



DRAFT

**MINUTES
ORDINARY MEETING OF COUNCIL**

held on

WEDNESDAY, 9 OCTOBER 2024

PRESENT

Councillors Ewen Jones (Mayor and Chair from 6.01pm), Stacey Bohm (Deputy Mayor), Craig Davies, Les Lambert, Lachlan Roberts, Adine Hoey, Peter Howe, Brian Leak, Judy Smith and Mr Phil Johnston (Director Community & Economic Development), Ms Melanie Slimming (Director Infrastructure & Engineering Services), Mr Barry Bonthuys (Director Finance & Corporate Strategy), Mrs Marion Truscott (Director Governance) and Mrs Sally McDonnell (Minute Taker).

OPENING MEETING

The Director Community and Economic Development assumed the role of Chair, welcomed those present and declared the meeting open at 5.30pm. The Chair advised that the General Manager was unable to attend the meeting due to an urgent matter, and that under the General Manager's delegation he would undertake the role of Returning Officer.

PRAYER

The Lord's Prayer was taken by those present.

ACKNOWLEDGEMENT OF COUNTRY

The Acknowledgement of Country was made by the Chair.

REPORTS TO COUNCIL – GENERAL MANAGER

1. COUNCILLOR OATH OR AFFIRMATION OF OFFICE

The following oaths or affirmations of office were made by Councillors: -

"I, Lachlan Roberts, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment."

"I, Stacey Bohm, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment."

"I, Adine Hoey, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment."

1. COUNCILLOR OATH OR AFFIRMATION OF OFFICE (Cont'd)

“I, Judy Smith, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.”

“I, Les Lambert, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.”

“I Peter Howe, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.”

“I, Ewen Jones, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement”

“I, Brian Leak, swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.”

“I, Craig Davies, solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement”

STATEMENT OF ETHICAL OBLIGATIONS

The Statement of Ethical Obligations was made by the Chair.

2. ELECTION OF MAYOR AND DEPUTY MAYOR

Election of Mayor

The Chair advised there were two nominations for the position of Mayor, Cr Ewen Jones and Cr Les Lambert.

The Returning Officer called for further nominations. No further nominations were received.

RESOLVED Crs Smith/Jones that Council determine the method of voting for position of Mayor be by show of hands.

2024/163

It was noted that the election of the Deputy Mayor would also be by show of hands.

The Returning Officer advised the meeting that it has been resolved that the method of voting for the position of mayor will be by show of hands. Each Councillor is entitled to vote for only one candidate. I will now write the names of each candidate on a slip of paper and deposit in a barrel (box). The first name out of the box will be written first on the tally sheet, with the second name out being written second.

The Returning Officer announced the names of the candidates and requested all Councillors voting for Cr Jones to raise their hands.

Councillors voting for Cr Jones included Crs Bohm, Smith, Howe, Jones and Leak
Councillors voting for Cr Lambert included Crs Roberts, Hoey, Lambert and Davies

The Returning Officer declared Cr Jones is elected as Mayor for the ensuing two years.

Election of Deputy Mayor

The Returning Officer advised there were two nominations for the position of Deputy Mayor, Cr Les Lambert and Cr Stacey Bohm.

The Returning Officer called for further nominations. No further nominations were received.

The Returning Officer advised the meeting that similarly, I will now write the names of each candidate on a slip of paper and deposit in a box. The first name out of the box will be written first on the tally sheet, with the second name out being written second.

The Returning Officer announced the names of the candidates and requested all Councillors voting for Cr Bohm to raise their hands.

Councillors voting for Cr Bohm included Crs Bohm, Smith, Howe, Jones and Leak
Councillors voting for Cr Lambert included Crs Roberts, Hoey, Lambert and Davies

2. ELECTION OF MAYOR AND DEPUTY MAYOR (Cont'd)

The Returning Officer declared Cr Bohm is elected as Deputy Mayor.

RESOLVED Crs Lambert/Bohm that the term of the Deputy Mayor be the same as the Mayor.

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Cr Jones assumed the Chair at 6.01pm

The Chair thanked Cr Davies for his service as Mayor for the previous 8 years.

APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil

CONFIRMATION OF MINUTES

RESOLVED Crs Lambert/Davies that the Minutes of the Ordinary Meeting held on 11 September 2024 be adopted.

2024/165

DISCLOSURES OF INTERESTS

Cr Judy Smith declared a Non- Pecuniary, Not Significant Interest in item 2 – Reports to Council Community and Economic Development – Modification to Development Application 2022/58.2 Use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine, as her husband is related to a neighbouring family.

Cr Lachlan Roberts declared a Non-Pecuniary, Not Significant Interest in item 2 – Reports to Council Community and Economic Development – Modification to Development Application 2022/58.2 Use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine, as he is an acquaintance of the applicant.

Cr Stacey Bohm declared a Non-Pecuniary, Not Significant Interest in item 2 – Reports to Council Community and Economic Development – Modification to Development Application 2022/58.2 Use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine, as the applicant is her hairdresser.

REPORTS TO COUNCIL - GENERAL MANAGER

3. COUNTBACKS TO FILL CASUAL VACANCIES

RESOLVED Crs Lambert/Bohm that pursuant to section 291A(1)(b) of the Local Government Act 1993 (the Act), Narromine Shire Council declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024, are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commissioner of the Council's decision within 7 days of the decision.

2024/166

4. ORDINARY COUNCIL MEETINGS – ORDER OF BUSINESS

It was moved by Crs Hoey/Smith that the Order of Business for Ordinary Meetings of Council be fixed as follows:

1. Opening Meeting
2. Prayer
3. Acknowledgement of Country
4. Statement of Ethical Obligations
5. Apologies and Applications for Leave of Absence or attendance by audio visual link by Councillors
6. Confirmation of Minutes
7. Disclosures of Interests
8. Mayoral Minute
9. Reports of Committees
10. Reports to Council
11. Notices of Motions/Questions with Notice
12. Business Without Notice – Urgent Matters
13. Confidential Matters
14. Conclusion of Meeting

An amendment was moved by Crs Bohm/Howe that Acknowledgement to Country be offered to anyone in the gallery that is of Aboriginal or Torres Strait Islander decent who wishes to do the Acknowledgement of Country be offered prior to the Mayor or General Manager.

Cr Lambert questioned the validity of the amendment under the Code of Meeting practice. It was noted that staff would take this on notice.

With the concurrence of the mover and seconder, **the motion was put to the vote and CARRIED.**

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REPORTS TO COUNCIL - GENERAL MANAGER (Cont'd)

5. TIMING OF ORDINARY COUNCIL MEETINGS

RESOLVED Crs Lambert/Davies;

1. That Council hold Ordinary Council Meetings on the second Wednesday of the month, commencing at 5.30pm
2. That Council not hold an Ordinary Meeting in January.
3. That Ordinary and Extraordinary Council meetings continue to be held in the Council Chambers and
4. That the public be notified of the place, day and time of Ordinary Council Meetings.

2024/168

6. TOMINGLEY GOLD OPERATIONS (TGO) – COMMUNITY FUND PANEL

RESOLVED Crs Lambert/Davies that Council approves the allocation of funds from the TGO Community Fund as follows:

- Pam's Big Pink Breakfast – host an inaugural breakfast to raise funds for breast cancer research - \$1,500.
- Narromine Dolly Parton Festival – assist with running of the 2025 Narromine Dolly Parton Festival - \$10,000.
- The Royal Flying Doctors – establish an Indigenous Garden at Trangie Central School - \$2,500.
- Narromine Aviation Museum – purchase and install 5 interpretive signs for the museum - \$3,240.
- Narromine Car Club – assist with running costs of the Narromine Car Club 2025 Car Show and Swap meet to be held in March - \$4,000.
- Narromine Community Kitchen – toward the purchase of ingredients, cooking equipment and a replacement air conditioning unit - \$3,500
- Narromine Community Skills Project – assist with the running of the 2024 Venetian Carnival in Narromine - \$6,438.
- Narromine Golf Club – installation of Softfall flooring in the golf club playground - \$5,000.
- Narromine Hospital Auxiliary – purchase of equipment for Narromine Hospital - \$10,000.
- Narromine Shire Council – provision of after school activities and school holiday programs at Narromine Sports and Fitness Centre - \$5,000.
- Narromine Show Society – assistance with operating costs for the Annual Narromine Show - \$4,000.
- Narromine Tennis Club – install a Barclay Lighting System which will allow players to manage court lighting using a PIN - \$2,500.
- Narromine Turf Club – improvements to Narromine Turf Club facilities and assist with running the Dandy Cup 2024 - \$10,000.
- THRIV3 Paddling Pathway Program – assist with the running of a 10-day kayaking trip on the Macquarie River from Dubbo to Warren for 24 young people aged 13-17 - \$5,000.
- Western NSW Health – Trangie Multi-Purpose Service – assist with the running of the Bellies and the New Life Program based in Trangie - \$3,000.

2024/169

REPORTS TO COUNCIL - GENERAL MANAGER (Cont'd)

7. DISCLOSURES OF PECUNIARY INTERESTS AND OTHER MATTERS RETURNS

RESOLVED Crs Bohm/Howe that the information be noted.

2024/170

8. ELECTION OF COUNCILLOR MEMBER TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE

RESOLVED Crs Lambert/Davies that Council appoint Cr Bohm as Council's Non-Voting Delegate and Cr Hoey as an Alternate Non-Voting Delegate to the Audit Risk and Improvement Committee for a 4-year term.

2024/171

RESOLVED Crs Bohm/Davies that item 2 of the Community and Economic Development Report – Modification to Development Application 2022/58.2 use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine be brought forward.

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REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

Cr Judy Smith declared a Non- Pecuniary, Not Significant Interest in item 2 – Reports to Council Community and Economic Development – Modification to Development Application 2022/58.2 Use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine, as her husband is related to a neighbouring family.

Cr Lachlan Roberts declared a Non-Pecuniary, Not Significant Interest in item 2 – Reports to Council Community and Economic Development – Modification to Development Application 2022/58.2 Use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine, as he is an acquaintance of the applicant.

Cr Stacey Bohm declared a Non-Pecuniary, Not Significant Interest in item 2 – Reports to Council Community and Economic Development – Modification to Development Application 2022/58.2 Use of Earthworks as a Motorbike Track at 151 Old Backwater Road, Narromine, as the applicant is her hairdresser.

2. MODIFICATION TO DEVELOPMENT APPLICATION 2022/58.2 USE OF EARTHWORKS AS A MOTORBIKE TRACK AT 151 OLD BACKWATER ROAD, NARROMINE

RESOLVED Crs Smith/Bohm that the item be deferred to an Extraordinary Meeting to be held Wednesday, 23 October 2024 at 5.30pm, to allow for the opportunity for Councillors to workshop with Council staff.

2024/173

A division on the planning matter was called.

In favour of the motion was Crs Bohm, Hoey, Smith, Howe, Leak, Davies and Jones

Against the motion was Crs Roberts and Lambert

RESOLVED Crs Davies/Bohm that the meeting return to the original agenda.

2024/174

REPORTS TO COUNCIL - FINANCE & CORPORATE STRATEGY

1. INVESTMENT REPORT AS AT 30 SEPTEMBER 2024

RESOLVED Crs Lambert/Davies that:

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

2024/175

2. FINANCIAL REPORT – 30 SEPTEMBER 2024

RESOLVED Crs Lambert/Hoey that the financial report as at 30 September 2024 be received and noted.

2024/176

It was noted that YTD Budget will be included in the table in the Financial Report.

REPORTS TO COUNCIL – COMMUNITY AND ECONOMIC DEVELOPMENT

1. DEVELOPMENT APPROVALS

RESOLVED Crs Bohm/Hoey that the information be noted.

2024/177

3. COMMUNITY ENGAGEMENT STRATEGY 2024

It was moved Crs Lambert/Davies that the draft Community Engagement Strategy 2024 be placed on public exhibition for a period of 28 days, with submissions received by Council to be considered prior to adoption by Council.

An amendment was moved by Crs Bohm/Smith that if any of the four major project types come before Council that Councillors get to vote on what suggested Community Engagement Activities happen for those motions and that the changes be made prior to the document being placed on public exhibition.

The amendment was put to the vote and LOST.

The motion was put to the vote and **CARRIED**.

2024/178

REPORTS TO COUNCIL - INFRASTRUCTURE & ENGINEERING SERVICES

1. WORKS REPORT

RESOLVED Crs Lambert/Bohm that the information be noted.

2024/179

It was noted that each road will include the town in which they are located in future reports.

BUSINESS WITHOUT NOTICE – URGENT MATTERS

1. COMMITTEE DELEGATES

RESOLVED Crs Bohm/Smith that the matter of the selection of committee delegates be added to the agenda for the Extraordinary Meeting.

2024/180

There being no further business the meeting closed at 6.50pm.

The Minutes (pages 1 to 9) were confirmed at a meeting held on the
day of _____ 2024, and are a full and accurate record of
proceedings of the meeting held on 9 October 2024.

Chair