, Cr Darrell Tiemens.

IN ATTENDANCE: Robert Ball (Acting General Manager), Donna Ausling (Director Planning and Strategy), Eloise Chaplain (Director Infrastructure Delivery), Andrew Brown (Director Corporate and Community Services), Jason Townsend (Manager Governance and Risk), Alice Gemmell-Smith (Governance Coordinator), Nicole Cooper (Governance Support Officer and Minute Clerk).

Proceedings of the meeting commenced at 1.00 pm.

1 OPENING PRAYER

MEMBERS AND OFFICERS WERE UPSTANDING FOR THE OPENING PRAYER BY REV BERNARD GABBOTT OF NARRABRI ANGLICAN 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 Gamilaroi people, and the Council paid its respects to Elders past, present and emerging.

3 RECOGNITION OF SERVICE MEN & WOMEN

Council acknowledged the sacrifice made by Australian service men and women, in particular those who gave their lives in defence of the freedom we enjoy today.

4 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

MINUTE 089/2022

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That apologies from Cr Brett Dickinson and Cr Robert Browning be received and accepted.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Catherine Redding	15.13	Pecuniary	Is land holder affected by the Inland Rail

6 QUESTIONS WITH NOTICE

NIL

7 MATTERS OF GREAT URGENCY

NIL

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

The following matters will be considered in the Closed (Public Excluded) Meeting:

- 17.1 Log of Auto-Archive access
- 17.2 Expressions of Interest - General Manager Recruitment
- 17.3 Unauthorised Dwelling at 164 Killara Road, Jacks Creek

9 PRESENTATIONS

Presentations made to Council:

1. **Mr Jim Purcell – Item 15.13: Notice of Motion – Inland Rail Letter to DPIE**

Attachments

- 1 01 - Copy of Flyer Distributed to Residents
- 2 02 - Copy of Courier Article - 22 March 2018
- 3 03 - Copy of Narrabri Shire Council Media Statement - 2 July 2021
- 4 04 - Copy of Courier Article - 5 July 2021
- 5 05 - Copy of Narrabri Shire Council Extraordinary Council Minutes - 27 January 2021
- 6 06 - Copy of 'Map 1' with Annotations
- 7 07 - Copy of 'Map 2'
- 8 08 - Copy of 'Map 3'

10 CONFIRMATION OF MINUTES

MINUTE 090/2022

Moved: Cr Darrell Tiemens Seconded: Cr Greg Lamont

- 1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 22 March 2022 comprising Minute Nos 050/2022 to 083/2022 as circularised be confirmed and signed as a correct record by the Mayor.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

11 MAYORAL MINUTE

9.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR MARCH/APRIL 2022**MINUTE 091/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That the minutes of Extraordinary Council Meeting of the Narrabri Shire Council held on 22 March 2022 comprising Minute Nos 084/2022 to 088/2022 as circularised be confirmed and signed as a correct record by the Mayor.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

At 1:24 pm, Cr Darrell Tiemens left the meeting.

At 1:24 pm, Cr Darrell Tiemens returned to the meeting.

12 MAYORAL MINUTE

11.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR MARCH/APRIL 2022

MINUTE 092/2022

Moved: Cr Ron Campbell

- 1. That Council note the Mayoral Appointments for the period 12 March 2022 to 13 April 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

13 OUR SOCIETY

Nil reports.

14 OUR ENVIRONMENT**13.1 REVIEW OF FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE TERMS OF REFERENCE****MINUTE 093/2022**

Moved: Cr Greg Lamont Seconded: Cr Rohan Boehm

1. That Council adopt the Terms of Reference (TOR) for the Floodplain Risk Management Advisory Committee attached to this report. With amendment that the Chairperson of the committee be a Councillor and including four (4) community members and four (4) Councillors, including the Chairperson. Should the Chairperson fail to attend a meeting a representative of the General Manager may act as the Chairperson.
2. That Council re-appoint the current community member delegates to the Floodplain Risk Management Advisory Committee being:
 - (a) Jim Purcell
 - (b) Jonathan Phelps
3. That Council accept the resignations of Frank Hadley and Conrad Bolton from the Floodplain Risk Management Advisory Committee and thank them for their contribution to the community as a member of that committee.
4. That Expressions of Interest (Eols) be sought for the vacant community delegate positions in accordance with the adopted Terms of Reference of the Floodplain Risk Management Advisory Committee.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

13.2 RESIGNATION OF CONRAD BOLTON FROM FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE**RECOMMENDATION**

1. That Council accept the resignation of Conrad Bolton from the Floodplain Risk Management Advisory Committee and thank him for his contribution to the community as a member of that committee.
2. That Expressions of Interest (Eols) be sought for the vacant community delegate position in accordance with the adopted Terms of Reference of the Floodplain Risk Management Advisory Committee.

Lapsed for want of a mover

At 1:49 pm, Cr Catherine Redding left the meeting after declaring a pecuniary interest in relation to Item 15.13, due to being an affected landholder and was not present at or in sight of the meeting during the consideration of the item.

Presentation by Jim Purcell on Item 15.13 at 1.50pm - attachments tabled.
Presentation concluded at 1.58pm.

At 2:02 pm, Cr Lisa Richardson left the meeting.

At 2:02 pm, Cr Lisa Richardson returned to the meeting.

At 2:03 pm, Cr Catherine Redding returned to the meeting.

15 OUR ECONOMY

Nil reports.

16 OUR CIVIC LEADERSHIP

15.1 DELEGATION OF AUTHORITY - MAYOR

MINUTE 094/2022

Moved: Cr Greg Lamont Seconded: Cr John Clements

1. That the delegations of authority for the Mayor as attached to this report be adopted.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

MOVE INTO COMMITTEE OF THE WHOLE

MINUTE 095/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That Council suspend standing orders and move into Committee of the Whole.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council moved into Committee of the Whole, the time being 2.13pm.

MOVE OUT OF COMMITTEE OF THE WHOLE**MINUTE 096/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

1. That Council resume standing orders and move out of Committee of the Whole.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council moved out of Committee of the Whole, the time being 2.36pm.

15.2 DELEGATION OF AUTHORITY - GENERAL MANAGER**MINUTE 097/2022**

Moved: Cr John Clements Seconded: Cr Catherine Redding

1. That Council Delegate to the General Manager of Narrabri Shire Council, the functions in accordance with the Instrument of Delegation to the General Manager attached to this report.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.3 APPOINTMENT OF ACTING GENERAL MANAGER**MINUTE 098/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That Council appoint Mr Andrew Brown as Acting General Manager of Narrabri Shire Council from Thursday, 28 April 2022 until Tuesday, 10 May 2022; inclusive.**
- 2. That Council reaffirm its appointment of Mr Robert Ball as Acting General Manager of Narrabri Shire Council from Wednesday, 11 May 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.4 FINANCIAL ASSISTANCE GRANT TIMING**MINUTE 099/2022**

Moved: Cr John Clements Seconded: Cr Greg Lamont

- 1. That Council note the information on the timing of Financial Assistance Grant payment for the 2022/2023 financial year.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.5 INVESTMENT REPORT - MARCH 2022**MINUTE 100/2022**

Moved: Cr Greg Lamont Seconded: Cr Rohan Boehm

- 1. That Council note the Investment Report for March 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.6 CHAIRING AND EFFECTIVE MEETING PROCEDURES FOR COUNCILLORS**MINUTE 101/2022**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

- 1. That the General Manager engage the services of Local Government NSW to provide the Chairing & Effective Meetings Workshop as a face to face workshop commencing at 10.30am.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.7 DRAFT RISK MANAGEMENT POLICY AND PROCEDURE**MINUTE 102/2022**

Moved: Cr Greg Lamont Seconded: Cr Catherine Redding

- 1. That Council endorse the Draft Risk Management Policy and the Draft Risk Management Procedure for the purposes of public exhibition.**
- 2. That Council place on public exhibition the Draft Risk Management Policy and the Draft Risk Management Procedure for a period of at least 28 days, and during the exhibition period call for and accept submissions from the public on the draft policy and procedure.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.8 DRAFT 2022/2032 COMMUNITY STRATEGIC PLAN**MINUTE 103/2022**

Moved: Cr John Clements Seconded: Cr Catherine Redding

- 1. That Council endorse the draft 2022/2032 Community Strategic Plan for the purposes of public exhibition.**
- 2. That Council place on public exhibition the draft 2022/2032 Community Strategic Plan for a period of at least 28 days, and during the exhibition period call for and accept submissions from the public on the draft Plan.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.9 SCHEDULE AN EXTRA-ORDINARY MEETING FOR 17 MAY 2022**MINUTE 104/2022**

Moved: Cr John Clements Seconded: Cr Greg Lamont

- 1. That Council resolve to hold an Extraordinary Council Meeting on Monday 16 May 2022, commencing at 10.30am to endorse the following for Public Exhibition:**
 - (a) Resourcing Strategy (including Asset Management Plan and Strategy, Long Term Financial Strategy and Workforce Management Plan);**
 - (b) 2022/2026 Delivery Program;**
 - (c) 2022/2023 Operational Plan and Budget;**
 - (d) Quarter 3 2022 Operational and Service Plan Report; and**
 - (e) Quarterly Budget Review for Quarter 3 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

MOVE INTO COMMITTEE OF THE WHOLE

MINUTE 105/2022

Moved: Cr Lisa Richardson Seconded: Cr John Clements

- 1. That Council suspend standing orders and move into Committee of the Whole.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council moved into Committee of the Whole, the time being 3.13pm.

MOVE OUT OF COMMITTEE OF THE WHOLE**MINUTE 106/2022**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

- 1. That Council resume standing orders and move out of Committee of the Whole.**

CARRIED

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council moved out of Committee of the Whole, the time being 3.16pm.

15.10 2022 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**MINUTE 107/2022**

Moved: Cr Lisa Richardson Seconded: Cr John Clements

- 1. That Council approve the attendance of the Mayor and two (2) other councillors and a delegate of the General Manager at the National General Assembly in Canberra on 19 – 22 June 2022.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

SUSPENSION OF STANDING ORDERS**MINUTE 108/2022**

Moved: Cr John Clements Seconded: Cr Ron Campbell

1. That Council suspend standing orders for a break.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council suspended standing orders, the time being 3.18pm.

RESUMPTION OF STANDING ORDERS**MINUTE 109/2022**

Moved: Cr Lisa Richardson Seconded: Cr Darrell Tiemens

1. That Council resume standing orders.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council resumed standing orders, the time being 3.31pm.

15.11 VACCINATION OF OUTDOOR CONTRACTORS**MINUTE 110/2022**

Moved: Cr Ron Campbell Seconded: Cr Lisa Richardson

1. That Council note the support of the employee Health and Safety Committee and Consultative Committee to maintain the current vaccination mandate applied to all workers of Council as defined by section 4(7) of the *Work Health and Safety Act 2011*.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.12 DEFERRAL OF WORKSHOP ON COUNCIL STANDING COMMITTEES**MINUTE 111/2022**

Moved: Cr Catherine Redding Seconded: Cr Darrell Tiemens

- 1. That Council defer the workshop to discuss Council Standing Committees within three (3) months.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

At 3:59 pm, Cr Catherine Redding left the meeting.

MOVE INTO COMMITTEE OF THE WHOLE**MINUTE 112/2022**

Moved: Cr Darrell Tiemens Seconded: Cr John Clements

- 1. That Council suspend standing orders and move into Committee of the Whole.**

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

The Council moved into Committee of the Whole, the time being 4.24pm.

MOVE OUT OF COMMITTEE OF THE WHOLE**MINUTE 113/2022**

Moved: Cr John Clements

- 1. That Council resume standing orders and move out of Committee of the Whole.**

CARRIED

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 7/0

15.13 NOTICE OF MOTION - INLAND RAIL LETTER TO DPIE**MINUTE 114/2022**

Moved: Cr Greg Lamont Seconded: Cr Rohan Boehm

- 1. That Council's Acting General Manager write to the Department of Planning and Environment, indicating the following:**
 - (a) That Council supports the concept of the inland rail and acknowledges the positive contributions and opportunities it will make to both the Narrabri Shire and the wider Australian community.**
 - (b) That further to its letter of 5 February 2021, Council does not support the current proposed alignment as it does not provide an optimum outcome for the Narrabri Shire.**
 - (c) That Council reaffirms the issues raised in the report presented at the 27 January 2021 Ordinary Council Meeting on the Inland Rail EIS and adopts the contents of that report. Including flooding, noise and vibration, devaluation of property, impacts on Council infrastructure and visual impacts.**
 - (d) That Council holds concerns regarding the impact the proposed route will have on future employment land opportunities.**
 - (e) That Council requests the integration of planning for the Inland Rail route with an examination of works north of Narrabri which may be required to mitigate flooding issues, as a result of natural conditions and previous planning approvals.**

In Favour: Crs Ron Campbell, Rohan Boehm, John Clements, Greg Lamont, Lisa Richardson and Darrell Tiemens

Against: Nil

CARRIED 6/0

At 5:01 pm, Cr Lisa Richardson left the meeting.

At 5:02 pm, Cr Catherine Redding returned to the meeting.

At 5:03 pm, Cr Lisa Richardson returned to the meeting.

At 5:03 pm, Cr Rohan Boehm left the meeting.

At 5:03 pm, Cr John Clements left the meeting.

At 5:04 pm, Cr Greg Lamont left the meeting.

At 5:03 pm, Cr Rohan Boehm returned to the meeting.

At 5:04 pm, Cr John Clements returned to the meeting.

At 5:04 pm, Cr Greg Lamont returned to the meeting.

At 5:04 pm, Cr Greg Lamont left the meeting.

At 5:05 pm, Cr Greg Lamont returned to the meeting.

17 CONFIDENTIAL (CLOSED COUNCIL) MEETING**MINUTE 115/2022**

Moved: Cr Darrell Tiemens Seconded: Cr John Clements

That 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:

17.1 Log of Auto-Archive access

This matter is considered to be confidential under Section 10A(2) - (f) 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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

17.2 Expressions of Interest - General Manager Recruitment

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.

17.3 Unauthorised Dwelling at 164 Killara Road, Jacks Creek

This matter is considered to be confidential under Section 10A(2) - (e) and (g) 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, prejudice the maintenance of law and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

In Favour: Crs Ron Campbell, Catherine Redding, Rohan Boehm, John Clements, Greg Lamont and Darrell Tiemens

Against: Nil

CARRIED 6/0

The Council moved into closed Council, the time being 5.01pm. The public and media left the Chamber.

The considerations by Council in closed session are recorded in the Confidential Minutes of the Meeting.

The Council moved into open session at 5.58pm and the Mayor read out to those present the resolutions of the Closed (Public Excluded) Meeting

17.1 LOG OF AUTO-ARCHIVE ACCESS

MINUTE 116/2022

1. That Council note the Log of Auto-Archive report.

17.2 EXPRESSIONS OF INTEREST - GENERAL MANAGER RECRUITMENT

MINUTE 117/2022

1. That Council engage Leading Roles to undertake recruitment for the new General Manager.
2. That authority be delegated to the Mayor to finalise arrangements with Leading Roles to facilitate any necessary agreement and documentation.
3. That Council appoint all Councillors to the selection panel and delegate authority to the Mayor to facilitate the recruitment process pursuant to the requirements of the *Local Government Act 1993* and the Guidelines for the Appointment and Oversight of General Managers.

17.3 UNAUTHORISED DWELLING AT 164 KILLARA ROAD, JACKS CREEK

MINUTE 118/2022

1. That Council receive and note the Report.
2. That Council receive progressive updates in relation to the unauthorised development works located at 164 Killara Road, Jacks Creek being Lot 1511 in DP831514.

18 MEETING CLOSED

The Meeting closed at 5.59pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 24 May 2022.

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CHAIRPERSON