



**Gunnedah**Shire

**GUNNEDAH SHIRE COUNCIL**

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

**Wednesday 15 May 2019**

Consisting of Pages 1 to 10

(Minute Nos 1.05/19 to 24.05/19)

are confirmed as a true and correct record of the meeting  
as per Minute No 1.06/19 of the  
Ordinary Meeting held on 19 June 2019.

GUNNEDAH

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Deputy Mayor Rob Hooke  
CHAIRPERSON

### ORDINARY COUNCIL MEETING MINUTES of Gunnedah Shire Council held on Wednesday 15 May 2019 in the Council Chambers, 63 Elgin Street, Gunnedah commencing at 4:31pm

1.	COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	ABSENT
	J Chaffey		X	
	JR Campbell	X		
	C Fuller		X	
	OC Hasler		X	
	R Hooke (Chair)	X		
	A Luke	X		
	D Moses	X		
	M O'Keefe	X		
	RG Swain	X		
	<b>STAFF</b>			
	General Manager (E Groth)	X		
	Director Corporate and Community Services (C Formann)	X		
	Acting Director Planning and Environmental Services (C Hoddle)			
	Director Infrastructure Services (J Bartlett)	X		
	Chief Engineer (D Noble)	X		
	Chief Financial Officer (D Connor)	X		

**MOTION:**     *Moved Councillor RG SWAIN*  
                    *Seconded Councillor D MOSES*

## 2. PRAYER

The Deputy Mayor opened the meeting with the customary prayer.

## 3. BEREAVEMENTS

The Deputy Mayor read off the list of bereavements being Gloria June Kempster, Stuart John Bray, Mervyn William Wilson, Elaine Patricia Conlan, William Langford, Thelma May Powell, Julie Margaret Tomlinson, Terrence John Downes and Lindsay Arthur Durham.

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
RG SWAIN	11.4	Proposed Rezoning – Rangari/Kelvin/Keepit and Carroll Area.		X			Relatives of husband's.
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

*Mr Justin Hobson was in attendance to make a presentation in relation to Item 3 (Agenda Item 10.3) of the Director Corporate and Community Services Report concerning the Draft 2017-2021 Delivery Program and 2019/20 Operational Plan, specifically the Pool Lane Hire Fees contained in the Fees and Charges.*

*Councillor RG Swain declared an interest, and left the Chamber.*

*Mr Matt Carter was in attendance to make a presentation in relation to Item 4 (Agenda Item 11.4) of the Director Planning and Environmental Services Report concerning Proposed Rezoning – Rangari/Kelvin/Keepit and Carroll Area.*

*Mr Keith Perrett was in attendance to make a presentation in relation to Item 4 (Agenda Item 11.4) of the Director Planning and Environmental Services Report concerning Proposed Rezoning – Rangari/Kelvin/Keepit and Carroll Area.*

*Councillor RG Swain returned to the meeting.*

## 6. PREVIOUS MINUTES

### 6.1 CONFIRMATION OF PREVIOUS MINUTES

MOTION      *Moved Councillor J CAMPBELL*  
                    *Seconded Councillor D MOSES*

### 1.05/19 COUNCIL RESOLUTION:

**The Minutes of the Ordinary Meeting held on Wednesday 17 April 2019 were received and it was RESOLVED that the minutes be adopted as a true and correct record of that meeting.**

## 7. NOTICE OF MOTION

*Nil.*

## 8. MAYORAL MINUTE

*Nil.*

## 9. GENERAL MANAGER'S OFFICE

### 9.1 FINANCIAL ASSISTANCE GRANTS – CALL TO RESTORE FUNDING LEVELS

AUTHOR      **General Manager**

MOTION      *Moved Councillor RG SWAIN*  
                    *Seconded Councillor A LUKE*

### 2.05/19 COUNCIL RESOLUTION:

**That Council:**

- Acknowledges the important of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure;**

2. Expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%; and
3. Calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1% of Commonwealth Taxation revenue and therefore to provide a fairer share of federal funding for our local communities.

## 10. CORPORATE AND COMMUNITY SERVICES

### 10.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

**AUTHOR** Director Corporate and Community Services

*MOTION* Moved Councillor A LUKE  
Seconded Councillor RG SWAIN

### 3.05/19 COUNCIL RESOLUTIONS:

That:

1. Pursuant to s.241 of the Local Government Act 1993, the annual Mayoral allowance be \$26,530 effective 1 July 2019 for the ensuing 12 month period.
2. Pursuant to s.241 of the Local Government Act 1993, the annual Councillor fees be \$12,160 effective 1 July 2019 for the ensuing 12 month period.

### 10.2 IPART REVIEW OF LOCAL GOVERNMENT ELECTION COSTS – SUBMISSION ON ISSUES

**AUTHOR** Manager Governance and Legal

*MOTION* Moved Councillor A LUKE  
Seconded Councillor M O'KEEFE

### 4.05/19 COUNCIL RESOLUTION:

That the Council receive and note the submission on the IPART issues paper in relation to Local Government Election costs.

### 10.3 DRAFT 2017-2021 DELIVERY PROGRAM AND 2019/20 OPERATIONAL PLAN

**AUTHOR** Director Corporate and Community Services

*MOTION* Moved Councillor M O'KEEFE  
Seconded Councillor J CAMPBELL

### 5.05/19 COUNCIL RESOLUTION:

That the Draft 2017-2021 Delivery Program and 2019/20 Operational Plan be publicly exhibited for 28 days pursuant to section 404(4) and 405(3) of the Local Government Act 1993.

### 10.4 ARTS AND CULTURAL GRANTS ASSESSMENT

**AUTHOR** Cultural Precinct Team Leader

*MOTION* Moved Councillor A LUKE  
Seconded Councillor D MOSES

**6.05/19**     **COUNCIL RESOLUTIONS:**

1.     That Council endorse the allocation of \$13,616.00 under the 2018/19 Arts and Cultural Grants Policy as outlined in the report.
2.     That the remaining amount of \$3,384.00 be carried forward to the 2019/20 Arts and Cultural Grants round.
3.     That the Arts and Cultural Grants Policy be amended to correct the grammatical ambiguity as outlined in the report.

**10.5**     **OUTSTANDING RESOLUTION REGISTER**

**AUTHOR**     Director Corporate and Community Services

*MOTION*     Moved Councillor RG SWAIN  
                    Seconded Councillor A LUKE

**7.05/19**     **COUNCIL RESOLUTION:**

That the information be received and noted.

**11.**     **PLANNING AND ENVIRONMENTAL SERVICES**

**11.1**     **REALLOCATION OF FUNDS IN DEVELOPMENT AND PLANNING**

**AUTHOR**     Manager Development and Planning

*MOTION*     Moved Councillor RG SWAIN  
                    Seconded Councillor J CAMPBELL

**8.05/19**     **COUNCIL RESOLUTION:**

That the funds for the Local Environmental Plan (LEP) Land Use Strategies (\$40,000) be transferred to the 2019/20 Operational Plan.

**11.2**     **BREEZA WASTE MANAGEMENT FACILITY**

**AUTHOR**     Manager Waste

*MOTION*     Moved Councillor RG SWAIN  
                    Seconded Councillor D MOSES

**9.05/19**     **COUNCIL RESOLUTIONS:**

That Council:

1.     Resolve to operate the Breeza Waste Management Facility.
2.     Convert the Breeza Waste Management Facility Transfer Station to a Mobile Collection Service.

**11.3**     **BUSINESS PARTNER ADVISORY GROUP NOMINATIONS**

**AUTHOR**     Manager Economic Development

*MOTION*     Moved Councillor A LUKE  
                    Seconded Councillor M O'KEEFE

**10.05/19 COUNCIL RESOLUTIONS:**

That Council:

1. Allow for an additional community member on the Business Partner Advisory Group to be a total of four community positions.
2. Appoint Mr Michael Broekman, Ms Angela McCormack and Ms Lindsay Sheedy to the Business Partner Advisory Group as community representatives.

**11.4 PROPOSED REZONING – RANGARI/KELVIN/KEEPIT AND CARROLL AREA**

*Councillor RG Swain declared an interest in this item, left the Chamber and took no part in discussion or consideration of this item.*

**AUTHOR      Manager Development and Planning**

OFFICER'S RECOMMENDATIONS:

That Council:

1. Prepare a draft planning proposal, pursuant to Section 3.33 of the *Environmental Planning and Assessment Act 1979* for an amendment to the Gunnedah *Local Environmental Plan 2012* to rezone the cleared land and land not mapped as environmentally sensitive lands from E3 Environmental Protection to RU1 Primary Production within the following lots:
  - Lot 1 DP 32278
  - Lot 3 DP 114885
  - Lot 1 DP 129846
  - Lots 1 & 2 DP 131921
  - Lot 1 DP 190411
  - Lot 1 DP 206938
  - Lot 2 DP 233387
  - Lots 1 & 2 DP 235444
  - Lot 5 DP 254903
  - Lot B DP 360280
  - Lot 1 DP 360982
  - Lot 2 DP 376630
  - Lot 1 DP 390814
  - Lot A DP 420872
  - Lot A DP 438667
  - Lots 11 & 12 DP 611349
  - Lot 1 DP 651798
  - Lot 1 DP 654167
  - Lot 72 DP 705059
  - Lots 1, 49, 51 & 63 DP 751005
  - Lots 16, 42, 67, 68 & 128 DP 752193
  - Lots 108, 109, 112 & 149 DP 754938
  - Lots 73, 76, 98, 101, 104 & 105 DP 754946
  - Lots 34, 35, 100 & 109 DP 754950
  - Lots 65, 89, 95, 96, 99, 102 & 103 DP 754955
  - Lots 122, 166, 192 & 193 DP 754956
  - Lot 2 DP 825588
  - Lot 1 DP 868844
  - Lot 2 DP 1089276
  - Lots 1 & 2 DP 1245388
  - Lot 1 DP 1130616
  - Lot 1 DP 1138400
  - Lot 1 DP 1145620

- Lot 1 DP 1167192
  - Lot 1 DP 1173869
  - Lot 4 DP 1204650
2. Forward the draft planning proposal to the Department of Planning and Environment for a Gateway Determination, and exhibit the proposal in accordance with that determination, pursuant to Sections 3.34-3.35 and Clause 4 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*; and
3. Request that the Director General of the Department of Planning and Environment issue a Written Authorisation to Council to Exercise Delegation of the plan making functions under Section 3.36 of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal.

A Motion was Moved Councillor A Luke, Seconded Councillor M O'Keefe:

That the matter be deferred for consideration until further workshops and consultation with the stakeholders is undertaken.

The Motion on being put to the meeting was Carried.

*MOTION        Moved Councillor A LUKE  
                      Seconded Councillor M O'KEEFE*

#### **11.05/19    COUNCIL RESOLUTIONS:**

**That the matter be deferred for consideration until further workshops and consultation with the stakeholders is undertaken.**

*Councillor RG Swain returned to the Chamber.*

#### **11.5        REALLOCATION OF FUNDS IN ECONOMIC DEVELOPMENT**

**AUTHOR        Manager Economic Development**

*MOTION        Moved Councillor J CAMPBELL  
                      Seconded Councillor RG SWAIN*

#### **12.05/19    COUNCIL RESOLUTION:**

**That the funds for the Smart Device App (\$50,000) be transferred to the 2019/20 Operational Plan.**

### **12.        INFRASTRUCTURE SERVICES**

#### **12.1        PAVEMENT, KERB AND GUTTER WORKS DEFERRED**

**AUTHOR        Manager Works**

*MOTION        Moved Councillor A LUKE  
                      Seconded Councillor D MOSES*

#### **13.05/19    COUNCIL RESOLUTIONS:**

**That Council defer the following asset renewal projects to the 2019/20 financial year:**

- 1.        Boundary Road Pavement - \$40,000;**
- 2.        Boundary Road Kerb - \$44,000; and**
- 3.        Bloomfield Street Kerb from Stanley Street to Boundary Road - \$124,000.**

**12.2**      **DROUGHT RELIEF HEAVY VEHICLE ACCESS PROGRAM**

**AUTHOR**      **Manager Works**

*MOTION*      *Moved Councillor RG SWAIN*  
*Seconded Councillor D MOSES*

**14.05/19**   **COUNCIL RESOLUTION:**

That Council note that the application to Roads and Maritime Services for \$300,000 funding under the Drought Relief Heavy Vehicle Access Program was successful.

**12.3**      **MULLALEY WATER SUPPLY BORE REPLACEMENT**

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

*MOTION*      *Moved Councillor RG SWAIN*  
*Seconded Councillor A LUKE*

**15.05/19**   **COUNCIL RESOLUTION:**

That upon receipt of written approval from the Natural Resources Access Regulator (NRAR) for “a new or amended water supply work” Council allocate \$95,073 from the Water Supply Restricted Fund to:

1.      Engage a contractor to drill a test hole to determine the depth and final bore design to replace Mullaley Bore Number 2; and
2.      Augment the test hole to construct a production bore as a replacement for Mullaley Bore Number 2 if a suitable water source is found.

**12.4**      **REQUEST – WATER CONSUMPTION CHARGE REDUCTION**

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

*MOTION*      *Moved Councillor RG SWAIN*  
*Seconded Councillor D MOSES*

**16.05/19**   **COUNCIL RESOLUTION:**

That Council decline the request to reduce the rate to the first tier on property Assessment 13275621.

**13.**      **ENGINEERING SERVICES**

**13.1**      **SWIMMING POOL – OUTDOOR POOL CARPARK REPAIR AND RESEAL**

**AUTHOR**      **Chief Engineer**

*MOTION*      *Moved Councillor RG SWAIN*  
*Seconded Councillor J CAMPBELL*

**17.05/19**   **COUNCIL RESOLUTION:**

That Council return the \$30,000 allocated for the Swimming Pool – Outdoor Pool Carpark Repair and Reseal to the General Unrestricted Asset.



## 14. BUSINESS AND FINANCE

### 14.1 MARCH QUARTERLY BUDGET REVIEW AS AT 31 MARCH 2019

**AUTHOR** Management Accountant

*MOTION* Moved Councillor RG SWAIN  
Seconded Councillor A LUKE

#### 18.05/19 COUNCIL RESOLUTIONS:

1. That the March Quarterly Budget Review as at 31 March 2019 for the 2018/19 financial year be received and noted;
2. That the adjustments to budget allocations, including transfers to and from restricted assets, as listed in the attachments to the report, be adopted.

### 14.2 PROJECT PROGRESS REPORT

**AUTHOR** Management Accountant

*MOTION* Moved Councillor M O'KEEFE  
Seconded Councillor A LUKE

#### 19.05/19 COUNCIL RESOLUTION:

That the Project Management Progress Report for the third quarter of 2018/19 be received and noted.

### 14.3 INVESTMENTS

**AUTHOR** Financial Accountant

*MOTION* Moved Councillor M O'KEEFE  
Seconded Councillor RG SWAIN

#### 20.05/19 COUNCIL RESOLUTION:

That the principal investments of \$52.6 million for all funds to date be received and noted.

## 15. DELEGATES REPORT

### 15.1 ALGWA 2019 ANNUAL CONFERENCE

**AUTHOR** Councillor C Fuller

*MOTION* Moved Councillor RG SWAIN  
Seconded Councillor D MOSES

#### 21.05/19 COUNCIL RESOLUTIONS:

1. That Council receives and notes the Delegate's Report of the ALGWA 2019 Annual Conference.
2. That Council acknowledge Councillor C Fuller being awarded Life Membership of ALGWA.

## 16. QUESTIONS ON NOTICE

*Nil.*

## CLOSED COUNCIL

*MOTION*      *Moved Councillor A LUKE*  
                    *Seconded Councillor D MOSES*

**22.05/19**    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 Corporate and Community Services Report to Closed Council.

## 17.          CORPORATE AND COMMUNITY SERVICES

### 17.1        TENDER T1819-06 – CULTURAL PRECINCT MASTER PLAN AND CONCEPT PLAN

**AUTHOR**      Director Corporate and Community Services

*MOTION*      *Moved Councillor RG SWAIN*  
                    *Seconded Councillor M O'KEEFE*

### 23.05/19    COUNCIL RESOLUTIONS:

1.          That Council delegate authority to the General Manager to award and execute Contract T1819-06 Cultural Precinct Master Plan and Concept Plan with Workshop 1 – Dunn and Hillam Architects for \$98,640 ex GST.
2.          That a budget of \$100,000 be allocated for the project and that this budget allocation be drawn from the Section 94a reserve.
3.          That Council call for Expressions of Interest from those interested in being a part of a Cultural Precinct Master Plan Advisory Group to provide input into the master planning process.

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

- (d)          *Commercial information of a confidential nature that would, if disclosed:*
- (i)          *prejudice the commercial position of the person who supplied it, or*
  - (ii)        *confer a commercial advantage on a competitor of the Council, or*
  - (iii)       *reveal a trade secret.*

*This matter is classified confidential because 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 M O'KEEFE*  
*Seconded Councillor D MOSES*

**24.05/19    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 5:33pm.

**Deputy Mayor R Hooke  
CHAIRPERSON**