

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 20 DECEMBER 2022 AT 1.00PM**

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

IN ATTENDANCE: Rob Williams (General Manager), Donna Ausling (Director Planning and Sustainability), Andrew Brown (Director Corporate and Commercial Services), Gian Rimbaud (Chief Financial Officer), Jason Townsend (Manager Governance and Risk), Kira Goodhew (Minute Clerk)

Proceedings of the meeting commenced at 1:01 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 Kamilaroi 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

LEAVE OF ABSENCE REQUEST

MINUTE 386/2022

Moved: Cr Robert Browning Seconded: Cr Darrell Tiemens

1. That leave of absence from Cr Lamont be received and accepted due to being unwell.

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

Against: Nil

CARRIED 9/0

5 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Boehm	13.2	Pecuniary	Wife is a Committee Member of the Australian Decorative and Fine Arts Society Narrabri North West District Inc
Cr Campbell	14.3	Pecuniary	Company conducts work for Santos

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 Australia Day 2023 Award Nominations
- 16.2 Business Paper and Unconfirmed Minutes of the Audit, Risk and Improvement Committee
- 16.3 Provision of Doctors Residence in Boggabri
- 16.4 Contract 2022-23-12 - Design and Construction of Bullawa Creek Bridge Replacement

7 PRESENTATIONS

Presentations made to Council:

- 1. Nil.

8 CONFIRMATION OF MINUTES**MINUTE 387/2022**

Moved: Cr Brett Dickinson Seconded: Cr Catherine Redding

- 1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 22 November 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, Brett Dickinson, Catherine Redding and Lisa Richardson

Against: Nil

Not Present: Cr John Clements

CARRIED 7/0

9 MATTERS OF GREAT URGENCY

Nil reports.

10 QUESTIONS WITH NOTICE

Nil reports.

Cr Clements joined the meeting, the time being 1:08 pm.

11 MAYORAL MINUTE

SUPPLEMENTARY 1.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR NOVEMBER/DECEMBER 2022

MINUTE 388/2022

Moved: Cr Ron Campbell

1. That Council note the Mayoral appointments for the period 14 November 2022 to 16 December 2022.
2. That the mayoral minute be amended as follows: At the meeting on 23 November 2022 insert the words "also in attendance was the National Party Candidate for the NSW State Electorate of Barwon".

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

12 OUR CIVIC LEADERSHIP

12.1 NOTICE OF MOTION - COMMUNITY GRANT FUND

MINUTE 389/2022

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

1. That Council workshop potential amendments to the Community Grants and Sponsorship Policy in February 2023.

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

12.2 INFRASTRUCTURE DELIVERY STATUS REPORT - NOVEMBER 2022**MINUTE 390/2022**

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

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

12.3 INVESTMENT REPORT - NOVEMBER 2022**MINUTE 391/2022**

Moved: Cr Rohan Boehm Seconded: Cr Catherine Redding

1. That Council note the Investment Report for November 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

12.4 PLANNING AND DEVELOPMENT MONTHLY STATUS REPORT - NOVEMBER 2022**MINUTE 392/2022**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

1. That Council receive and note the Planning and Development Services Report for the month of November 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

12.5 LOG OF AUTO-ARCHIVE ACCESS**MINUTE 393/2022**

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, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

12.6 RESOLUTIONS REGISTER - NOVEMBER TO DECEMBER 2022**MINUTE 394/2022**

Moved: Cr John Clements Seconded: Cr Catherine Redding

1. That Council receive and note the outstanding Resolutions Register as at 14 December 2022.**2. That Council receive and note the completed Resolutions Register as at 14 December 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

Attachments

- 1 Amended Completed Resolutions Register - as at 14 December 2022

12.7 REVIEW OF AUDIT, RISK AND IMPROVEMENT COMMITTEE TERMS OF REFERENCE**MINUTE 395/2022**

Moved: Cr Lisa Richardson Seconded: Cr John Clements

1. That Council adopt the amended Audit, Risk and Improvement Committee Terms of Reference attached to this report.

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

12.8 POLICY REVIEW**MINUTE 396/2022**

Moved: Cr Darrell Tiemens Seconded: Cr Rohan Boehm

1. That Council adopt the policies listed in table 1 of this report.

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

12.9 COUNCIL-RELATED DEVELOPMENT POLICY**MINUTE 397/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

1. That Council endorse the draft Council-Related Development Policy for the purposes of public exhibition for a period of at least 28 days and call for submissions from the public on the draft Policy.

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

13 OUR SOCIETY**13.1 RESPONSE TO NOTICE OF MOTION - DEVELOPMENT OF GATELY FIELD SOCCER FACILITIES****MINUTE 398/2022**

Moved: Cr John Clements Seconded: Cr Darrell Tiemens

1. That Council notes the report "Response to Notice of Motion – Development of Gately Field Soccer Facilities".

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 1:51 pm, Cr Rohan Boehm left the meeting after declaring a pecuniary interest in relation to Item 13.2, due to his wife being a member of Australian Decorative and Fine Arts Society Narrabri North West District Inc and was not present at or in sight of the meeting during the consideration of the item.

13.2 APPLICATION FOR CONCESSIONAL USE OF THE CROSSING THEATRE - ADFAS

MINUTE 399/2022

Moved: Cr Darrell Tiemens Seconded: Cr Lisa Richardson

- 1. That Council approve the concessional use of The Crossing Theatre to Australian Decorative and Fine Arts Society Narrabri North West District Inc in accordance with their application and Council Policy.**
- 2. That the concessional rate of 50% be applied.**

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

Against: Nil

Not Present: Cr Rohan Boehm

CARRIED 7/0

At 1:54 pm, Cr Rohan Boehm returned to the meeting.

13.3 REQUEST FOR SPONSORSHIP - COUNTRY EDUCATION FOUNDATION OF NAMOI

MINUTE 400/2022

Moved: Cr Darrell Tiemens Seconded: Cr Lisa Richardson

- 1. That Council approves the application by Country Education Foundation of Namoi for concessional use of The Crossing Theatre and sponsorship of their Annual Presentation event in January 2023 to the value of \$1,000.**

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

14 OUR ENVIRONMENT

14.1 FLOODPLAIN RISK MANAGEMENT ADVISORY COMMITTEE ACTIVITY UPDATE - DECEMBER 2022**MINUTE 401/2022**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council receive and note the update on the Floodplain Risk Management Advisory Committee December 2022 Update.**
- 2. Advocate to the NSW Government to broaden the terms of reference to the NSW Infrastructure Betterment Fund.**

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

14.2 DRAFT NARRABRI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN - UPDATE**MINUTE 402/2022**

Moved: Cr Darrell Tiemens Seconded: Cr Rohan Boehm

- 1. That Council receive and note the update on the Draft Narrabri Floodplain Risk Management Study and Plan exhibition and consultation.**

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

The Mayor vacated the Chair, the time being 2:09 pm.

The Deputy Mayor assumed the Chair of the Meeting, the time being 2:09 pm.

At 2:09 pm, Cr Campbell left the meeting after declaring a pecuniary interest in relation to Item 14.3, due to his company conducting work for Santos and was not present at or in sight of the meeting during the consideration of the item.

At 2:10 pm, Cr John Clements left the meeting.

SUPPLEMENTARY 14.3 NARRABRI GAS PROJECT (SANTOS) DRAFT VOLUNTARY PLANNING AGREEMENT**MINUTE 403/2022**

Moved: Cr Catherine Redding Seconded: Cr Robert Browning

- 1. That Council delegate authority to the General Manager to enter into the Voluntary Planning Agreement with Santos NSW (Eastern) Pty Ltd and execute all required documentation.**

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

Against: Nil

Not Present: Crs Ron Campbell and John Clements

CARRIED 6/0

MOVE INTO COMMITTEE OF THE WHOLE**MINUTE 404/2022**

Moved: Cr Rohan Boehm Seconded: Cr Robert Browning

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

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

Against: Nil

Not Present: Crs Ron Campbell and John Clements

CARRIED 6/0

The Council moved into Committee of the Whole, the time being 2:17 pm.

MOVE OUT OF COMMITTEE OF THE WHOLE**MINUTE 405/2022**

Moved: Cr Catherine Redding Seconded: Cr Rohan Boehm

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

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

Against: Nil

Not Present: Crs Ron Campbell and John Clements

CARRIED 6/0

The Council moved out of Committee of the Whole, the time being 2:43 pm.

At 2:44 pm, Cr Ron Campbell returned to the meeting.

At 2:44 pm, Cr John Clements returned to the meeting.

The Deputy Mayor vacated the Chair, the time being 2:44 pm.

The Mayor assumed the Chair of the Meeting, the time being 2:44 pm.

15 OUR ECONOMY

15.1 REQUEST FOR FREE ENTRY TO NARRABRI SHIRE POOLS AS PART OF AUSTRALIA DAY 2023 FESTIVITIES

MINUTE 406/2022

Moved: Cr Lisa Richardson Seconded: Cr Catherine Redding

1. That Council provides free entry to Narrabri Shire pools on Australia Day, 26 January 2023.
2. That Monster Island (activities for Kids) be organised in Boggabri, Narrabri, and Wee Waa for Australia Day 2023 (subject to staffing availability).

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

15.2 MAULES CREEK COAL MINE VPA - BOGGABRI COMMUNITY PROJECTS (BOGGABRI SHOWGROUND PAVILION)

MINUTE 407/2022

Moved: Cr Lisa Richardson Seconded: Cr Darrell Tiemens

1. That Council approve the draft funding deed with an extended expiry date for the Boggabri Showground Pavilion project.
2. That Council approve payment of invoice for deposit on shed once the funding deed has been executed and a detailed project plan and project budget are submitted.

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

16 CONFIDENTIAL (CLOSED COUNCIL) MEETING

MINUTE 408/2022

Moved: Cr John Clements 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 Australia Day 2023 Award Nominations

This matter is considered to be confidential under Section 10A(2) - (a) 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 personnel matters concerning particular individuals (other than councillors).

16.2 Business Paper and Unconfirmed 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.

16.3 Provision of Doctors Residence in Boggabri

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.

16.4 Contract 2022-23-12 - Design and Construction of Bullawa Creek Bridge Replacement

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, Catherine Redding and Lisa Richardson

Against: Nil

CARRIED 8/0

Council moved into Closed Meeting, the time being 2:55 pm.

16.1 AUSTRALIA DAY 2023 AWARD NOMINATIONS**MINUTE CO- 409/2022**

Moved: Cr Darrell Tiemens Seconded: Cr Catherine Redding

- 1. That Council determine the recipients of the 2023 Australia Day Awards as follows:**
 - (a) Australia Day Citizen of the Year – Applicant 2;**
 - (b) Australia Day Young Citizen of the Year – Applicant 1;**
 - (c) Community Group Service Award – Applicant 1;**
 - (d) Senior Sportsperson of the Year – Applicant 1;**
 - (e) Junior Sportsperson of the Year – Applicant 2;**
 - (f) Community Arts & Cultural Development – Councillor Nominee 1; and**
 - (g) Environmental Award – Councillor Nominee 1.**
- 2. That Council keep the outcome confidential until Australia Day and announce the winner at the Australia Day Ceremony to be held at The Narrabri Aquatic Centre, Multipurpose room on Thursday 26 January 2023.**
- 3. That Council appoint Cr Redding as the Master of Ceremonies for the Australia Day Award Ceremony, held on 26 January 2023.**

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

Attachments

- 1 Councillor Nominations for Australia Day 2023 Awards

16.2 BUSINESS PAPER AND UNCONFIRMED MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**MINUTE CO- 410/2022**

Moved: Cr Rohan Boehm Seconded: Cr Lisa Richardson

- 1. That Council note the Business Papers and Unconfirmed Minutes of the Audit, Risk and Improvement Committee meeting held on Monday, 5 December 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

16.3 PROVISION OF DOCTORS RESIDENCE IN BOGGABRI**MINUTE 411/2022**

Moved: Cr John Clements Seconded: Cr Brett Dickinson

- 1. That the General Managers brings a report to Council at the February 2023 Ordinary Council Meeting as to options for provision of doctors/medical housing in Boggabri.**

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

16.4 CONTRACT 2022-23-12 - DESIGN AND CONSTRUCTION OF BULLAWA CREEK BRIDGE REPLACEMENT**MINUTE 412/2022**

Moved: Cr Brett Dickinson Seconded: Cr Catherine Redding

- 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 Saunders Civilbuild Pty Ltd in the GST exclusive amount of \$2,443,339.47 for Contract No. 2022-23/12 – Design and Construction of Bullawa Creek Bridge**
- 2. That Council accept the tender from Saunders Civilbuild Pty Ltd in the GST exclusive amount of \$2,443,339.47 for Contract No. 2022-23/12 – Design and Construction of a Replacement Bridge at Bullawa Creek Bridge and authorise the General Manager to sign the contract documents.**
- 3. That Council maintain the confidentiality of the documents and considerations in respect of Contract No. 2022-23/12 – Design and Construction of Bullawa Creek Bridge Replacement.**

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

MINUTE 413/2022

Moved: Cr John Clements Seconded: Cr Robert Browning

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

Against: Nil

CARRIED 8/0

The Council moved into open session at 3:44 pm.

17 MEETING CLOSED

The Meeting closed at 3:44 pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 28 February 2023.

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CHAIRPERSON