



GunnedahShire

GUNNEDAH SHIRE COUNCIL

The minutes of the Extraordinary Meeting of
Gunnedah Shire Council
held on

Wednesday 3 November 2021

Consisting of Pages 1 to 5

(Minute Nos 1.11/21E to 6.11/21E)

are confirmed as a true and correct record of the meeting
as per Minute No 2.11/21 of the
Ordinary Meeting held on 17 November 2021.

GUNNEDAH

Mayor Jamie Chaffey
CHAIRPERSON

EXTRAORDINARY COUNCIL MEETING MINUTES
of Gunnedah Shire Council held on Wednesday 3 November 2021 in the
Council Chambers 63 Elgin Street, Gunnedah commencing at 4:12pm

1. ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Kamilaroi people as the traditional custodians of the Land on which we gather today. I would also like to pay respect to Elders both past and present and extend that respect to other Aboriginal Australians present.

2. PRAYER

The Mayor opened the meeting with the customary prayer.

COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	ABSENT
J Chaffey (Chair)	X		
JR Campbell	X		
C Fuller	X		
OC Hasler	X		
R Hooke	X		
A Luke	X		
D Moses	X		
M O'Keefe	X		
RG Swain	X		
STAFF			
General Manager (E Groth)	X		
Director Corporate and Community Services (C Formann)	X		
Director Planning and Environmental Services (A Johns)	X		
Director Infrastructure Services (J Bartlett)	X		

4. DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REPORT	P	SNP	LSNP	RC	REASON
J CHAFFEY	7.1	Listing Kurrumbede Homestead Complex in State Heritage Register	X				Property is owned by a company that I supply goods and services to.
R HOOKE	7.1	Listing Kurrumbede Homestead Complex in State Heritage Register			X		Chair eIMEx – Whitehaven Coal is a major sponsor of this event.
RG SWAIN	7.1	Listing Kurrumbede Homestead Complex in State Heritage Register			X		Son and Son-in-law work for Whitehaven Coal.
M O'KEEFE	7.1	Listing Kurrumbede Homestead Complex in State Heritage Register	X				Work for Whitehaven Coal.
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 PRESENTATIONS/CONSULTATIONS

Nil.

6. MAYORAL MINUTE

Nil.

7. PLANNING AND ENVIRONMENTAL SERVICES

Mayor J Chaffey, Councillors R Hooke, RG Swain and M O'Keefe declared an interest, left the Chamber and took no part in discussion or consideration of this item.

Councillors C Fuller and A Luke nominated Councillor OC Hasler to Chair this item.

Councillor OC Hasler assumed the Chair.

7.1 LISTING KURRUMBEDE HOMESTEAD COMPLEX ON THE STATE HERITAGE REGISTER

AUTHOR Senior Development Officer (Strategic)

MOTION Moved Councillor C FULLER
Seconded Councillor D MOSES

1.11/21E COUNCIL RESOLUTIONS:

That Council makes a written submission of support to the Heritage Council of NSW in relation to its consideration of listing Kurrumbede Homestead Complex on the State Heritage Register in acknowledgement of its heritage significance.

Mayor J Chaffey, Councillors R Hooke, RG Swain and M O'Keefe returned to the meeting.

Mayor J Chaffey assumed the Chair.

CLOSED COUNCIL

MOTION Moved Councillor D MOSES
Seconded Councillor R HOOKE

2.11/21E 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 Infrastructure Services Report to Closed Council; and**
- b) Acting Mayor's Report to Closed Council.**

8. INFRASTRUCTURE SERVICES

8.1 TENDER T2521220ROC REGIONAL PROCUREMENT – ROAD STABILISING

AUTHOR Acting Manager Works

MOTION Moved Councillor C FULLER
Seconded Councillor J CAMPBELL

3.11/21E COUNCIL RESOLUTIONS:

That in relation to the report “Tender REGPRO Regional Procurement – Road Stabilising”, Council:

1. Approve that the following tender submissions be awarded this contract, T2521220ROC:
 - a. Accurate Asphalt & Road Repairs
 - b. THE Mining
 - c. Stabilcorp
 - d. Stabilised Pavements of Australia
 - e. Downer EDI Works
2. Commence the contract on 1 January 2022 to 31 December 2023 for a period of 24 months and approve that provision be allowed for a 12 month extension based on satisfactory supplier performance which may extend the contract to 31 December 2024.

8.2 LITTLE BARBER STREET – ROAD WIDENING – ACQUISITION OF LAND

AUTHOR Director Infrastructure Services

MOTION Moved Councillor OC HASLER
Seconded Councillor R HOOKE

4.11/21E COUNCIL RESOLUTIONS:

1. That Council endeavour to acquire by agreement the Land identified within Acquisition Plan DP 1274469 Little Barber Street, Gunnedah as Lots 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27 & 29 for road widening purposes under Section 177 of the *Roads Act 1993*;
 2. That, if agreement is reached, Council agree to pay compensation as outlined in the Valuation Report or following further valuation if required in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
 3. That if no such agreement is reached within a reasonable period of time:
 - a. The acquisition of the Land be carried out by compulsory process in accordance with Part 1 Chapter 8 of the *Local Government Act 1993* and the *Land Acquisition (Just Terms Compensation) Act 1991*;
 - b. Council seek approval from the Minister for Local Government in accordance with section 187 of the *Local Government Act 1993* to give all necessary Proposed Acquisition Notices in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*;
 - c. Council take each further step as is necessary to obtain approval from the Minister, the Governor or any public authority as may be necessary, and take all action as may be necessary, to give notices and otherwise carry out the acquisitions by means of compulsory acquisition;
 - d. Following receipt of the Minister’s approval, Council serve each acquisition notice and take each other action necessary to carry out the acquisition;
 - e. Following receipt of the Governor’s approval, Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;
 - f. Council pay any compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the *Land Acquisition (Just Terms Compensation) Act 1991*.
 4. That Council authorise the General Manager to complete and execute all documentation necessary to give effect to this resolution; and
 5. That upon acquisition, Council will dedicate the Land as Public Road pursuant to Section 10 of the *Roads Act 1993*.
-

9. ACTING MAYOR'S OFFICE

9.1 GENERAL MANAGER CONTRACT

AUTHOR **Acting Mayor R Hooke**

OFFICER'S RECOMMENDATIONS:

That Council:

1. Make an offer of a new contract of employment to the General Manager in accordance with Clause 5 – Renewal of appointment subclause 5.2;
2. That the terms of the offer be in accordance with the terms of the current contract for a period of five years from the date of signing of the new contract; and
3. That the Mayor be authorised to execute the new contract with the General Manager.

An Amendment was Moved Councillor J CAMPBELL, seconded Councillor D MOSES:

That Council:

1. Make an offer of a new contract of employment to the General Manager in accordance with Clause 5 – Renewal of appointment subclause 5.2;
2. That the terms of the offer be in accordance with the terms of the current contract for a period of three years from the date of signing of the new contract; and
3. That the Mayor be authorised to execute the new contract with the General Manager.

The Amendment on being Put to the Meeting was Lost.

MOTION *Moved Councillor R HOOKE*
 Seconded Councillor A LUKE

5.11/21E COUNCIL RESOLUTIONS:

That Council:

1. **Make an offer of a new contract of employment to the General Manager in accordance with Clause 5 – Renewal of appointment subclause 5.2;**
2. **That the terms of the offer be in accordance with the terms of the current contract for a period of five years from the date of signing of the new contract; and**
3. **That the Mayor be authorised to execute the new contract with the General Manager.**

RESOLUTION OUT OF CLOSED COUNCIL

*MOTION Moved Councillor J CAMPBELL
Seconded Councillor D MOSES*

6.11/21E **COUNCIL RESOLUTION:**

On the resumption of the Ordinary business of the meeting, the Chairperson reported that the previous resolutions were adopted in Closed Council.

There being no further business, the meeting concluded at 4:45pm.

Councillor J Chaffey
MAYOR