

**MINUTES OF THE ORDINARY MEETING OF THE CARRATHOOL SHIRE COUNCIL HELD
AT THE HILLSTON DISTRICT OFFICE
on Tuesday, 19 September 2023 commencing at 10.05 am**

1. PRESENT

Councillors: DL Jardine (Mayor), GR Peters, JK Potter, DP Fensom, B Furner, MS Armstrong
DA Liddicoat, WR Kite and LW Cashmere.

Staff: General Manager Rick Warren, Director Infrastructure Services Barry Heins,
Manager Infrastructure Services Willem De Meyer and Management Accountant
Sarah Donnelly.

2. LEAVE OF ABSENCE

A request for leave of absence was received from Cr HJ Lyall.

0630 RESOLVED that the request for leave of absence from Cr HJ Lyall be received and granted.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr B Furner

3. DECLARATIONS OF PECUNIARY AND CONFLICTS OF INTEREST

Nil

4. CONFIRMATION OF THE PREVIOUS MINUTES

0631 RESOLVED that the minutes of the Ordinary meeting of the Carrathool Shire Council held 15 August 2023 as circulated to all Councillors, be confirmed.

CARRIED

Moved: Cr GR Peters / Seconded: Cr LW Cashmere

5. BUSINESS ARISING

Nil

6. MOTIONS & QUESTIONS (NOTICE GIVEN)

Nil

7. PRESENTATIONS/PUBLIC ADDRESSES (WHERE SCHEDULED)

Citizenship Ceremonies were conducted for Conferees – Mrs Bhagwant Kaur, Mr Juan Flores Lara, and Mr Ibrahim Syed.

SUPPLEMENTARY AGENDA ITEMS

Nil

8. MAYORAL REPORTS

8.1 Mayors Report

0632 RESOLVED that Council note the Mayors report to the September 2023 meeting.

CARRIED

Moved: Cr MS Armstrong / Seconded Cr DP Fensom

9. DELEGATES REPORTS

Nil

10.0 GENERAL MANAGER'S REPORT

10.1 Ongoing Action from Previous Business Papers

0633 RESOLVED that Council note the update on action report for September 2023.

CARRIED

Moved: Cr GR Peters / Seconded: Cr DP Fensom

10.2 Precis of Correspondence

10.2.1 Office of Energy and Climate Change

0634 RESOLVED that Council note the opening of NSW Electric Vehicle (EV) kerbside charging grants and that this round is aimed towards metropolitan Councils for on street charging stations.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr DA Liddicoat

10.2.2 Hillston Basketball Association

0635 RESOLVED that Council:

1. charge the Hillston Basketball Association half day hire for use of the venue rather than an hourly rate.
2. review hall charges.

CARRIED Moved: Cr B Furner / Seconded: Cr DA Liddicoat

10.2.3 Hon Tara Moriarty – Minister for Agriculture, Minister for Regional NSW, Minister for Western NSW

0636 RESOLVED that Council note The Hon Tara Moriarty is the Minister for Western NSW as well as Minister for Agriculture and Minister for Regional NSW.

CARRIED Moved: Cr WR Kite / Seconded: Cr MS Armstrong

10.2.4 Goolgowi Hall Committee

0637 RESOLVED that Council donate the \$1,000 to the Goolgowi Hall Committee for the Fanny Lumsden concert to be held on 27 October.

CARRIED Moved: Cr JK Potter / Seconded: Cr MS Armstrong

10.3 Election of Mayor – Term to September 2024

The General Manager acted as returning officer for the election of Mayor.

One nomination for mayor was received and the returning officer declared Cr DL Jardine elected as Mayor.

The Mayor took the chair for the remainder of the Council meeting.

10.4 Delegation of Authority to Mayor

0638 RESOLVED that the delegation of authority for Mayor Cr DL Jardine as follows be endorsed by the Council:

1. to give effect to the provisions of the Local Government Act 1993, and any other Act conferring powers of duties upon the Mayor and to any resolution or direction given to the Mayor by the Council.
2. to exercise general direction, control and performance assessment of the General Manager.
3. to sign and execute any documents under the Common Seal of the Council, in conjunction with the General Manager or any other Councillor pursuant to a decision of the Council.
4. to make statements or respond to the media in respect of Council matters.
5. to represent the Council with the General Manager in deputations' meetings and other forums where it is appropriate to present Councils position.
6. to authorise urgent or emergency works or activities with expenditure up to \$20,000.
7. to preside at all council meetings, community and public meetings and other forums convened by Council at which the Mayor is present unless this function is otherwise appointed to another councillor or person by the Mayor.
8. to provide Civic Receptions as appropriate.

CARRIED Moved: Cr B Furner / Seconded: Cr WR Kite

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CR DL JARDINE, CHAIRMAN

10.5 Local Roads and Community Infrastructure

0639 RESOLVED that Council submit the following projects for approval under the Local Roads and Community Infrastructure program Round 4.

LRCI – Roads	Project \$	Balance \$
Grant Funds		840,000
Camerons Lane	450,000	390,000
Euratha Road	130,000	260,000
Melbergen West (\$290K)	260,000	0.00

LRCI – General	Project \$	Balance \$
Grant Funds		1,457,000
Melbergen West (Balance)	30,000	1,427,000
Melbergen East	232,000	1,195,000
Merungi Road	492,000	703,000
Hillston Subdivision	250,000	453,000
Goolgowi Scoreboard	60,000	393,000
Stan Peters Oval Lights	100,000	293,000
Carrathool Water Solar	48,000	245,000
Bunda Water Supply	260,000	(15,000)

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr DA Liddicoat

10.6 Infrastructure Report

0640 RESOLVED that Council note the Infrastructure Report for September 2023.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr WR Kite

10.50 am Councillors JK Potter, DP Fensom and GR Peters left the meeting.

10.7 Funded Works Programs – Roads

0641 RESOLVED that Council:

1. note the completion of the pothole repair program.
2. note the balance, programmed works and the expected completion by the end of December 2023 of the Local and Regional Road Repair Program.
3. write to shadow minister for regional transport and roads, The Hon Sam Faraway thanking him for the funding programs.
4. write to the Premier the Hon Chris Minns and the Minister for Roads, the Hon John Graham informing them of the success of the program and the benefit to our local community from the funding provided.

CARRIED

Moved: Cr MS Armstrong / Seconded: Cr LW Cashmere

11.56 am Manager Infrastructure Services left the meeting

10.8 Plant Report

0642 RESOLVED that Council note the Plant Report as at 5 September 2023.

CARRIED

Moved: Cr LW Cashmere / Seconded: Cr DA Liddicoat

10.9 Plant Replacement

0643 RESOLVED that Council note the Plant Replacement report for September 2023.

CARRIED

Moved: Cr WR Kite / Seconded: Cr DA Liddicoat

10.10 Development Applications – September 2023

0644 RESOLVED that the Determinations for Development Applications received for August 2023 be noted.

CARRIED

Moved: Cr MS Armstrong / Seconded: B Furner

10.11 Development Application DA2023/030 – Extractive Industry – Quarry

0645 RESOLVED that Council notes the progress of Development Application DA2023/030.

CARRIED

Moved: Cr B Furner / Seconded: Cr DA Liddicoat

10.12 Development Application DA2023/012-Solar Farm and Battery Storage

0646 RESOLVED that Council note that the Development Consent 2023/012 has been approved by the Western Regional Planning Panel subject to the conditions imposed at the time of consent, and refuse the request to modify condition 10 of Development Consent 2023/012.

CARRIED Moved: Cr LW Cashmere / Seconded: Cr DA Liddicoat
Division: All in favour

10.13 Finance Report – Statement of Bank Balances – August 2023

0647 RESOLVED that Council note the Statement of Bank Balances as at 31 August 2023 and confirm payment of accounts as summarised in the reconciliation statement totalling \$4,610,577.28.

CARRIED Moved: Cr DA Liddicoat / Seconded: Cr WR Kite

10.14 Finance Report – Investments Schedule – August 2023

0648 RESOLVED that Council receive the investment report as at 31 August 2023 and it be noted that in accordance with clause 212 paragraph (1)(b) of the Local Government (General) Regulation 2021, it can be certified that the investments listed have been made in accordance with the Act, the Regulations and Council's Investment Policy.

CARRIED Moved: Cr B Furner / Seconded: Cr LW Cashmere

10.15 Draft Annual Financial Statements (AFS)

0649 RESOLVED that:

1. Council refer the 2022/23 draft Annual Financial Statements for audit.
2. the Statement of Councillors and Management be signed in accordance with sections 413 (1), (2) and (3) Local Government Act 1993.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr LW Cashmere

10.16 Delivery Program Performance Report

0650 RESOLVED that Council:

1. note the Delivery Program progress report for August 2023.
2. staff review the delivery program responsible officer.

CARRIED Moved: Cr B Furner / Seconded: Cr DA Liddicoat

10.17 Financial Assistance Grant

0651 RESOLVED that Council:

1. note the overall increase in the Financial Assistance Grant of \$1,164,785 for 2023/24 against the original budget estimate.
2. transfer the amount of \$343,940 to the roads reserve and the amount of \$820,845 to the development reserve.

CARRIED Moved: Cr WR Kite / Seconded: Cr LW Cashmere

10.18 Outstanding Rates and Sundry Debtors

0652 RESOLVED that Council note the report on outstanding rates and sundry debtors.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr B Furner

10.19 Disability Inclusion Action Plan Review

0653 RESOLVED that Council:

1. approve the draft Disability Inclusion Action Plan and place the document on public exhibition for a period of 28 days.
2. adopt the Disability Inclusion Action Plan after the exhibition period if no submissions are received.

CARRIED Moved: Cr B Furner / Seconded: Cr MS Armstrong

10.20 Draft Policies for Review

0654 RESOLVED that Council:

1. approve the draft list of policies below go on public exhibition for a period of 28 days:
 - Records Management Policy 083
 - Bush Fire Selection of Council Plant Policy 029
 - Urban and Rural Water Supply Policy 041
 - Keeping of Domestic Animals Policy 059
 - Development Applications – Determination by Council Policy 110
 - Placement of Outdoor Eating Areas Policy 111
 - Certificates Issue Service Agreement Policy 119
 - Councillor Interaction with Staff and Access to Information Policy 123
 - Levee Banks Policy 130
 - Complaints Management Policy 150
 - Communication Devices, Internet and Email Acceptable Use Policy 151
 - Rural Address Policy 163
 - Delegations Policy 164
2. That the following policies be cancelled:
 - Kerb and Gutter Construction Contribution Policy 044
 - Swimming Pool Inspection Program Policy 148
3. adopt the reviewed policies after the exhibition period if no public submissions are received.
CARRIED Moved: Cr MS Armstrong / Seconded: Cr Liddicoat

2.00 pm Councillors JK Potter, DP Fensom and GR Peters re-joined the meeting.

2.01 pm Community Development Officer joined the meeting.

10.21 Community Development Officer Report – September 2023

0655 RESOLVED that Council note the Community Development Officers report for September 2023.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr WR Kite

10.22 Hillston Water Tower Mural Project

0656 RESOLVED that Council:

1. endorse Janne Krimson Birkner as the preferred artist for the Hillston Water Tower Mural project.
2. liaise with Janne Krimson Birkner to progress the project.
CARRIED Moved: Cr LW Cashmere / Seconded: Cr DP Fensom

10.23 Youth Mural Project

0657 RESOLVED that Council approve the three (3) draft designs for the Youth Mural Project.

CARRIED Moved: Cr B Furner / Seconded: Cr DA Liddicoat

2.15 pm Community Development Officer left the meeting.

11.0 COMMITTEE REPORTS

Nil

12.0 CLOSED COUNCIL REPORTS

CLOSED COUNCIL 12.05 pm

0658 RESOLVED that Council resolve into closed council pursuant to Section 10A of the *Local Government Act 1993*, to consider the closed Council reports.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr LW Cashmere

12.1 Sale of Land for Overdue Rates and Charges

0659 RESOLVED that Council:

1. note the status of Assessment 1783 and Assessment 1231, in that they did not sell at the recent auction for overdue rates and charges.
2. place both properties for sale by private treaty, authorising the General Manager to effect such sale in accordance with the prices set by Council.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr WR Kite

12.2 Water Leak on Assessment Number 595-101

MOVED: Cr MS Armstrong / **Seconded:** Cr DA Liddicoat that Council waive the amount of \$823.65 which is the balance owed.

AMENDMENT MOVED: Cr LW Cashmere / **Seconded:** Cr JK Potter that 50% of balance owing be waived, \$304.38.

The amendment was carried then became the motion, and was put.

0660 RESOLVED that Council waive the amount of \$304.38, on the water account of Assessment Number 595-101.

CARRIED Moved: Cr LW Cashmere / Seconded: Cr JK Potter

Councillors MS Armstrong, B Furner and DA Liddicoat want it recorded as voting against the Motion.

12.3 User Agreement – Lake Woorabinda

0661 RESOLVED that Council:

1. enter into a two year user agreement with the aquatic club on the same terms, conditions and obligations as the previous agreement.
2. review the position of the parties at the expiration of this agreement and if all parties are in agreement consider a further negotiated term.
3. a report be bought back to Council investigating the purchase of additional water.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr DP Fensom

12.4 Tender 2022-004 – Drilling, Blasting & Crushing Gravel – New Panel Member

0662 RESOLVED that Council endorse the inclusion of Albury Quarries Pty Ltd onto the panel of suppliers Drilling, Blasting, Crushing of Gravel for the initial term of the contract 2 years with the option to extend for a further 2 periods, each of 2 years.

CARRIED Moved: Cr DP Fensom / Seconded: Cr LW Cashmere

12.5 Unauthorised Building Work Molesworth Street Hillston

0663 RESOLVED that Council commence proceedings to pursue the demolition and removal of the unauthorised building works at 93 Molesworth Street Hillston.

CARRIED Moved: Cr MS Armstrong / Seconded: Cr WR Kite

1.15 pm Adjourned for lunch.

2.00 pm Returned from lunch.

OPEN COUNCIL 1.14 pm

0664 RESOLVED that Council return to open Council.

CARRIED Moved: Cr LW Cashmere / Seconded: Cr MS Armstrong

CLOSED COUNCIL REPORT

The resolutions of Council made while the meeting was closed to the public were read to the open Council meeting by the General Manager.

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CR DL JARDINE, CHAIRMAN

13.0 Next Meeting

The next **Ordinary Meeting** of Council will be held at the **Goolgowi Council Chambers** on **Tuesday 17 October 2023** commencing at **10.00am**.

CLOSURE

There being no further business, the meeting terminated at 2.38 pm.

The Minutes of the Ordinary Meeting of the Carrathool Shire Council held on Tuesday, 19 September 2023 were confirmed at the subsequent Ordinary Meeting of Council on Tuesday, 17 October 2023

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Chairman of the Meeting of the Carrathool Shire Council held on Tuesday, 17 October 2023, at which meeting the above signature was subscribed.