

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 18 OCTOBER 2022 AT 1.00PM**

PRESENT: Cr Ron Campbell, Cr Darrell Tiemens, Cr Rohan Boehm, Cr Robert Browning, Cr John Clements, Cr Brett Dickinson, Cr Greg Lamont, Cr Catherine Redding, Cr Lisa Richardson

IN ATTENDANCE: Rob Williams (General Manager), Donna Ausling (Acting Director Planning and Sustainability), Eloise Chaplain (Director Infrastructure Delivery), Jason Townsend (Manager Governance and Risk), Kira Goodhew (Minute Clerk)

Proceedings of the meeting commenced at 1:05 pm.

1 OPENING PRAYER

Members and officers were upstanding for the opening prayer by the Mayor.

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

1. Nil

5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Lisa Richardson	12.1	Non-Significant Non-Pecuniary	Partner employed by company listed in report
Cr Greg Lamont	12.7	Pecuniary	Currently has an application for a Construction Certificate with Council that is listed in the report.
Cr Darrell Tiemens	13.1	Non-Significant Non-Pecuniary	Is volunteering as the Master of Ceremonies for the Pink Up Namoi – Pink Night Under the Stars Event.

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

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

- 16.1 Business Paper and Minutes of the Audit, Risk and Improvement Committee
- Supplementary 1.1 Inland Rail Narromine to Narrabri (N2N) Section - Draft Master Inland Rail Development Agreement (MIRDA) and Proposed Utility Service Relocation Works
- Supplementary 1.2 Northern NSW Inland Port (N2IP) - Draft Funding Deed

7 PRESENTATIONS

Presentations made to Council:

1. Nil

8 CONFIRMATION OF MINUTES

MINUTE 323/2022

Moved: Cr John Clements Seconded: Cr Brett Dickinson

1. **That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 27 September 2022 as circularised be confirmed and signed as a correct record by the Mayor.**

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

Against: Nil

CARRIED 9/0

9 MATTERS OF GREAT URGENCY

Nil reports.

10 QUESTIONS WITH NOTICE

Nil reports.

11 MAYORAL MINUTE

11.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR SEPTEMBER AND OCTOBER 2022**MINUTE 324/2022**

Moved: Cr Ron Campbell

- 1. That Council note the Mayoral appointments for the period 20 September 2022 to 12 October 2022.**

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

Against: Nil

CARRIED 9/0

12 OUR CIVIC LEADERSHIP

12.1 DELEGATE REPORT - WHITEHAVEN COAL VICKERY EXTENSION PROJECT COMMUNITY CONSULTATIVE COMMITTEE MEETING - 7 SEPTEMBER 2022**MINUTE 325/2022**

Moved: Cr Darrell Tiemens Seconded: Cr Brett Dickinson

- 1. That Council note the Delegate Report on the Vickery Mine Extension Community Consultative Committee Meeting held on Wednesday 7 September 2022.**

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

Against: Nil

CARRIED 9/0

12.2 RESOLUTIONS REGISTER - SEPTEMBER TO OCTOBER 2022**MINUTE 326/2022**

Moved: Cr John Clements Seconded: Cr Brett Dickinson

- 1. That Council receive and note the outstanding Resolutions Register as at 12 October 2022.**
- 2. That Council receive and note the completed Resolutions Register as at 12 October 2022.**

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

Against: Nil

CARRIED 9/0

12.3 LOG OF AUTO-ARCHIVE ACCESS**MINUTE 327/2022**

Moved: Cr Catherine Redding Seconded: Cr John Clements

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

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

Against: Nil

CARRIED 9/0

12.4 APPOINTMENT OF COUNCILLOR DELEGATES TO THE RFS SERVICE LEVEL COMMITTEE**MINUTE 328/2022**

Moved: Cr Darrell Tiemens Seconded: Cr John Clements

- 1. That Council appoint Crs Darrell Tiemens and Brett Dickinson to the RFS Service Level Agreement Liaison Committee.**
- 2. That the appointments expire at the September 2023 Ordinary Council Meeting.**

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

Against: Nil

CARRIED 9/0

12.5 2022 STATECOVER WHS SELF-AUDIT REPORT**MINUTE 329/2022**

Moved: Cr Greg Lamont Seconded: Cr Catherine Redding

1. That Council note the '2022 StateCover WHS Self-Audit Report'.

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

Against: Nil

CARRIED 9/0

12.6 INFRASTRUCTURE DELIVERY STATUS REPORT - OCTOBER 2022**MINUTE 330/2022**

Moved: Cr Catherine Redding Seconded: Cr John Clements

1. That Council receive and note the Infrastructure Delivery Status Report – October 2022.

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

Against: Nil

CARRIED 9/0

At 2:10pm, Cr Lamont left the meeting after declaring a pecuniary interest due to having an application for a Construction Certificate with Council in relation to Item 12.7, and was not present at or in sight of the meeting during the consideration of the item.

Council suspended standing orders at 2:22 pm.

At 2:22 pm, Cr Brett Dickinson left the meeting.

Council resumed standing orders at 2:27 pm.

At 2:28 pm, Cr Brett Dickinson returned to the meeting.

12.7 PLANNING AND DEVELOPMENT SERVICES REPORT - SEPTEMBER 2022**MINUTE 331/2022**

Moved: Cr Lisa Richardson Seconded: Cr Robert Browning

- 1. That Council receive and note the Planning and Development Services report for the month of September 2022.**

In Favour: Crs Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

At 2:28 pm, Cr Greg Lamont returned to the meeting.

12.8 INVESTMENT REPORT - SEPTEMBER 2022**MINUTE 332/2022**

Moved: Cr Catherine Redding Seconded: Cr Robert Browning

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

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

Against: Nil

CARRIED 9/0

12.9 NARRABRI WEST RAILWAY MUSEUM - RESPONSE TO NOTICE OF MOTION**MINUTE 333/2022**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council receive and note the Report in response to the Notice of Motion for the Narrabri West Railway Museum.**

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

Against: Nil

CARRIED 9/0

12.10 APPOINTMENT OF GENERAL MANAGER'S PERFORMANCE REVIEW PANEL 2022-2024**MOTION**

Moved: Cr Catherine Redding Seconded: Cr Darrell Tiemens

1. That Council determine the composition of the General Manager's Performance Review Panel from October 2022 to September 2024 to be the Mayor, the Deputy Mayor, a Councillor appointed by Council and a Councillor appointed by the General Manager.
2. That Council authorise the Mayor to engage Local Government NSW to undertake a workshop with all Councillors to develop the performance plan criteria for the period October 2022 to September 2024.
3. That Council authorise the Mayor to engage LGNSW to assist with the performance review process should the General Manager concur with such an appointment.
4. That Council delegate to the General Manager's Performance Review Panel:
 - (a) The whole process of performance management, including discussions about performance and performance reviews for the October 2022 to September 2024 period;
 - (b) The reporting to Council of findings and recommendations of reviews for the 2021-2022 period and any actions that should be taken.

MINUTE 334/2022**AMENDMENT**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That Council establish the General Manager's Performance Review Panel from October 2022 to October 2023 and determines that it shall consist of all Councillors.
2. That the composition of the panel be reviewed at the October 2023 Ordinary Council Meeting.
3. That Council authorise the Mayor to engage Local Government NSW to undertake a workshop with all Councillors to develop the performance plan criteria for the period October 2022 to September 2024.
4. That Council authorise the Mayor to engage LGNSW to assist with the performance review process should the General Manager concur with such an appointment.
5. That Council delegate to the General Manager's Performance Review Panel:
 - (a) The whole process of performance management, including discussions about performance and performance reviews for the October 2022 to September 2024 period;
 - (b) The reporting to Council of findings and recommendations of reviews for the 2021-2022 period and any actions that should be taken.

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

Against: Nil

CARRIED 9/0

THE AMENDMENT BECAME THE MOTION.

MINUTE 335/2022

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That Council establish the General Manager's Performance Review Panel from October 2022 to October 2023 and determines that it shall consist of all Councillors.
2. That the composition of the panel be reviewed at the October 2023 Ordinary Council Meeting.
3. That Council authorise the Mayor to engage Local Government NSW to undertake a workshop with all Councillors to develop the performance plan criteria for the period October 2022 to September 2024.
4. That Council authorise the Mayor to engage LGNSW to assist with the performance review process should the General Manager concur with such an appointment.
5. That Council delegate to the General Manager's Performance Review Panel:
 - (a) The whole process of performance management, including discussions about performance and performance reviews for the October 2022 to September 2024 period;
 - (b) The reporting to Council of findings and recommendations of reviews for the 2021/2022 period and any actions that should be taken.

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

Against: Nil

CARRIED 9/0

Council suspended standing orders at 3:26 pm.

Council resumed standing orders at 3:39 pm.

SUPPLEMENTARY 1.1 POLICY REVIEW**MINUTE 336/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That Council adopt the policies listed in table 1 of this report.**
- 2. That Council endorse the policies listed in table 2 this report to be placed on public exhibition for a period of at least 28 days.**
- 3. That Council repeal the policies listed in table 3 of this report on the basis that they have been subsumed into a new policy in table 1 of this report.**
- 4. That Council repeal the policies listed in table 4 of this report.**

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

Against: Nil

CARRIED 9/0

Cr Darrell Tiemens declared a non-pecuniary, less than significant interest in Item 13.1, due to volunteering as the Master of Ceremonies for the Pink Up Namoi – Pink Night Under the Stars Event.

13 OUR SOCIETY**13.1 REQUEST FOR SPONSORSHIP - PINK UP NAMOI****MINUTE 337/2022**

Moved: Cr Lisa Richardson Seconded: Cr Brett Dickinson

- 1. That Council supports the sponsorship request of \$2,500 to Pink Up Namoi for the fundraising evening event “Pink Night Under the Stars”, in support of continued employment of a local breast care nurse.**

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

Against: Nil

CARRIED 9/0

14 OUR ENVIRONMENT

14.1 COONABARABRAN TO MUNGINDI ROAD UPGRADE PROJECT**MINUTE 338/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That Council provide a letter of support for both Warrumbungle Shire Council and Walgett Shire Council for the completion of the “Coonabarabran to Mungindi Road Upgrade Project”.**
- 2. That Council advise Warrumbungle Shire Council and Walgett Shire Council to re-establish the “Coonabarabran – Mungindi Road Upgrade Project Steering Committee” with Narrabri Shire Council representatives attending future meetings.**

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

Against: Nil

CARRIED 9/0

At 4:03 pm, Cr Greg Lamont left the meeting.

At 4:06 pm, Cr Greg Lamont returned to the meeting.

15 OUR ECONOMY

15.1 RURAL BANKING OPTIONS- WEE WAA**MINUTE 339/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

- 1. That Council note that no party currently in Commonwealth Parliament has adopted the proposed Commonwealth Postal Savings Bank Bill and rescind all outstanding actions from minute 131/2021.**
- 2. That Council writes to the responsible Federal Minister to support the Commonwealth investigating the issue and the intent of the Bill.**

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

Against: Nil

CARRIED 9/0

15.2 PROPOSED LEASE OF NARRABRI BIG SKY CARAVAN PARK TO SOUTHERN CROSS PARKS**MINUTE 340/2022**

Moved: Cr Rohan Boehm Seconded: Cr Catherine Redding

- 1. That Council enter into a lease agreement with Southern Cross Parks for a period of two (2) years for Lot 17 DP1060622.**
- 2. That the lease agreement include the option of a further thirteen (13) year term, subject to the satisfactory completion of the capital works schedule provided in Attachment 1, which subsequently forms part the updated Master Plan in Attachment 2.**
- 3. That Council delegate authority to the General Manager to enter into the lease agreements and execute relevant documentation.**

In Favour: Crs Ron Campbell, Darrell Tiemens, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Cr Rohan Boehm

CARRIED 8/1

15.3 CONTAINER PRODUCTIVITY ADVOCACY**MINUTE 341/2022**

Moved: Cr Rohan Boehm Seconded: Cr Catherine Redding

- 1. That Council receive and note the Report on container productivity advocacy.**
- 2. That Council authorise the General Manager and Mayor to conduct advocacy activities in respect to the preliminary findings of the Productivity Commission's Draft Report 'Lifting productivity at Australia's container ports: between water, wharf and warehouse'.**
- 3. That Council endorse the draft submission to the Productivity Commission in response to the exhibition of the Draft Report 'Lifting productivity at Australia's container ports: between water, wharf and warehouse' as shown as Attachment 4 to this Report.**
- 4. That Council note the correspondence from the CEO of the Port of Newcastle, Mr Craig Carmody and that the advocacy activities referred to above include that correspondence.**

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

Against: Nil

CARRIED 9/0

16 CONFIDENTIAL (CLOSED COUNCIL) MEETING

At 4.40 pm the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council meeting should not be considered in Closed Council.

The General Manager advised the Chairperson that no written public submissions or representation had been received as to whether or not part of the meeting should be closed to the public. The Chairperson asked any members of the Council whether any part of the meeting should not be considered in Closed Council

MINUTE 342/2022

Moved: Cr Greg Lamont Seconded: Cr Catherine Redding

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:

16.1 Business Paper and Minutes of the Audit, Risk and Improvement Committee

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.

Supplementary Closed 1.1 Inland Rail Narromine to Narrabri (N2N) Section - Draft Master Inland Rail Development Agreement (MIRDA) and Proposed Utility Service Relocation Works

This matter is considered to be confidential under Section 10A(2) - (d)(i) and (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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

Supplementary Closed 1.2 Northern NSW Inland Port (N2IP) - Draft Funding Deed

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 Ron Campbell, Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 9/0

MINUTE CO-343/2022

Moved: Cr Greg Lamont Seconded: Cr Catherine Redding

- 1. That Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out to those present by the Chair of the Meeting or their nominee.**

In Favour: Crs Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

16.1 BUSINESS PAPER AND MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**MINUTE CO-344/2022**

Moved: Cr Darrell Tiemens Seconded: Cr Greg Lamont

- 1. That Council note the Business Papers and Minutes of the Audit, Risk and Improvement Committee meeting held on Monday, 12 September 2022.**

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

Against: Nil

CARRIED 9/0

The Mayor vacated the Chair, the time being 4:47 pm.

Cr Tiemens assumed the Chair of the Meeting, the time being 4:47 pm.

At 4:47 pm, Cr Ron Campbell left the meeting.

SUPPLEMENTARY CLOSED 1.1 INLAND RAIL NARROMINE TO NARRABRI (N2N) SECTION - DRAFT MASTER INLAND RAIL DEVELOPMENT AGREEMENT (MIRDA) AND PROPOSED UTILITY SERVICE RELOCATION WORKS**MINUTE CO-345/2022**

Moved: Cr John Clements Seconded: Cr Brett Dickinson

1. That Council endorse the draft Master Inland Rail Development Agreement (MIRDA) for the Narromine to Narrabri (N2N) section of Inland Rail, save and except clause 5.3 Contamination for execution by the General Manager.
2. That Council enter into a lease agreement with ARTC for Lot 10 DP821 and Lot 1 DP261297, for the period of twelve (12) months with two (2) x six (6) month options.
3. That Council delegate authority to the General Manager to enter into the lease agreement and execute relevant documentation.
4. That Council formally advise Australian Rail Track Corporation (ARTC) of its decision in relation to both matters.
5. That Council formally advises ARTC that it continues to hold concerns on the current route selection through the Narrabri Shire and that it reiterates those concerns. Its endorsement of the MIRDA referred to above should be read in that context.

In Favour: Crs Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

MOVE INTO COMMITTEE OF THE WHOLE**MINUTE CO-346/2022**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

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

In Favour: Crs Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

The Council moved into Committee of the Whole, the time being 5:00 pm.

MOVE OUT OF COMMITTEE OF THE WHOLE

MINUTE CO-347/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

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

In Favour: Crs Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

The Council moved out of Committee of the Whole, the time being 5.22 pm.

SUPPLEMENTARY CLOSED 1.2 NORTHERN NSW INLAND PORT (N2IP) - DRAFT FUNDING DEED

MINUTE CO-348/2022

Moved: Cr John Clements Seconded: Cr Catherine Redding

- 1. That the progress report in relation to the finalisation of the N2IP Funding Deed be received and noted.**
- 2. That Council, on the advice of staff, authorise the General Manager to execute the funding deed attached to this report following completion of the draft Deed review process by Department of Regional NSW.**

In Favour: Crs Darrell Tiemens, Rohan Boehm, Robert Browning, John Clements, Brett Dickinson, Greg Lamont, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

The Council moved into open session at 5.23 pm and the General Manager read out to those present the resolutions of the Closed (Public Excluded) Meeting.

17 MEETING CLOSED

The Meeting closed at 5:24 pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 22 November 2022.

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CHAIRPERSON