



**Gunnedah**Shire

**GUNNEDAH SHIRE COUNCIL**

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

**Wednesday 19 May 2021**

Consisting of Pages 1 to 8  
(Minute Nos 1.05/21 to 20.05/21)

are confirmed as a true and correct record of the meeting  
as per Minute No 1.06/21 of the  
Ordinary Meeting held on 16 June 2021.

GUNNEDAH

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Mayor Jamie Chaffey  
CHAIRPERSON

**ORDINARY COUNCIL MEETING MINUTES**  
**of Gunnedah Shire Council held on Wednesday 19 May 2021 in the**  
**Council Chambers, 63 Elgin Street, Gunnedah commencing at 4:33pm**

**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 Deputy Mayor opened the meeting with the customary prayer.

**3. BEREAVEMENTS**

The Deputy Mayor read off the list of bereavements being Glenda Jess Buckland, John Wayne Lidgerwood, David John Warmoll, Rex James Irvine, Garry Andrew Lumby, Edieson Llewelyn Apthorpe, James Kynaston McCulloch, Lynn Louise, Mark Andrew, June Lorraine Ross, Joseph William Kennedy and Robert Lindsay West.

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. PRESENT/APOLOGIES**

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		
Director Planning and Environmental Services (A Johns)	X		
Director Infrastructure Services (J Bartlett)	X		
Executive Manager GoCo (B Mercer)	X		

*Council Resolution*

*Moved Councillor M O'KEEFE*

*Seconded Councillor RG SWAIN*

**5. PREVIOUS MINUTES**

**5.1 CONFIRMATION OF PREVIOUS MINUTES – ORDINARY MEETING**

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

1.05/21 **COUNCIL RESOLUTION:**

The Minutes of the Ordinary Meeting held on Wednesday 21 April 2021 were received and it was **RESOLVED** that the minutes be adopted as a true and correct record of that meeting.

6. **DECLARATIONS OF INTEREST**

COUNCILLOR	ITEM	REPORT	P	SNP	LSNP	RC	REASON
RG SWAIN	12.2	Reallocation of Funds – Gunnedah Memorial Pool			X		Granddaughter lifeguard at the pool.
A LUKE	11.1	Planning Proposal to Amend the Gunnedah Local Environmental Plan (LEP) 2012 Planning Proposal for Lots 15, 16, 17 and 19, Section 21 DP758492 – 107-109 Chandos Street, Gunnedah			X		Member of the CMCA.
STAFF	ITEM	REPORT	P	SNP	LSNP	RC	REASON
J BARTLETT	12.6	Gunnedah Local Traffic Advisory Committee			X		Vice President of the Tamworth Cycle Club – organiser of the Tamworth Cycle Race.

P – Pecuniary

SNP – Significant Non Pecuniary

LSNP – Less than Significant Non Pecuniary

RC – Remain in Chamber during consideration/discussion of item

7. **COMMUNITY PRESENTATIONS**

*Nil at time of printing.*

8. **MAYORAL MINUTE**

*Nil at time of printing.*

9. **GENERAL MANAGER'S OFFICE**

9.1 **GOCO CLINICAL GOVERNANCE COMMITTEE**

**AUTHOR** GoCo Quality and Systems Leader

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

2.05/21 **COUNCIL RESOLUTION:**

That Council appoint Ms Jenny Meyer as Clinic Specialist and Ms Lia Mahony as Clinical Governance Specialist to the s355 GoCo Clinical Governance Committee.

9.2 **DONATION OF PRIZES – KELVIN HALL COMMITTEE INC**

**AUTHOR** General Manager

**MOTION** Moved Councillor C FULLER  
Seconded Councillor D MOSES

3.05/21 **COUNCIL RESOLUTION:**

That Council endorses the action of the General Manager in providing the donation of a 2 x Family Pass Civic Movie Money Tickets to Kelvin Hall Committee Inc, as prizes for their fundraising raffle held on Saturday 24 April 2021.

**9.3** **PROJECT PROGRESS REPORT**

**AUTHOR** Coordinator Finance

*MOTION* Moved Councillor RG SWAIN  
Seconded Councillor A LUKE

**4.05/21** **COUNCIL RESOLUTION:**

That the Third Quarter March Project Progress Report for 2020/21 be received and noted.

**9.4** **THIRD QUARTER BUDGET REVIEW AS AT 31 MARCH 2021**

**AUTHOR** Coordinator Finance

*MOTION* Moved Councillor D MOSES  
Seconded Councillor A LUKE

**5.05/21** **COUNCIL RESOLUTIONS:**

1. That the third quarter budget review summary for the 2020/21 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 noted.

**9.5** **INVESTMENTS**

**AUTHOR** Coordinator Accounting and Treasury

*MOTION* Moved Councillor C FULLER  
Seconded Councillor D MOSES

**6.05/21** **COUNCIL RESOLUTION:**

That the principal investment of \$63.9 million for all funds to date be received and noted.

**10. CORPORATE AND COMMUNITY SERVICES**

**10.1** **ART AND CULTURAL GRANTS – PANEL OUTCOMES**

**AUTHOR** Acting Cultural Precinct Team Leader

*MOTION* Moved Councillor OC HASLER  
Seconded Councillor A LUKE

**7.05/21** **COUNCIL RESOLUTIONS:**

1. That Council endorse the allocation of \$10,397.83 under the 2020/21 Arts and Cultural Grant Fund as detailed in the report;
2. And that the balance of \$7,496.00 be carried over to the Pool Funding for 2021/22.

**10.2** **OUTSTANDING RESOLUTION REGISTER**

**AUTHOR** Director Corporate and Community Services

*MOTION* Moved Councillor OC HASLER  
Seconded Councillor D MOSES

**8.05/21 COUNCIL RESOLUTION:**

That the information be received and noted.

**11. PLANNING AND ENVIRONMENTAL SERVICES**

**11.1 PLANNING PROPOSAL TO AMEND THE GUNNEDAH LOCAL ENVIRONMENTAL PLAN (LEP) 2012 – PLANNING PROPOSAL FOR LOTS 15, 16, 17 AND 19, SECTION 21 DP758492 – 107-109 CHANDOS STREET, GUNNEDAH**

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

**AUTHOR** Senior Development Officer (Strategic)

**MOTION** Moved Councillor OC HASLER  
Seconded Councillor C FULLER

**9.05/21 COUNCIL RESOLUTIONS:**

That Council gives authority to the General Manager as the local plan-making authority to exercise the functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979 to amend the Gunnedah Local Environmental Plan 2012 (GLEP2012) to include a caravan park as an additional permitted use on Lots 15, 16, 17 and 19 Section 21 DP758492, 107-109 Chandos Street, Gunnedah by including the following:

- (a) A caravan park as an Additional Permitted Use in Schedule 1 of the GLEP2012 for Lots 15, 16, 17 and 19 Section 21 DP758492; and
- (b) Additional Permitted Uses Map accompanying the GLEP2012 so that a caravan park can be permissible on Lots 15, 16, 17 and 19 Section 21 DP758492 Gunnedah.

*Councillor A Luke returned to the Chamber.*

**12. INFRASTRUCTURE SERVICES**

**12.1 PUBLIC FACILITIES – CAPITAL ROLLOVER PROJECTS**

**AUTHOR** Acting Manager Public Facilities

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

**10.05/21 COUNCIL RESOLUTIONS:**

That Council endorse the rollover of the following 2020/21 Capital Works allocations to the 2021/22 financial year:

- 1. Cone and gable replacement being \$5,957;
- 2. Tree beautification program being \$32,516;
- 3. \$8,000 Civic Stage Polishing being transferred into Civic Stage Capacity Upgrade being \$16,500 totalling \$24,500;
- 4. Playground Replacement Program being \$49,500;
- 5. Civic Fire Exhaust being \$8,500;
- 6. Wandobah Reserve Fencing being \$166,935.

**12.2 REALLOCATION OF FUNDS – GUNNEDAH MEMORIAL POOL**

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

**AUTHOR** Acting Manager Public Facilities

**MOTION** Moved Councillor A LUKE  
Seconded Councillor C FULLER

**11.05/21** **COUNCIL RESOLUTION:**

That Council authorise the redistribution of \$44,550 from Sporting Grounds \$51,793 from Parks and Gardens budgets to the Pool Temporary Labour budget.

Councillor RG Swain returned to the Chamber.

**12.3** **WATER SERVICES – CAPITAL ROLLOVER PROJECT**

**AUTHOR** Manager Water Services

**MOTION** Moved Councillor A LUKE  
Seconded Councillor C FULLER

**12.05/21** **COUNCIL RESOLUTION:**

Council approve the transfer of the below Water Services capital works projects to the 2021/22 financial year:

1. Gunnedah Sewerage Treatment Plant Stage 2 Detailed Design - \$500,000;
2. Gunnedah Water Supply High Production Bore Construction - \$700,000;
3. Gunnedah Water Supply Wean Road Water Main Replacement - \$1,148,931.

**12.4** **PROPOSED PARTIAL ROAD CLOSURE – KAMILAROI ROAD**

**AUTHOR** Chief Engineer

**MOTION** Moved Councillor C FULLER  
Seconded Councillor D MOSES

**13.05/21** **COUNCIL RESOLUTIONS:**

1. That Council publicly exhibit for 28 days, the proposed closure of part of the Kamilaroi Road in Gunnedah;
2. That a future report be brought to Council seeking endorsement to proceed (or not) with the proposed road closure at the completion of the exhibition period.

**12.5** **WORKS CAPITAL – ROLLOVER PROJECTS**

**AUTHOR** Works Manager

**MOTION** Moved Councillor RG SWAIN  
Seconded Councillor C FULLER

**14.05/21** **COUNCIL RESOLUTIONS:**

That Council endorse to rollover of the following 2020/21 Capital Works allocations to the 2021/22 financial year:

1. Resealing of High Street - \$11,831;
2. Resealing of Stock Road - \$19,548.

**12.6** **GUNNEDAH LOCAL TRAFFIC ADVISORY COMMITTEE**

*The Director Infrastructure Services declared an interest and left the Chamber.*

**AUTHOR** Works Manager

**MOTION** Moved Councillor D MOSES  
Seconded Councillor M O'KEEFE

**15.05/21** **COUNCIL RESOLUTIONS:**

That in relation to the report "Gunnedah Local Advisory Traffic Committee Meeting – May 2021, Council:

- i) Approve the removal of the existing "No Right Turn" regulatory signage and extension of the centre median island on Barber Street near the Warrabungle Street intersection, with funding to be sought from Transport for NSW.
- ii) Approve the request to conduct the annual Keegan Downes Memorial Cycling Classic Coonabarabran to Gunnedah Cycle Race placed to be held on Saturday 19 June 2021 and associated closure of Blackjack Road from the Oxley Highway to Quia Road between 2:0pm and 5:00pm. Approve the annual Tamworth Cycle Club Gunnedah to Tamworth race on Sunday 20 June 2021 subject to NSW Police approval of the event.
- iii) Widen the existing parking spaces between Abbott Street and Elgin Street in Conadilly Street to avoid tree removal and damage to vehicles.
- iv) Approve the request to access Porcupine Reserve, and the closure of Apex Drive on 26 and 27 June for a hill climb event and 4 and 5 September 2021 for the State Hill Climb Championships.
- v) Approve the NAIDOC Street Parade on Conadilly Street from Abbott Street to Chandos Street pending receipt of Road Occupancy Licence and Traffic Management Plan.
- vi) Approve the Night Quip Festival and closure of Conadilly Street from Elgin Street to Chandos Street on 17 August 2021 from 5:00pm to 9:00pm pending receipt of Road Occupancy Licence.

*The Director Infrastructure Services returned to the Chamber.*

**12.7** **STOCK ROAD PAVEMENT UPGRADE**

**AUTHOR** Works Manager

**MOTION** Moved Councillor A LUKE  
Seconded Councillor C FULLER

**16.05/21** **COUNCIL RESOLUTION:**

That Council note the acceptance of the Transport NSW Fixing Local Roads grant for \$411,375 and a Council co-contribution of \$137,125 for the Stock Road pavement upgrade project bringing the project total to \$548,500.

**13. REPORTS OF COMMITTEES**

*Nil at time of printing.*

**14. DELEGATES REPORTS**

**14.1** **WASTE 2021 CONFERENCE – 4-6 MAY 2021**

**AUTHOR** Deputy Mayor R Hooke

*MOTION*      *Moved Councillor R HOOKE*  
*Seconded Councillor C FULLER*

**17.05/21**    **COUNCIL RESOLUTION:**

**That Council receives and notes the Waste 2021 Conference Delegate's Report for May 2021.**

**15.        NOTICES OF MOTION/QUESTIONS ON NOTICE**

**15.1       QUESTION ON NOTICE**

**AUTHOR**      **Councillor OC Hasler**

What community consultation, including with residents and business owners in Abbott Street, was undertaken before a decision to remove trees in Abbott Street between Conadilly Street and Barber Street was contemplated? If not, why not?

The Director Infrastructure Services responded to the question.

**15.2       QUESTION ON NOTICE**

**AUTHOR**      **Councillor OC Hasler**

Could council officers provide to Council a copy the "independent report from surveyors about removal of two trees (in Abbott Street), which was submitted to council in February of this year" as reportedly attributed to "the council spokesperson" in the Thursday April 29, 2021, edition of the "Gunnedah Times" in an article entitled "Trees cut down in Abbott Street"?

The Director Infrastructure Services responded to the question.

**CLOSED COUNCIL**

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

**18.05/21**    **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.**

**16.        INFRASTRUCTURE SERVICES**

**16.1       REQUEST FOR REFUND**

**AUTHOR**      **Senior Development Officer (Statutory)**

*MOTION*      *Moved Councillor RG SWAIN*  
*Seconded Councillor C FULLER*

**19.05/21**    **COUNCIL RESOLUTION:**

**That Council refund the entire \$4,000 Section 7.12 contribution paid to Council for the subject Development Application in accordance with the Clause 1.24 of the Gunnedah Shire Council Section 94A Contribution Plan.**



## RESOLUTION OUT OF CLOSED COUNCIL

*MOTION*    *Moved Councillor D MOSES*  
              *Seconded Councillor C FULLER*

### 20.05/21    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 5:27pm.

**Councillor R Hooke**  
**DEPUTY MAYOR**