

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 28 MAY 2024 AT 1:00 PM**

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

IN ATTENDANCE: Rob Williams (General Manager), Donna Ausling (Director Planning and Sustainability), Eloise Chaplain (Director Infrastructure Delivery), Ted Harrington (Director Financial and Commercial Services), Jason Townsend (Manager Governance and Risk), Alice Gemmell-Smith (Minute Clerk)

Proceedings of the meeting commenced at 1:00 pm.

1 OPENING PRAYER

Members and officers were upstanding for the opening prayer by Assistant Minister Dan Rowe of Anglican Church Narrabri, 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 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 ATTENDANCE BY AUDIO-VISUAL LINK

NIL.

5 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

COUNCILLOR	DATE/DURATION	APOLOGY/LEAVE OF ABSENCE	REASON
Cr Robert Browning	28 May 2024	Leave of Absence	Work commitments
Cr Brett Dickinson	28 May 2024	Leave of Absence	Holiday
Cr Greg Lamont	28 May 2024	Leave of Absence	Work commitments

LEAVE OF ABSENCE REQUEST**MINUTE 086/2024**

Moved: Cr Catherine Redding Seconded: Cr Rohan Boehm

- 1. That Leave of Absence be granted to Crs Brett Dickinson, Robert Browning, and Greg Lamont for 28/05/2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 5/0

Cr Clements joined the meeting at 1:04pm.

6 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, significant non-pecuniary and on-significant non-pecuniary 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 Clements	17.2	Pecuniary	Employed by the Local Member who is the subject recipient of this report.

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

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

- 20.1 Applications for the Community Financial Assistance Grant (CFAG) Round 3 2023-24
 20.2 2023-24/46 - Construction of Kerb and Gutter Infrastructure

8 PRESENTATIONS

Presentations made to Council:

1. Nil.

9 CONFIRMATION OF MINUTES

MINUTE 087/2024

Moved: Cr Catherine Redding Seconded: Cr Ron Campbell

- 1. That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 30 April 2024 as circularised be confirmed and signed as a correct record by the Mayor.**
- 2. That the minutes of Extraordinary Council Meeting of the Narrabri Shire Council held on 6 May 2024 as circularised be confirmed and signed as a correct record by the Mayor.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

10 MATTERS OF GREAT URGENCY

Nil reports.

11 QUESTIONS WITH NOTICE

Nil reports.

12 MAYORAL MINUTE

12.1 MAYORAL APPOINTMENTS FOR THE PERIOD 22 APRIL TO 18 MAY 2024**MINUTE 088/2024**

Moved: Cr Darrell Tiemens

- 1. That Council note the Mayoral appointments for the period 22 April to 18 May 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

13 DELEGATES REPORTS

13.1 DELEGATE REPORT - MINUTES OF THE WHITEHAVEN VICKERY EXTENSION PROJECT COMMUNITY CONSULTATIVE COMMITTEE MEETING - 11 APRIL 2024**MINUTE 089/2024**

Moved: Cr John Clements Seconded: Cr Ron Campbell

- 1. That Council note the Delegate Report on the final minutes of the Whitehaven Vickery Extension Project Community Consultative Committee meeting held on 11 April 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

14 NOTICES OF MOTION

Nil repots.

15 GENERAL MANAGER REPORTS

15.1 RESOLUTIONS REGISTER - APRIL TO MAY 2024**MINUTE 090/2024**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council receive and note the outstanding Resolutions Register as at 20 May 2024.**
2. That Council receive and note the completed Resolutions Register as at 20 May 2024.

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

15.2 OPERATIONAL AND SERVICE PLAN QUARTERLY REPORT - 1 JANUARY 2024 TO 31 MARCH 2024**MINUTE 091/2024**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

- 1. That Council adopt the Quarter 3 2023/2024 Quarterly Operational Plan Progress Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures for the period of 1 January 2024 to 31 March 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

16 FINANCIAL AND COMMERCIAL SERVICES**16.1 QUARTERLY BUDGET REVIEW STATEMENT - MARCH 2024****MINUTE 092/2024**

Moved: Cr Catherine Redding Seconded: Cr John Clements

- 1. That Council adopt the Quarterly Budget Review Statement for the period ended 31 March 2024 as the revised Budget estimates for the year ending 30 June 2024 and the Operational Plan and Capital Works Plan be amended accordingly.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

16.2 MONTHLY FINANCIAL REPORT - APRIL 2024**MINUTE 093/2024**

Moved: Cr John Clements Seconded: Cr Catherine Redding

- 1. That Council receive and note the Monthly Financial reports for April 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

16.3 INVESTMENT REPORT - APRIL 2024**MINUTE 094/2024**

Moved: Cr Rohan Boehm Seconded: Cr Lisa Richardson

- 1. That Council receive and note the Investment Report for April 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

16.4 APPLICATION FOR CONCESSIONAL USE OF THE CROSSING THEATRE - THE COMPASSIONATE FRIENDS NSW - NARRABRI**MINUTE 095/2024**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

- 1. That Council approve the concessional use rate of 50% of the room hire to The Compassionate Friends NSW- Narrabri.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

17 INFRASTRUCTURE DELIVERY**17.1 INFRASTRUCTURE DELIVERY STATUS REPORT - APRIL 2024****MINUTE 096/2024**

Moved: Cr Ron Campbell Seconded: Cr Lisa Richardson

- 1. That Council receive and note the Infrastructure Delivery Status Report for April 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

At 1:32 pm, Cr John Clements left the meeting.

17.2 REGULATION AMENDMENT TO PROTECT THE EMPLOYMENT OF WASTE WORKERS**MINUTE 097/2024**

Moved: Cr Ron Campbell Seconded: Cr Catherine Redding

- 1. That Council receive and note the letter to The Hon. Ron Hoeing MP by the Northern Inland Regional Waste group.**
- 2. That Council writes to the Minister for Industrial Relations (NSW), Minister for Local Government (NSW), and Member for Barwon Roy Butler MP:**
 - (a) Expressing serious concerns about the recent amendment to the *Local Government (General) Regulation 2021 (NSW)* made by the *Local Government (General) Amendment (Tendering) Regulation (No 2) 2023 (NSW)* on December 2023, as highlighted legal advice provided to Local Government NSW by Arthur Moses SC dated 26 February 2024, and**
 - (b) Call on the NSW Government to reconsider the amendments as a matter of urgency and to engage in proper consultation with all relevant stakeholders on an appropriate way forward.**

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

Against: Nil

Not Present: Crs Robert Browning, John Clements, Brett Dickinson and Greg Lamont

CARRIED 5/0

At 1:47 pm, Cr John Clements returned to the meeting.

17.3 MR357 - RANGARI ROAD UNSEALED SECTION STATUS**MINUTE 098/2024**

Moved: Cr Lisa Richardson Seconded: Cr John Clements

- 1. That Council receive and note report 'MR357 - Rangari Road Unsealed Section Status'.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

17.4 TURRAWAN AND OLD NARRABRI ROAD INTERSECTION AND ROAD UPGRADE PROJECT**MINUTE 099/2024**

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council receive and note the report 'Turrawan and Old Narrabri Road Intersection and Road Upgrade Project'.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

18 PLANNING AND SUSTAINABILITY**18.1 PLANNING AND DEVELOPMENT REPORT - APRIL 2024****MINUTE 100/2024**

Moved: Cr John Clements Seconded: Cr Lisa Richardson

- 1. That Council receive the Planning and Development Report for April 2024.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

18.2 REGULATORY COMPLIANCE REPORT - APRIL 2024**MINUTE 101/2024**

Moved: Cr Rohan Boehm Seconded: Cr John Clements

1. That Council receive and note the Regulatory Services Report for April 2024.

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

At 2:13 pm, Cr John Clements left the meeting after declaring a pecuniary interest and was not present or in sight of the meeting.

18.3 COMMUNITY ADVOCACY OPPORTUNITIES - MAY 2024**MINUTE 102/2024**

Moved: Cr Lisa Richardson Seconded: Cr Rohan Boehm

- 1. That Council receive and note the Report on May 2024 community advocacy opportunities.**
- 2. That Council endorse the draft organisational submission on the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport - Inquiry into Local Government Sustainability.**
- 3. That Council receive and note the submission made to the NSW Legislative Council Standing Committee on State Development – Inquiry into the Ability of Local Governments to Fund Infrastructure and Services.**
- 4. That Council receive and note the submission made to the Emergency Service Levy (ESL) Reforms Discussion Paper.**
- 5. That Council endorse the draft submission to the NSW Legislative Assembly’s Inquiry into Community Safety in Regional and Rural Communities.**

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

Against: Nil

Not Present: Crs Robert Browning, John Clements, Brett Dickinson and Greg Lamont

CARRIED 5/0

At 2:21 pm, Cr John Clements returned to the meeting.

19 SUPPLEMENRRARY ITEMS

19.1 RENEWABLE ENERGY ACTION PLAN (REAP) AND RENEWABLE ENERGY IMPLEMENTATION PLAN (REIP)**MINUTE 103/2024**

Moved: Cr Rohan Boehm Seconded: Cr John Clements

- 1. That Council receive and note the report on the Renewable Energy Action Plan (REAP) and Renewable Energy Implementation Plan (REIP).**
- 2. That Council endorse the draft Renewable Energy Action Plan and Implementation Plan Consultation Paper, pending public response and further discussion.**
- 3. That the Renewable Energy Action Plan and Implementation Plan Consultation Paper be placed on public exhibition for a minimum period of 28 days, and during the exhibition period call for and accept submissions from the public.**
- 4. That a report be returned to Council following the conclusion of the Public Exhibition Period to the next available Ordinary Council Meeting detailing the results of the public exhibition.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

20 CONFIDENTIAL (CLOSED COUNCIL) MEETING**MINUTE 104/2024**

Moved: Cr Catherine Redding Seconded: Cr Lisa Richardson

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:

20.1 Applications for the Community Financial Assistance Grant (CFAG) Round 3 2023-24

This matter is considered to be confidential under Section 10A(2) - (a), (d)(i) and (d)(ii) 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), commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

20.2 2023-24/46 - Construction of Kerb and Gutter Infrastructure

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.

CARRIED

Cr Boehm declared a non-significant non-pecuniary interest with regard to Applicant No. 2.

20 SUSPEND STANDING ORDERS - MOVE INTO COMMITTEE OF THE WHOLE**MINUTE 105/2024**

Moved: Cr Lisa Richardson Seconded: Cr Rohan Boehm

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

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

The Council moved into Committee of the Whole, the time being 2:41pm.

At 2:46 pm, Cr Ron Campbell left the meeting.

At 2:48 pm, Cr Ron Campbell returned to the meeting.

20 SUSPEND STANDING ORDERS - MOVE OUT OF COMMITTEE OF THE WHOLE

MINUTE 106/2024

Moved: Cr Lisa Richardson 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, Ron Campbell, John Clements, Catherine Redding and Lisa Richardson

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

The Council moved out of Committee of the Whole, the time being 3:08pm.

20.1 APPLICATIONS FOR THE COMMUNITY FINANCIAL ASSISTANCE GRANT (CFAG) ROUND 3 2023-24**MINUTE 107/2024**

Moved: Cr Lisa Richardson Seconded: Cr John Clements

1. That Council receives and notes the applications for the Community Financial Assistance Grant (CFAG) Round 3, 2023/24 and a total of \$25,665 funds be allocated from the 63151 – Donations Community Assistance Scheme to the following applicants as detailed in the report and attached merit checklist:
 - a) Applicant 1 - \$5,000
 - b) Applicant 2 - \$5,015
 - c) Applicant 3 – Nil (obtained grant funding)
 - d) Applicant 4 – The application did not meet the criteria.
 - e) Applicant 5 - \$2,500
 - f) Applicant 6 - Nil
 - g) Applicant 7 - Nil
 - h) Applicant 8 - \$950
 - i) Applicant 9 – \$3,000
 - j) Applicant 10 – \$2,700
 - k) Applicant 11 - \$1,500
 - l) Applicant 12 - Nil
 - m) Applicant 13 - \$2,000
 - n) Applicant 14 - \$3,000 to cover catering and advertising expenditure
2. That Round 1 2024-25 of the Community Financial Assistance Grant (CFAG) be advertised with the closing date of 15 August 2024 with the funding amount to be announced upon the release of the 2024-25 Council budget.

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

20.2 2023-24/46 - CONSTRUCTION OF KERB AND GUTTER INFRASTRUCTURE

MINUTE 108/2024

Moved: Cr John Clements Seconded: Cr Rohan Boehm

- 1. That Council reject the tender received for 2023-24/46 – Construction of Kerb and Gutter Infrastructure in Narrabri Shire.**

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

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

MINUTE 109/2024

Moved: Cr Ron Campbell Seconded: Cr Lisa Richardson

- 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, Ron Campbell, John Clements, Catherine Redding and Lisa Richardson

Against: Nil

Not Present: Crs Robert Browning, Brett Dickinson and Greg Lamont

CARRIED 6/0

Council moved out of Closed (Public Excluded) Meeting, the time being 3:19pm and the General Manager read out to those present the resolutions of the Closed (Public Excluded) Meeting.

21 MEETING CLOSED

The Meeting closed at 3:22pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 25 June 2024.

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CHAIRPERSON