



G W Y D I R
SHIRE COUNCIL

MINUTES SPECIAL ORDINARY MEETING

GWYDIR SHIRE COUNCIL

THURSDAY 21 JANUARY 2021

COMMENCING AT 9 AM

ROXY MEETING ROOM

Present:

Councillors: Cr. John Coulton (Mayor), Cr. Catherine Egan (Deputy Mayor), Cr Marilyn Dixon OAM, Cr. Jim Moore, Cr. Geoff Smith, Cr. David Coulton and Cr Stuart Dick

Staff: Max Eastcott (General Manager), Leeah Daley (Deputy General Manager), Helen Thomas (Manager, Finance), Alex Eddy (Manager, Engineering Services) Ruby Mitchell (Information Services Records Trainee) and Thais Simpson (Administrative Assistant)

Public: Nil

Visitor: Nil

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Chairman

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OFFICIAL OPENING AND WELCOME – MAYOR

APOLOGIES Cr Tiffany Galvin and Cr Frances Young

**COUNCIL RESOLUTION:
MINUTE 1/21**

THAT the apologies of Cr Tiffany Galvin and Cr Frances Young are accepted.

(Moved Cr Egan, seconded Cr D Coulton)

CONFIRMATION OF THE MINUTES

**COUNCIL RESOLUTION:
MINUTE 2/21**

THAT the Minutes of the previous Council Meeting held on Thursday 17 December 2020 as circulated be taken as read and CONFIRMED.

(Moved Cr Smith, seconded Cr Dick)

PRESENTATION NIL

CALL FOR THE DECLARATIONS OF INTERESTS AND CONFLICTS OF INTEREST NIL

COMMITTEE OF THE WHOLE – CONFIDENTIAL ITEMS

**COUNCIL RESOLUTION:
MINUTE 3/21**

THAT the Council resolve into Confidential Session, Committee of the Whole and that in the public interest and in accordance with Section 10A(2)(a) of the Local Government Act, 1993, the public and press be excluded from the meeting to consider Item - Alternate Route Warialda By-Pass.

(Moved Cr Egan, seconded Cr Moore)

**ADOPTION OF THE RECOMMENDATIONS OF THE CONFIDENTIAL
SESSION**

**COUNCIL RESOLUTION:
MINUTE 4/21**

THAT the recommendations of the Confidential Session, namely:

THAT Council proceeds with the compulsory acquisition of:

- Lot 7007 DP 1021212; and,
- that part of Lot 7029 DP 1030044 shown edged in red and coloured green in Attachment AT-1; and,
- that part of Lot 7311 DP 1136470 shown coloured green in Attachment AT-1.

for a future public road in accordance with section 177 of the *Roads Act 1993* and in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

FURTHER that Council makes an application to the Minister and Governor for approval to acquire:

- Lot 7007 DP 1021212; and,
- that part of Lot 7029 DP 1030044 shown edged in red and coloured green in Attachment AT-1; and,
- that part of Lot 7311 DP 1136470 shown coloured green in Attachment AT-1

in accordance with section 178(2) of the *Roads Act 1993* and in accordance with the *Land Acquisition (Just Terms) Compensation Act 1991*.

FURTHER that Council proceed with the compulsory acquisition of:

- Lot 290 DP 751137; and,
- that part of Lot 7311 DP 1136470 shown coloured pink, brown, grey, yellow and blue in Attachment AT-1.

for the purposes of facilities ancillary to the operation of a road, environmental protection, cultural heritage protection and public recreation in accordance with sections 186 and 187 of the *Local Government Act 1993* and in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

FURTHER that Council make an application to the Minister and the Governor for approval to acquire:

- Lot 290 DP 751137; and,
- that part of Lot 7311 DP 1136470 shown coloured pink, brown, grey, yellow and blue in Attachment AT-1.

in accordance with sections 186 and 187 of the *Local Government Act 1993* and in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

FURTHER that Council agrees to the land being acquired for compensation, at the market value of the land, to an amount determined by the Valuer General.

FURTHER that the mineral reservation currently on title be excepted from the acquisition.

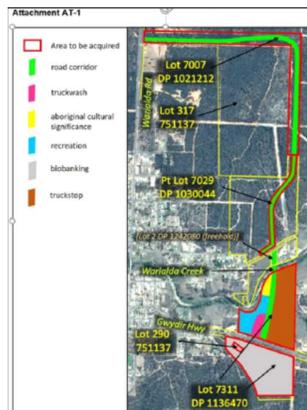
FURTHER that the following land is to be classified as operational land in accordance with section 31 (2) of the *Local Government Act 1993*:

- Lot 290 DP 751137; and,
- that part of Lot 7311 DP 1136470 shown coloured pink, brown and grey in Attachment AT-1.

FURTHER that the part of Lot 7311 DP 1136470 shown coloured yellow and blue in Attachment AT-1 is to be classified as community land in accordance with section 31 (2) of the *Local Government Act 1993*:

FURTHER that Council delegate to the General Manager or his delegate the power to do anything further as necessary to give effect to the compulsory acquisition including obtaining any necessary approvals and publishing any necessary notices in the Gazette.

FURTHER that authority be granted to the General Manager to affix the Common Seal of the Council to any documentation required to give effect to this resolution.



are adopted.

(Moved Cr Egan, seconded Cr D Coulton)

Meeting closed 9.50 am

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Chairman