

Shire of  
**Gunnedah**  
Land of Opportunity

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***GUNNEDAH SHIRE COUNCIL***

The minutes of the Ordinary Meeting of  
**Gunnedah Shire Council**

held on

**Wednesday 15 April 2015**

Consisting of Pages 1 to 12

(Minute Nos 1.04/15 to 30.04/15)

are confirmed as a true and correct record of the meeting  
as per Minute No 1.05/15 of the  
Ordinary Meeting held on 20 May 2015.



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Mayor Owen Hasler  
CHAIRPERSON

## ORDINARY COUNCIL MEETING MINUTES

Meeting of Gunnedah Shire Council held on Wednesday 15 April 2015 in the  
Council Chambers, 63 Elgin Street, Gunnedah, commencing at 4:31pm.

1. COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	APOLOGY TENDERED	ABSENT
OC Hasler	X			
RG Swain		X		
H Allgayer	X			
T Duddy		X		
C Fuller	X			
GA Griffen	X			
D Quince	X			
R Ryan	X			
SJ Smith	X			
<b>STAFF</b>				
General Manager (E Groth)	X			
Executive Manager Business Systems and Governance (C Formann)	X			
Director Planning and Environmental Services (MJ Silver)	X			
Director Infrastructure Services (W Kerr)	X			

*Council Resolution*

*Moved Councillor GA GRIFFEN*

*Seconded Councillor C FULLER*

### 2. **PRAYER**

The Mayor opened the meeting with the customary prayer.

### 3. **BEREAVEMENTS**

The Mayor read off the list of bereavements being Michael William Allen Baxter, Damian Martin Haire, Ambah D-Anne Fordham, Robert Patrick Wicks and Heather Olive Maynes.

It was **RESOLVED** that Council pay their respects to the deceased and extend their condolences to the family and friends of the deceased with a minute's silence.

### 4. **DECLARATIONS OF INTEREST**

COUNCILLOR	ITEM	REPORT	P	SNP	LSNP	RC	REASON
NIL							

STAFF	ITEM	REPORT	P	SNP	LSNP	RC	REASON
NIL							

P – Pecuniary

SNP – Significant Non Pecuniary

LSNP – Less than Significant Non Pecuniary

RC – Remain in Chamber during consideration/discussion of item

### 5. **COMMUNITY PRESENTATION**

Nil.

**6. PREVIOUS MINUTES**

**6.1 CONFIRMATION OF PREVIOUS MINUTES**

*Council Resolution  
Moved Councillor SJ SMITH  
Seconded Councillor GA GRIFFEN*

**1.04/15 COUNCIL RESOLUTION:**

The Minutes of Ordinary Meeting held on Wednesday 18 March 2015 were received and it was **RESOLVED** that the minutes be adopted as a true and correct record of that meeting.

**6.2 CONFIRMATION OF PREVIOUS MINUTES**

*Council Resolution  
Moved Councillor SJ SMITH  
Seconded Councillor GA GRIFFEN*

**2.04/15 COUNCIL RESOLUTION:**

The Minutes of Extraordinary Meeting held on Wednesday 1 April 2015 were received and it was **RESOLVED** that the minutes be adopted as a true and correct record of that meeting.

**7. NOTICE OF MOTION – AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION**

*Council Resolution  
Moved Councillor C FULLER  
Seconded Councillor H ALLGAYER*

**COUNCIL RESOLUTION:**

**3.04/15 As the President of the Australian Local Government Women's Association, my term as President will finish on 2 May 2015, the normal procedure will be the immediate Past President for the two years I seek support from Council for the 12 months only.**

**8. MAYORAL MINUTE – VERBAL REPORT – SISTER CITY RELATIONSHIP**

*Council Resolution  
Moved Councillor H ALLGAYER  
Seconded Councillor GA GRIFFEN*

**4.04/15 COUNCIL RESOLUTION:**

**That the information in relation to the proposed Sister City Relationship Visit – Linhe District Inner Mongolia China by Councillors, senior staff and members of the Gunnedah and District Chamber of Commerce be received and noted.**

**9. GENERAL MANAGER'S OFFICE**

**9.1 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (NSW)**

**AUTHOR General Manager**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor D QUINCE*

**5.04/15 COUNCIL RESOLUTIONS:**

**That Council:**

1. Send one Councillor as delegate to the 2015 ALGWA Conference to be held in Wollongong from Thursday 30 April to Saturday 2 May 2015; and
2. That Councillor C Fuller attend as Council's delegate.

**9.2 2015 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT – CALL FOR MOTIONS**

**AUTHOR General Manager**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor C FULLER*

**6.04/15 COUNCIL RESOLUTIONS:**

1. That Council gives consideration to any proposed motions they wish included in the National General Assembly Business Paper, with the inclusion of the following motions:

**Motion 1 – FIFO/DIDO Report**

That the National General Assembly calls upon the Federal Government to implement the recommendations of the FIFO/DIDO report entitled "Cancer of the Bush or Salvation of our cities?" Fly-in, Fly-out and drive-in, drive-out workforce practices in Regional Australia" as expeditiously as possible.

**Motion 2 – Affordable Housing**

That the National General Assembly calls upon the Federal Government to work with Local Government in order to address the issue of the lack of affordable housing, particularly in communities where there are added pressures on supply due to significant growth in mining development.

2. That Council authorise the attendance of Councillor OC Hasler at the 2015 National General Assembly of Local Government.

**9.3 MAYOR'S WEEKEND SEMINAR**

**AUTHOR General Manager**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor C FULLER*

**7.04/15 COUNCIL RESOLUTIONS:**

That Council send one (1) delegate to the Mayor's Weekend Seminar, being Councillor R Ryan.

**9.4 INVESTMENTS**

**AUTHOR Finance Manager**

*Council Resolution  
Moved Councillor GA GRIFFEN  
Seconded Councillor C FULLER*

**8.04/15 COUNCIL RESOLUTIONS:**

That the principal investment of \$42.4 million for all funds to date be received and noted.

**SUSPENSION OF STANDING ORDERS**

A Motion was Moved Councillor D Quince, Seconded Councillor H Allgayer that Council consider the Supplementary Report of the General Manager.

*Council Resolution  
Moved Councillor D QUINCE  
Seconded Councillor H ALLGAYER*

**9.5 LEAVE OF ABSENCE REQUEST– COUNCILLOR GA GRIFFEN**

**AUTHOR General Manager**

*Council Resolution  
Moved Councillor R RYAN  
Seconded Councillor D QUINCE*

**9.04/15 COUNCIL RESOLUTIONS:**

That Council grants Councillor GA Griffen a leave of absence for a period of six (6) weeks commencing 20 April 2015.

**10. BUSINESS SYSTEMS AND GOVERNANCE**

**10.1 CONDUCT OF COUNCIL MEETINGS IN VILLAGES**

**AUTHOR Executive Manager, Business Systems and Governance**

*Council Resolution  
Moved Councillor R RYAN  
Seconded Councillor C FULLER*

**10.04/15 COUNCIL RESOLUTION:**

1. That the June Ordinary Meeting of Council scheduled for 17 June 2015 be held in the Mullaley Hall hosted by the Mullaley Campdraft and Gymkhana Association.
2. That the August Ordinary Meeting of Council scheduled for 26 August 2015 be held in the Breeza Hall hosted by the Breeza Progress Association.

**10.2 OUTSTANDING RESOLUTION REGISTER**

**AUTHOR** Executive Manager, Business Systems and Governance

*Council Resolution*

*Moved Councillor GA GRIFFEN*

*Seconded Councillor C FULLER*

**11.04/15 COUNCIL RESOLUTION:**

That the information be received and noted.

**11. PLANNING AND ENVIRONMENTAL SERVICES**

**11.1 DRAFT GUNNEDAH LGA (PART) COMPREHENSIVE KOALA PLAN OF MANAGEMENT**

**AUTHOR** Manager Development and Planning

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor C FULLER*

**12.04/15 COUNCIL RESOLUTION:**

That the amended Draft Gunnedah LGA (part) Comprehensive Koala Plan of Management be further varied as follows:

1. By amendment of the provisions relating to preparation of a Koala Habitat Rehabilitation Program to enable its funding and commencement to occur in the 2017/18 financial year;
2. By deletion of the provisions relating to sitting fees for non-remunerated members of the Koala Management Committee to be provided as detailed in the NSW Government's Guidelines for NSW Board and Committee Members;
3. By amendment of the provisions relating to the preparation of a Plan of Management for Koala habitat restoration to include where an action is on private land responsibility rests with the developer to fund the work and that the work should, wherever possible, in respect of restoration or provision of offsets for a development, take place on private land;
4. By amendment of the provisions relating to preparation of a Community Awareness and Education Strategy within the first 18 months of the Plan commencement including information sessions at schools, road signage, hosting community workshops through provision of an allocation of \$5,000 annually (subject to annual indexation) in Council's Long Term Financial Plan with the initial allocation to occur in the 2018/19 financial year;
5. By amendment of the provisions relating to establishing a monitoring program of the Gunnedah Koala Population every three years following the commencement of the Plan and thereafter at five year intervals through appropriate financial provision in Council's Long Term Financial Plan with the initial allocation to occur in the 2019/20 financial year;

and placed on public exhibition for a period of 40 days.

**11.2      2015/16 SMALL GRANTS PROGRAM (UNDER SECTION 356 OF THE LOCAL GOVERNMENT ACT)**

**AUTHOR      Manager Community and Cultural Development**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor GA GRIFFEN*

**13.04/15      COUNCIL RESOLUTION:**

That Council nominate Councillors R Ryan, D Quince and SJ Smith for the purpose of assessing the Community Small Grants application with the Manager Community and Cultural Development and assessing the Sports Small Grants applications with the Director Infrastructure Services.

**11.3      BUSINESS PARTNER PROGRAM – ECONOMIC DEVELOPMENT – FOUNDATION FOR REGIONAL DEVELOPMENT LIMITED**

**AUTHOR      Director Planning and Environmental Services**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor D QUINCE*

**14.04/15      COUNCIL RESOLUTIONS:**

1.      That membership of the Foundation for Regional Development Limited be declined.
2.      That Council decline economic consultancy support from the Foundation for Regional Development Limited.

**11.4      WATERMARK COAL PROJECT - VPA**

**AUTHOR      Director Planning and Environmental Services**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor H ALLGAYER*

**15.04/15      COUNCIL RESOLUTION:**

That the Secretary of the Department of Planning be requested to agree to a variation to Condition 13 (Community Enhancement) of the consent to Application SSD-4975 for the Watermark Coal Project in respect of completion of a Voluntary Planning Agreement between Shenhua Watermark Pty Ltd and Gunnedah Shire Council until 31 July 2015 in lieu of the end of April 2015 as required in the condition.

**11.5      LAND USE REVIEW – COMMERCIAL, INDUSTRIAL AND RESIDENTIAL STRATEGY**

**AUTHOR      Director Planning and Environmental Services**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor H ALLGAYER*

**16.04/15 COUNCIL RESOLUTION:**

That the Planning Environment and Development Committee be delegated authority to analyse and authorise exhibition of the draft strategy.

**11.6 REQUEST FOR COMMUNITY DONATION – GUNNEDAH SHOW SOCIETY**

**AUTHOR**     **Manager Community and Cultural Development**

*Council Resolution*

*Moved Councillor R RYAN*

*Seconded Councillor SJ SMITH*

**17.04/15 COUNCIL RESOLUTION:**

That the request for a community donation of \$200 towards the 2015 Gunnedah Country Music Muster be declined.

**11.7 REQUEST FOR COMMUNITY DONATION – GUNNEDAH GREYHOUND CLUB**

**AUTHOR**     **Manager Community and Cultural Development**

*Council Resolution*

*Moved Councillor GA GRIFFEN*

*Seconded Councillor R RYAN*

**18.04/15 COUNCIL RESOLUTION:**

That the request for a community donation of \$1000 towards the 2015 annual Cup Carnival in May/June be declined.

**12. *INFRASTRUCTURE SERVICES***

**12.1 APPLICATION TO CLOSE A COUNCIL ROAD**

**AUTHOR**     **Survey and Design Officer**

*Council Resolution*

*Moved Councillor D QUINCE*

*Seconded Councillor H ALLGAYER*

**19.04/15 COUNCIL RESOLUTION:**

That Council agree to the closing of the unconstructed Council public road, Lot 2 DP607367.

**12.2 REVIEW OF WATER CONNECTION POLICY**

**AUTHOR**     **Water Services Manager**

*Council Resolution*

*Moved Councillor SJ SMITH*

*Seconded Councillor H ALLGAYER*



**20.04/15 COUNCIL RESOLUTION:**

That Council adopt the Town Water Supply Connection Policy.

**12.3 DRINKING WATER QUALITY POLICY**

**AUTHOR** Water Services Manager

*Council Resolution*

*Moved Councillor GA GRIFFEN*

*Seconded Councillor SJ SMITH*

**21.04/15 COUNCIL RESOLUTIONS:**

That Council adopt the Drinking Water Quality Policy.

**12.4 PROJECT KOALA – TREE PLANTING**

**AUTHOR** Director Infrastructure Services

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor R RYAN*

**22.04/15 COUNCIL RESOLUTIONS:**

1. That Gunnedah Shire Council support the Project Koala program by facilitating the planting of trees in the following areas:
  - a) It's Gunnedah Waste management Depot;
  - b) Along the western side of Blackjack Road Reserve between Quia road and the Oxley Highway and both sides south of the Oxley Highway as possible;
  - c) Along both sides of the Barlow Road south of the Oxley Highway;
  - d) Along both sides of Quia Road Reserve between the Waste Management Depot and Blackjack Road.
2. That Council provide grader ripping support in the amount of \$10,000 from revenue funds to the abovementioned road corridors and other strategic corridors coordinated through the Gunnedah Urban Landcare Group.

**12.5 REQUEST – WATER CONSUMPTION CHARGE REDUCTION**

**AUTHOR** Water Services Manager

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor D QUINCE*

**23.04/15 COUNCIL RESOLUTIONS:**

1. That Council approve the request to reduce the sewerage consumption charges on Assessment No 13279918 to the average water consumption amount of 296 kilolitres per quarter for the two periods between 12/08/14 to 17/02/15 due to the exceptional circumstances experienced with no extra load placed on the sewer system. The result is a reduction of \$1056.49.
2. That Council correct the error in billing calculations caused by using the residential charging policy and grant a refund of \$812.24.

**12.6 REQUEST – WATER CONNECTION CHARGE REDUCTION**

**AUTHOR Water Services Manager**

*Council Resolution*

*Moved Councillor GA GRIFFEN*

*Seconded Councillor C FULLER*

**24.04/15 COUNCIL RESOLUTION:**

That Council decline the request to waive water charges on Assessment No 13282539 for the period 13/11/14 to 11/02/15 because it is the Landlord's and selected Real Estate Agent's responsibility to ensure properties are inspected and secure immediately upon a tenant vacating the premises.

**13. DELEGATES REPORT**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor GA GRIFFEN*

**25.04/15 COUNCIL RESOLUTION:**

That the Delegate's Report – Local Government NSW Tourism Conference – 2-4 March 2015 be received and noted.

**URGENT QUESTIONS WITHOUT NOTICE**

1. Councillor GA Griffen enquired as to the status of the water resource. The Director Infrastructure Services advised information received back from Aboriginal Lands Council on the day of preparation of reports for inclusion in the Business Paper. Further review of the information to be undertaken and a report will be presented to the Ordinary Meeting in May.
2. Councillor SJ Smith referred to the requests for waiving or reduced water charges and suggested the community be advised of their responsibility and how to check their water meters on a regular basis. The Director Infrastructure Services indicated he would take the matter on board.
3. Councillor H Allgayer requested information in relation to proposed hangar developments at the airport. The Director Infrastructure Services advised he was not aware of any specific developments at present and would discuss the matter in more detail with Councillor Allgayer.

4. Councillor C Fuller referred to correspondence regarding a dialysis machine in Gunnedah and the General Manager suggested that Councillor Fuller present a Notice of Motion to lobby the relevant Minister at a future Council Meeting.

### **CLOSED COUNCIL**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor GA GRIFFEN*

- 26.04/15 A Motion was Moved into Closed Council for consideration of the following matters and that members of the press and public be excluded from the meeting, the reason being that the matters to be discussed concerned personnel and contractual matters, as detailed below:

- a) Director Planning and Environmental Services' Report to Closed Council

## **14. PLANNING AND ENVIRONMENTAL SERVICES**

### **14.1 BUSINESS PARTNER PROGRAM – PROPOSED CUSTOMER SERVICE AWARDS**

**AUTHOR** Director Planning and Environmental Services

#### OFFICER'S RECOMMENDATION:

That the application for funding be declined.

*Council Resolution*

*Moved Councillor GA GRIFFEN*

*Seconded Councillor C FULLER*

### **27.04/15 COUNCIL RESOLUTION:**

That the application for funding under Business Partner Program from the Gunnedah Chamber of Commerce for support funding for a Proposed Customer Service Awards program be declined, however the Chamber be advised that Council are prepared to engage with the Gunnedah and District Chamber of Commerce and Industry in considering the development of the customer service award program in a way that will provide an ongoing benefit to business development and service delivery in the Gunnedah business sector.

*This item is classified CONFIDENTIAL under Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

- c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*This matter is classified confidential because it relates of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage, or reveal a trade secret.*

**14.2 BUSINESS PARTNER PROGRAM – BUSINESS ESTABLISHMENT SUPPORT**

**AUTHOR     Director Planning and Environmental Services**

*Council Resolution*

*Moved Councillor C FULLER*

*Seconded Councillor GA GRIFFEN*

**28.04/15 COUNCIL RESOLUTION:**

**That grant funding under the Business Partner Program, as recommended by the Business Partner Program Working Group, in respect of an application from K&K Creative for Business Establishment Support be approved.**

*This item is classified CONFIDENTIAL under Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

- c)        information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*This matter is classified confidential because it relates of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage, or reveal a trade secret.*

**14.3 BLACKJACK CREEK FLOOD MITIGATION PROJECT**

**AUTHOR     Project Town Planner**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor C FULLER*

**29.04/15 COUNCIL RESOLUTION:**

**That Council endorse the actions in respect of the acquisition of private land associated with the Blackjack Creek Riparian Corridor/Channel Reconstruction Project.**

*This item is classified CONFIDENTIAL under Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:*

- c)        information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*This matter is classified confidential because it relates of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage, or reveal a trade secret.*

**RESOLUTION OUT OF CLOSED COUNCIL**

*Council Resolution*

*Moved Councillor H ALLGAYER*

*Seconded Councillor C FULLER*

**30.04/15 COUNCIL RESOLUTION:**

**On the resumption of the Ordinary business of the meeting, the Chairperson reported that the previous resolution was adopted in Closed Council.**

*There being no further business, the meeting closed at 6:08pm.*

**Mayor OC Hasler  
CHAIRPERSON**