

ORDINARY COUNCIL MEETING MINUTES

Meeting of Gunnedah Shire Council held on Wednesday 20 March 2019 in the
Emerald Hill Hall, Emerald Hill commencing at 4:34pm

1. COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	ABSENT
J Chaffey (Chair)	X		
JR Campbell	X		
C Fuller	X		
OC Hasler	X		
R Hooke	X		
A Luke	X		
D Moses	X		
M O'Keefe		X	
RG Swain	X		
STAFF			
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	
Acting Director Infrastructure Services (D Noble)	X		
Chief Financial Officer (D Connor)	X		

Council Resolution

Moved Councillor R HOOKE

Seconded Councillor C FULLER

2. PRAYER

The Mayor opened the meeting with the customary prayer.

3. BEREAVEMENTS

The Mayor read off the list of bereavements being Allan James Hogden, Stephen Rootes, Elizabeth Ann Turner, Colin Leslie Sanders, Helena Grace Swain, June Shirley Garland, Bay Jones, Richard Fouracre and Maureen Fay Bayliss.

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. DECLARATIONS OF INTEREST

COUNCILLOR	ITEM	REPORT	P	SNP	LSNP	RC	REASON
R HOOKE	11.1	Proposed Road Name – Development Application 2015/054 – 299-319 Kamilaroi Road, Gunnedah		X			Alternate name 'Wotton' was my father-in-law
R HOOKE	12.1	Request – Fee Subsidy - Riding for the Disabled Gunnedah			X	X	Wife is honorary treasurer
STAFF	ITEM	REPORT	P	SNP	LSNP	RC	REASON
NIL							

P – Pecuniary

SNP – Significant Non Pecuniary

LSNP – Less than Significant Non Pecuniary

RC – Remain in Chamber during consideration/discussion of item

5. COMMUNITY PRESENTATIONS/CONSULTATIONS

Mr George Avard was in attendance to make a presentation in relation to Item 1 (Agenda Item 11.1) of the Director Planning and Environmental Services Report concerning Proposed Road Name – Development Application 2015/054 – 299-319 Kamilaroi Road, Gunnedah.

6. PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

*Council Resolution
Moved Councillor A LUKE
Seconded Councillor J CAMPBELL*

1.03/19 COUNCIL RESOLUTION:

The Minutes of the Ordinary Meeting held on Wednesday 20 February 2018 were received and it was RESOLVED that the minutes be adopted as a true and correct record of that meeting.

7. NOTICE OF MOTION

Nil.

8. MAYORAL MINUTE

8.1 DROUGHT RELIEF

AUTHOR Mayor J Chaffey

*Council Resolution
Moved Councillor J CHAFFEY
Seconded Councillor C FULLER*

2.03/19 COUNCIL RESOLUTION:

That Council approve the extension of the donation of water to Aussie Helpers for the purpose of carting water to farmers as a drought relief measure for the period to 31 August 2019 within the confines of the Gunnedah Shire Local Government Area (LGA).

9. GENERAL MANAGER'S OFFICE

9.1 SPONSORSHIP OF THE LONG RIDE 2019 – PROSTATE CANCER FOUNDATION AUSTRALIA

AUTHOR General Manager

*Council Resolution
Moved Councillor RG SWAIN
Seconded Councillor D MOSES*

3.03/19 COUNCIL RESOLUTION:

That Council provides total sponsorship in the value of \$500, paid directly to the Prostate Cancer Foundation Australia, to be attributed equally to each of the participating Gunnedah Riders to support and assist them in their fundraising efforts.

9.2 DONATION – GUNNEDAH COMBINED CATHOLIC SCHOOLS P&F

AUTHOR General Manager

*Council Resolution
Moved Councillor R HOOKE
Seconded Councillor RG SWAIN*

4.03/19 COUNCIL RESOLUTION:

That Council endorses the action of the General Manager in providing the donated items to the Gunnedah Combined Catholic Schools P&F fundraiser.

10. CORPORATE AND COMMUNITY SERVICES

10.1 TENDER T1819-07 – DESIGN AND CONSTRUCT RAINBOW SERPENT WATER FEATURE

AUTHOR Director Corporate and Community Services

*Council Resolution
Moved Councillor C FULLER
Seconded Councillor OC HASLER*

5.03/19 COUNCIL RESOLUTIONS:

1. That Council note that no tenders in respect of Tender T1819-07 – Design and Construct Rainbow Serpent Water Feature.
2. That due to no tenders being received, Council determines that a satisfactory result for appointment of a contractor to undertake construction of the Rainbow Serpent Water Feature would be unlikely to be achieved by inviting further tenders due to lack of market interest and therefore authorises the General Manager to enter negotiations with suitably qualified contractors to obtain quotations for completion of the Project in accordance with the project specifications.

10.2 DROUGHT COMMUNITIES PROGRAM FUNDING – UPDATE

AUTHOR Director Corporate and Community Services

*Council Resolution
Moved Councillor A LUKE
Seconded Councillor RG SWAIN*

6.03/19 COUNCIL RESOLUTION:

That the information regarding the progress of the Drought Communities Program Funding be received and noted.

10.3 ARTS AND CULTURAL GRANTS ASSESSMENT PANEL

AUTHOR Director Corporate and Community Services

*Council Resolution
Moved Councillor RG SWAIN
Seconded Councillor D MOSES*

7.03/19 COUNCIL RESOLUTION:

That Councillors OC HASLER, A LUKE and C FULLER be appointed to the Arts and Cultural Grants Assessment Panel.

10.4 OUTSTANDING RESOLUTION REGISTER

AUTHOR Director Corporate and Community Services

*Council Resolution
Moved Councillor A LUKE
Seconded Councillor J CAMPBELL*

8.03/19 COUNCIL RESOLUTION:

That the information be received and noted.

11. PLANNING AND ENVIRONMENTAL SERVICES

11.1 PROPOSED ROAD NAME – DEVELOPMENT APPLICATION 2015/054 – LOT 662 DP39633 AND LOT 680 DP723481 – 299-319 KAMILAROI ROAD, GUNNEDAH

Councillor R Hooke declared an interest, left the Hall and took no part in discussion or consideration of this item.

AUTHOR Town Planner

OFFICER'S RECOMMENDATIONS:

That Council:

1. Endorse the proposed road name of Road 1 as 'Avard Close' and Road 2 being '_____', being a name selected from Council's Public Infrastructure Names Register, in accordance with Clause 7 of the Roads Regulations 2018;
2. Consult with family members of adopted road names for concurrence of the use of endorsed names;
3. Publicly exhibit the proposed road name for a period of twenty eight (28) days;
4. Following successful completion of the notification period and assessment of any submissions; Council proceed to adopt and publish the adopted road names in accordance with the requirements of the Roads Regulation 2018.

Council Resolution

Moved Councillor C FULLER

Seconded Councillor D MOSES

9.03/19 COUNCIL RESOLUTIONS:

That Council:

2. **Endorse the proposed road name of Road 1 as 'Vera Joan Close' and Road 2 being 'Raymond Thomas Road', in accordance with Clause 7 of the Roads Regulations 2018;**
2. **Consult with family members of adopted road names for concurrence of the use of endorsed names;**
3. **Publicly exhibit the proposed road name for a period of twenty eight (28) days;**
4. **Following successful completion of the notification period and assessment of any submissions; Council proceed to adopt and publish the adopted road names in accordance with the requirements of the Roads Regulation 2018.**

Councillor R Hooke returned to the meeting

11.2 REQUEST TO SUPPORT SUBSIDISED POLICE HOUSING

AUTHOR Director Planning and Environmental Services

Officer's Recommendation

Moved Councillor OC HASLER

Seconded Councillor A LUKE

OFFICER'S RECOMMENDATION:

That Council, based upon information attained and outlined herein, not proceed with the investigation of the request from the NSW Police Force and NSW Police Association Gunnedah Branch.

A Motion was Moved Councillor R Hooke, Seconded Councillor C Fuller:

That Council defer any further consideration until Council is aware of Council's financial position in the 2019/20 financial year.

The Motion on being Put to the Meeting was Carried.

Council Resolution

Moved Councillor R HOOKE

Seconded Councillor C FULLER

10.03/19 COUNCIL RESOLUTION:

That Council defer any further consideration until Council is aware of Council's financial position in the 2019/20 financial year.

11.3 **BUSINESS PARTNER PROGRAM ROUND THREE 2018/19**

AUTHOR Manager Economic Development

*Council Resolution
Moved Councillor C FULLER
Seconded Councillor A LUKE*

11.03/19 **COUNCIL RESOLUTION:**

That Council endorses the allocation of \$5,250 under the 2018/19 Business Partner Program across seven local businesses and organisations, subject to specific terms and conditions relating to each grant.

12. INFRASTRUCTURE SERVICES

12.1 **REQUEST TO SUBSIDISE FEES – RIDING FOR THE DISABLED ASSOCIATION**

Councillor R Hooke declared an interest, left the Hall and took no part in discussion or consideration of this item.

AUTHOR Acting Manager Public Facilities

*Council Resolution
Moved Councillor RG SWAIN
Seconded Councillor C FULLER*

12.03/19 **COUNCIL RESOLUTION:**

That Council subsidise the \$573.46 Crown License Fee for Riding for the Disabled Association to occupy Showground facilities from Council's Facilities Hiring Support Fund.

Councillor R Hooke returned to the meeting,

12.2 **NEW DISASTER RECOVERY FUNDING ARRANGEMENTS**

AUTHOR Senior Administrative Officer Infrastructure Services

*Council Resolution
Moved Councillor A LUKE
Seconded Councillor RG SWAIN*

13.03/19 **COUNCIL RESOLUTIONS:**

That Council:

1. Create an internally restricted asset titled 'Disaster Recovery Fund' for the purpose of making Council's required co-contribution toward restoring essential public assets eligible for NSW Disaster Assistance following a declared event.
2. Transfer \$238,280 into the fund from unrestricted revenue being 2% of the Council's general rate revenue from the 2016/17 financial year.
3. Replenish the fund annually to the equivalent of 2% of Council's general rate revenue for the financial year two years prior from unrestricted revenue.

13. ENGINEERING SERVICES

13.1 CONTRACT T1617-03 – CONSTRUCTION OF GUNNEDAH MEMORIAL POOL COMPLEX UPGRADE – RESIDUAL BUDGET

AUTHOR Chief Engineer

OFFICER'S RECOMMENDATIONS:

1. That the information be received and noted;
2. That the residual budget of \$153,535 that has already been transferred from the Section 94A Contributions Reserve and General Fund, be allocated to funding the additional items that have been identified post construction completion; and
3. That the budget remaining after the procurement of the identified items, be returned to the General Fund

Council Resolution

Moved Councillor OC HASLER

Seconded Councillor C FULLER

14.03/19 COUNCIL RESOLUTIONS:

1. That the information be received and noted;
2. That the residual budget of \$153,535 that has already been transferred from the Section 94A Contributions Reserve and General Fund, be allocated to funding the additional items that have been identified post construction completion; and
3. That the budget remaining after the procurement be retained for potential funding of an artistic barrier to be created to encompass the eastern and southern sides of the Mackellar Memorial Monument in order to overcome the visual impact of the recently completed fence and pool buildings on the historical monument.

14. BUSINESS AND FINANCE

14.1 INVESTMENTS

AUTHOR Financial Accountant

Council Resolution

Moved Councillor J CAMPBELL

Seconded Councillor R HOOKE

15.03/19 COUNCIL RESOLUTION:

That the principal investments of \$56.1 million for all funds to date be received and noted.

15. PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE

15.1 PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE REPORT

AUTHOR Director Corporate and Community Services

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor C FULLER

16.03/19 COUNCIL RESOLUTION:

That Council note that all items of the Planning Environment and Development Committee Meeting held on 6 March 2019 were dealt with by the Committee within its delegated powers.

16. QUESTION ON NOTICE

Nil.

CLOSED COUNCIL

Noted that the Emerald Hill Hall was vacated by members of the public and press.

Council Resolution

Moved Councillor D MOSES

Seconded Councillor C FULLER

17.03/19 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) Chief Engineer's Report to Closed Council;
- b) Chief Financial Officer's Report to Closed Council;
- c) Mayoral Minute to Closed Council.

17. ENGINEERING SERVICES

17.1 TENDER T1819-04 – PREFERRED SUPPLY PANEL FOR PUMP REPAIR SERVICES

AUTHOR Chief Engineer

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor C FULLER

18.03/19 COUNCIL RESOLUTIONS:

1. That subject to confirmation of current insurances as required by the contract, Council appoints the following tenderers to the Preferred Supply Panel for Supply of Plant/Equipment Hire Services (T1819-04);
 1. Aqua North Pty Ltd
 2. J.A.C. Pump Services Pty Ltd
 3. Lambert and Torrens Gunnedah Pty Ltd
2. That Council officers evaluate the performance of the preferred supplier list for pump repair services in two years to determine whether the option of a third year should be enacted.

Ordinary Meeting Minutes of Gunnedah Shire Council held on Wednesday 20 March 2019

This item is classified CONFIDENTIAL under Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) *commercial information of a confidential nature that would, if disclosed:*
 - i) *prejudice the commercial position of the person who supplied it, or*
 - ii) *confer a commercial advantage on a competitor of the Council, or*
 - iii) *reveal a trade secret.*

This matter is classified confidential because of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage or reveal a trade secret.

18. BUSINESS AND FINANCE

18.1 SALEYARDS STRATEGY AND PRECINCT MASTERPLAN

AUTHOR Chief Financial Officer

*Council Resolution
Moved Councillor R HOOKE
Seconded Councillor D MOSES*

19.03/19 COUNCIL RESOLUTIONS:

- 1. That Council allocate an additional amount of \$50,000 in the 2018/19 budget for the development of the Saleyards Facility Masterplan; and**
- 2. The funds be transferred from the Saleyards Restricted Asset to offset the expenditure.**

This item is classified CONFIDENTIAL under Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) *commercial information of a confidential nature that would, if disclosed:*
 - iv) *prejudice the commercial position of the person who supplied it, or*
 - v) *confer a commercial advantage on a competitor of the Council, or*
 - vi) *reveal a trade secret.*

This matter is classified confidential because of commercial information of a confidential nature. It is not in the public interest to reveal information that could prejudice a commercial position, confer a commercial advantage or reveal a trade secret.

19. MAYORAL MINUTE

19.1 GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

AUTHOR Mayor J Chaffey

*Council Resolution
Moved Councillor J CHAFFEY
Seconded Councillor R HOOKE*

20.03/19 **COUNCIL RESOLUTIONS:**

That Council:

1. **Note that the General Manager's performance evaluation as recommended by the Performance Review Committee, comprising all Councillors, was a weighted average of 4.36 out of 5, "exceeding expectations"; and accordingly,**
2. **Approve the determined increase to Total Remuneration Package in the amount of 3.25% effective from 8 January 2019.**

This item is classified CONFIDENTIAL under Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) *personnel matters concerning particular individuals (other than councillors).*

This matter is classified confidential because it relates to personnel matters. It is not in the public interest to reveal information on personnel matters concerning particular individuals.

RESOLUTION OUT OF CLOSED COUNCIL

*Council Resolution
Moved Councillor
Seconded Councillor*

21.03/19 **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 5:50pm.

**Mayor J Chaffey
CHAIRPERSON**