



DRAFT

**MINUTES
ORDINARY MEETING OF COUNCIL**

held on

WEDNESDAY, 14 JULY 2021

PRESENT

Councillors Craig Davies (Mayor and Chair), Dawn Collins (Deputy Mayor), James Craft, Les Lambert, Lyn Jablonski, Rob McCutcheon, Mark Munro and Mrs Jane Redden (General Manager), Mr André Pretorius (Director Infrastructure & Engineering Services), Mr Phil Johnston (Director Community & Economic Development), Mr John Sevil (Director Finance & Corporate Strategy), Mrs Marion Truscott (Director Governance) and Mrs Sally McDonnell (Minute Taker).

WELCOME

The Chair welcomed those present and declared the meeting open at 5.30pm.

PRAYER

The Lord's Prayer was taken by those present.

ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement to Country was made by Cr Davies.

APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

CONFIRMATION OF MINUTES

RESOLVED Crs Lambert/Collins that the Minutes of the Ordinary Meeting held on 16 June 2021 be adopted.

2021/135

DISCLOSURES OF INTERESTS

Cr Rob McCutcheon declared a Pecuniary Interest in item 3 – Reports to Council Community and Economic Development – Development Application 2021/20 Proposed Recreation Facility (Outdoor) – Motorbike Track at 151 Old Backwater Road, Narromine, as a family member owns adjacent property on Backwater Road.

Cr Dawn Collins declared a Pecuniary Interest in item 3 – Reports to Council Community and Economic Development – Development Application 2021/20 Proposed Recreation Facility (Outdoor) – Motorbike Track at 151 Old Backwater Road, Narromine, as she is an owner of land opposite the property on Backwater Road.

MAYORAL MINUTE

1. MAYORAL DIARY

RESOLVED Crs Collins/Lambert that the information be noted.

2021/136

2. DEPUTY MAYORAL DIARY

RESOLVED Crs Collins/Lambert that the information be noted.

2021/137

3. DELEGATES REPORT – BUSH FIRE MANAGEMENT COMMITTEE MEETING

RESOLVED Crs Hamilton/Jablonski that the information be noted.

2021/138

REPORTS OF COMMITTEES

1. REPORT OF THE ECONOMIC DEVELOPMENT GROUP

RESOLVED Crs Munro/Jablonski that the recommendations from the minutes of the Economic Development Group Meeting held on 3 June 2021 be adopted.

2021/139

2. REPORT OF THE LOCAL TRAFFIC COMMITTEE

RESOLVED Crs Collins/McCutcheon that the report of the Local Traffic Committee and the recommendations from the minutes of the Meeting held on 16 June 2021 be adopted.

2021/140

REPORTS TO COUNCIL - GENERAL MANAGER

1. DELIVERY PROGRAM PROGRESS REPORT

RESOLVED Crs Lambert/Munro that the 4th Quarter Delivery Program Progress Report be noted.

2021/141

2. COUNCIL AUGUST MEETING

RESOLVED Crs Lambert/Munro that:-

1. Council hold an Extraordinary Meeting on 28 July 2021, commencing at 5.30pm to consider the Draft Narromine Floodplain Risk Management Study and Plan, General Manager's Performance Review and any other matters that are raised in the interim.
2. Council does not hold an Ordinary Meeting in August 2021.

2021/142

3. END OF TERM REPORT 2017 - 2021

RESOLVED Crs Lambert/Jablonski that Council note and endorse the attached End of Term Report for 2017 - 2021

2021/143

REPORTS TO COUNCIL - FINANCE & CORPORATE STRATEGY

1. INVESTMENT REPORT AS AT 30 JUNE 2021

RESOLVED Crs Craft/Munro that:

1. the report regarding Council's Investment Portfolio be received and noted;
2. the certification of the Responsible Accounting Officer is noted and the report adopted.

2021/144

REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

1. DEVELOPMENT APPROVALS

RESOLVED Crs Collins/Lambert that the information be noted.

2021/145

2. DRAFT CRIME MINIMISATION STRATEGY

RESOLVED Crs Craft/Jablonski that the Crime Minimisation Strategy 2021 be adopted.

2021/146

Cr Rob McCutcheon declared a Pecuniary Interest in item 3 – Reports to Council Community and Economic Development – Development Application 2021/20 Proposed Recreation Facility (Outdoor) – Motorbike Track at 151 Old Backwater Road, Narromine, as a family member owns adjacent property on Backwater Road.

Cr Dawn Collins declared a Pecuniary Interest in item 3 – Reports to Council Community and Economic Development – Development Application 2021/20 Proposed Recreation Facility (Outdoor) – Motorbike Track at 151 Old Backwater Road, Narromine, as she is an owner of land opposite the property on Backwater Road.

Cr McCutcheon and Cr Collins left the meeting at 5.59pm

3. DEVELOPMENT APPLICATION 2021/20 PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD BACKWATER ROAD, NARROMINE

RESOLVED Crs Lambert/Craft that Council move into Committee of the Whole to enable full discussion of the matter.

2019/147

RESOLVED Crs Craft/Lambert that Council move out of Committee of the Whole.

2019/148

3 DEVELOPMENT APPLICATION 2021/20 PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD BACKWATER ROAD, NARROMINE (Cont'd)

It was moved Crs Munro/Jablonski that the Development Application DA No 2021/20 for Recreation Facility (outdoor) – private motorbike track at 151 Old Backwater Road Narromine be REFUSED pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979.

Reasons for this recommendation are noted:

1. The development is not consistent with the zone objectives, RU1 Primary Production zone.
2. Noise impacts on residential receivers are not able to be mitigated satisfactorily in the location.
3. The scale and site design are not commensurate with the land size and variations to the DCP have not been satisfactorily justified considering the potential for stormwater runoff affecting neighbouring property and inability to include adequate landscaping to screen the track.
4. Approval of this development would not contribute to the public interest.

An amendment was moved by Crs Craft/Munro:

- A. That the Development Application DA No 2021/20 for Recreation Facility (outdoor) – private motorbike track at 151 Old Backwater Road Narromine be REFUSED pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act 1979.

Reasons for this recommendation are noted:

1. The development is not consistent with the zone objectives, RU1 Primary Production zone.
 2. Noise impacts on residential receivers are not able to be mitigated satisfactorily in the location.
 3. The scale and site design are not commensurate with the land size and variations to the DCP have not been satisfactorily justified considering the potential for stormwater runoff affecting neighbouring property and inability to include adequate landscaping to screen the track.
 4. Approval of this development would not contribute to the public interest.
- B. That Council investigates the suitable conditions that would allow Rural Zoned RU1 Land to build a motorbike track specifically in relation to neighbouring land uses and present back to council.

The Amendment was put to the vote and the Chair declared it as carried, however when the division of the vote was taken, it was noted that the amendment was LOST, as Cr Hamilton reiterated that he was not voting for the amendment or the motion.

3 DEVELOPMENT APPLICATION 2021/20 PROPOSED RECREATION FACILITY (OUTDOOR) – MOTORBIKE TRACK AT 151 OLD BACKWATER ROAD, NARROMINE (Cont'd)

A division of the vote was recorded:

In favour of the amendment was Cr Jablonski, Cr Craft and Cr Munro

Against the amendment was Cr Hamilton, Cr Lambert, Cr Davies, with the Mayor using his casting vote.

The motion was put to the vote and CARRIED

2021/149

A division of the vote was recorded:

In favour of the motion was Cr Munro, Cr Jablonski and Cr Davies, with the Mayor using his casting vote.

Against the motions was Cr Craft, Cr Lambert, Cr Hamilton

Cr Lambert and Cr Hamilton recorded their votes against the motion

Cr Collins returned to the meeting at 6.18pm

Cr McCutcheon returned to the meeting at 6.19pm

REPORTS TO COUNCIL - INFRASTRUCTURE & ENGINEERING SERVICES

1. WORKS REPORT

RESOLVED Crs Lambert/Collins that the information be noted.

2021/150

2. NARROMINE SPORTS AND FITNESS CENTRE FACILITY HIRE FEES

RESOLVED Crs Lambert/Munro that

1. Council considers establishing the proposed separate hire fees for user groups to hire the Small Exercise Room within the Sport and Fitness Centre.
2. Council place the proposed fees on public exhibition for a period of 28 days.

2021/151

CONFIDENTIAL MATTERS REPORT

1. OFFICE OF LOCAL GOVERNMENT – TRANGIE AIRSTRIP SALE

2 FURTHER DEVELOPMENT OF NARROMINE AERODROME

RESOLVED Crs Collins/Munro that Council moves into Closed Meeting under Sections 10A(2)(d)(i) of the Local Government Act 1993 as the matters contain commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the persons who supplied it and is therefore not in the public interest to disclose.

2021/152

OPEN COUNCIL

The Motions adopted in Closed Meeting are as follows:

Item from the General Manager

1. OFFICE OF LOCAL GOVERNMENT – TRANGIE AIRSTRIP SALE

RESOLVED Crs Collins/Jablonski that Council prepare a response to the issues raised in accordance with this report and advise the Office of Local Government accordingly, subject to confirmation on Issue 6 of the report.

2021/155

Item from the Director Community and Economic Development

2 FURTHER DEVELOPMENT OF NARROMINE AERODROME

RESOLVED Crs Collins/Lambert that:

1. Council agrees to sell approximately 28 hectares of part Lot 72 DP 1271467 for \$11,000 per HA (plus GST) under an option to purchase arrangement if the land is purchased within 18 months, and a further 10% premium be added if a further 12 month extension is needed. The option to purchase would also include a 10% non-refundable payment at the commencement of the option for a period of 18 months, and a further 10% non-refundable deposit be paid should the 12 month extension be requested.
2. All costs in relation to sale of the land be borne by the purchaser.

2021/158

There being no further business the meeting closed at 7.28pm

The Minutes (pages 1 to 8) were confirmed at a meeting held on the day of _____ 2021, and are a full and accurate record of proceedings of the meeting held on 14 July 2021.

Chair