



GUNNEDAH SHIRE COUNCIL

The minutes of the Ordinary Meeting of
Gunnedah Shire Council
held on

Wednesday 15 February 2017

Consisting of Pages 1 to 13
(Minute Nos 1.02/17 to 30.02/17)

are confirmed as a true and correct record of the meeting
as per Minute No 1.03/17 of the
Ordinary Meeting held on 15 March 2017.

GUNNEDAH

Mayor Jamie Chaffey
CHAIRPERSON

ORDINARY COUNCIL MEETING MINUTES

Meeting of Gunnedah Shire Council held on Wednesday 15 February 2017 in the
Council Chambers, 63 Elgin Street, Gunnedah commencing at 4:30pm

1. COUNCILLOR	PRESENT	APPROVED LEAVE OF ABSENCE	ABSENT
J Chaffey	X		
RG Swain	X		
JR Campbell	X		
C Fuller	X		
OC Hasler		X	
R Hooke	X		
A Luke	X		
D Moses	X		
M O'Keefe	X		
STAFF			
General Manager (E Groth)	X		
Executive Manager Business Systems and Governance (C Formann)	X		
Director Planning and Environmental Services (A Johns)	X		
Director Infrastructure Services (W Kerr)	X		

Leave of Absence – Councillor OC Hasler

Council Resolution

Moved Councillor D MOSES

Seconded Councillor M O'KEEFE

Leave of Absence – Councillor M O'Keefe

Council Resolution

Moved Councillor C FULLER

Seconded Councillor R HOOKE

2. PRAYER

The Mayor opened the meeting with the customary prayer.

3. BEREAVEMENTS

The Mayor read off the list of bereavements being Gayle Maree Keynes, Betty Doreen Lucas, Leonard James Croft, Hildegard Sanders, Abel Creighton-Stevens, Ray Baker, Graham Daniel Little, Peter Noel Small, Annie Jane Stanger, Leonie Studdy, Juliana McGarvey, Joan Marjorie Ramsey, Grace Agnes Agnew, Ivan William Cluff, Ronald Bruce Dawson, Caitlin Rae Smith, Lea Masfield Sulman, Rona Stringer, Linda June McKenzie and Lachlan Norman William Dixon.

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
Nil							
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

Nil.

6. PREVIOUS MINUTES

6.1 CONFIRMATION OF PREVIOUS MINUTES

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor C FULLER

1.02/17 COUNCIL RESOLUTION:

The Minutes of the Ordinary Meeting held on Wednesday 21 December 2016 were received and it was RESOLVED that the minutes be adopted as a true and correct record of that meeting.

7. NOTICE OF MOTION

7.1 FUNDING OPPORTUNITIES – TOWN HALL

Council Resolution

Moved Councillor C FULLER

Seconded Councillor D MOSES

OFFICER'S RECOMMENDATIONS:

That Council request the General Manager to arrange for staff to:

1. Investigate funding opportunities for renewal of the entrance to the Town Hall and reinstatement of the awning on Conadilly Street inclusive of the columns which Council has previously purchased; and
2. Bring a report back to Council at earliest convenience providing options for Council's considerations.

Councillor RG Swain foreshadowed a Motion:

That an allocation of \$60,000 be provided in the 2017/18 budget and Operational Plan to develop a Master Plan for the cultural precinct, including the Town Hall, Smithurst Theatre, The Civic and Gunnedah Bicentennial Creative Arts Centre.

An Amendment was Moved Councillor M O'Keefe, Seconded Councillor RG Swain:

1. That an allocation of \$60,000 be provided in the 2017/18 budget and Operational Plan to develop a Master Plan for the cultural precinct, including but not limited to the Town Hall, Smithurst Theatre, The Civic and Gunnedah Bicentennial Creative Arts Centre;
2. That Council staff investigate funding opportunities for renewal of the entrance to the Town Hall and reinstatement of the awning on Conadilly Street inclusive of the columns which Council has previously purchased and look for opportunities to integrate this development with the potential future Master Plan; and

3. Bring a report back to Council at earliest convenience providing options for Council's considerations.

The Amendment on being put to the Meeting was Carried.

The Amendment now becomes the Motion.

The Motion on being put to the Meeting was Carried.

Council Resolution
Councillor M O'KEEFE
Councillor RG SWAIN

2.02/17 COUNCIL RESOLUTIONS:

1. That an allocation of \$60,000 be provided in the 2017/18 budget and Operational Plan to develop a Master Plan for the cultural precinct, including but not limited to the Town Hall, Smithurst Theatre, The Civic and Gunnedah Bicentennial Creative Arts Centre;
2. That Council staff investigate funding opportunities for renewal of the entrance to the Town Hall and reinstatement of the awning on Conadilly Street inclusive of the columns which Council has previously purchased and look for opportunities to integrate this development with the potential future Master Plan; and
3. Bring a report back to Council at earliest convenience providing options for Council's considerations.

Councillor C Fuller requested that her vote against the motion be recorded in the minutes.

8. MAYORAL MINUTE

Nil.

9. GENERAL MANAGER'S OFFICE

9.1 DECEMBER QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2016

AUTHOR Management Accountant

Council Resolution
Moved Councillor RG SWAIN
Seconded Councillor R HOOKE

3.02/17 COUNCIL RESOLUTIONS:

1. That The December 2016 Second Quarter Budget Review of the 2016/17 Operational Plan be received and noted;
2. That the adjustments to budget allocations, including transfers to and from restricted assets, as listed in the attachments to the report, be adopted.

9.2 **TRADE MISSION TO CHINA – MARCH 2017**

AUTHOR **General Manager**

Council Resolution

Moved Councillor R HOOKE

Seconded Councillor A LUKE

4.02/17 **COUNCIL RESOLUTIONS:**

That Council:

1. **Allocate a budget of up to \$18,000 for the coverage of costs for Council delegates on the March 2017 Trade Mission to China;**
2. **Allocate a further amount up to \$5,000 for any required venue costs for the delegation whilst in China; and**
3. **Upon completion of the March trade mission, require that a report be brought to the April 2017 Council meeting briefing Council on its conduct and results, and providing estimates for the hosting of a return delegation to Gunnedah.**

9.3 **SUPPORT REQUESTED FOR ALGWA EXECUTIVE POSITION – COUNCILLOR COLLEEN FURLER**

AUTHOR **General Manager**

OFFICER'S RECOMMENDATION:

That Council considers the request from Councillor C Fuller and determines the degree of support for her in any position additional to that as delegate for Council.

Council Resolution

Moved Councillor D MOSES

Seconded Councillor J CAMPBELL

5.02/17 **COUNCIL RESOLUTION:**

That Council support Councillor C Fuller's election to the ALGWA executive and in relation to the accommodation and travel costs during her election for the period of her election in 2017 should she be elected in 2017 for the two year period.

9.4 **PROJECT PROGRESS REPORT**

AUTHOR **Management Accountant**

Council Resolution

Moved Councillor C FULLER

Seconded Councillor RG SWAIN

6.02/17 **COUNCIL RESOLUTION:**

That the report be received and noted.

9.5 **LOCAL GOVERNMENT NSW ANNUAL CONFERENCE – DECEMBER 2017**

AUTHOR **General Manager**

Council Resolution

Moved Councillor A LUKE

Seconded Councillor RG SWAIN

7.02/17 **COUNCIL RESOLUTION:**

That Council approves the attendance of former Councillor Gwen Griffen at the 2017 LG NSW Annual Conference in Sydney, to be presented formally with her Outstanding Service Award (Medal and Certificate) for the 21 years with Local Government.

9.6 **INVESTMENTS**

AUTHOR **Financial Accountant**

Council Resolution

Moved Councillor C FULLER

Seconded Councillor R HOOKE

8.02/17 **COUNCIL RESOLUTION:**

That the principal investment of \$58.3 million (December) and \$57.7 million (January) for all funds to date be received and noted.

10. ***BUSINESS SYSTEMS AND GOVERNANCE***

10.1 **POLICY – COUNCILLORS AND MAYOR – PAYMENT OF EXPENSES AND PROVISION OF FACILITIES**

AUTHOR **Executive Manager, Business Systems and Governance**

Council Resolution

Moved Councillor A LUKE

Seconded Councillor RG SWAIN

9.02/17 **COUNCIL RESOLUTIONS:**

That Council:

1. **Place the attached draft “Councillors and Mayor – Payment of Expenses and Provision of Facilities Policy” on exhibition for no less than 28 days; and**
2. **Call for submissions on the policy draft.**

10.2 **CONDUCT OF COUNCIL MEETINGS IN VILLAGES**

AUTHOR **Executive Manager, Business Systems and Governance**

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor C FULLER

10.02/17 COUNCIL RESOLUTIONS:

1. That the April Ordinary Meeting of Council scheduled for Wednesday 19 April 2017 be held in the Emerald Hill Hall hosted by the Emerald Hill Progress Association.
2. That the October Ordinary Meeting of Council scheduled for Wednesday 18 October 2017 be held in the Kelvin Hall hosted by the Kelvin Hall Inc.

10.3 DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS

AUTHOR Executive Manager, Business Systems and Governance

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor C FULLER

11.02/17 COUNCIL RESOLUTIONS:

That in relation to the report "Disclosures by Councillors and Designated Persons", Council:

1. Note that the six newly elected Councillors have completed and lodged Disclosure of interest Returns; and
2. Advise the Office of Local Government accordingly.

10.4 DELIVERY PROGRAM 2013/14 – 2016/17 – UPDATE

AUTHOR Executive Manager, Business Systems and Governance

Council Resolution

Moved Councillor R HOOKE

Seconded Councillor D MOSES

12.02/17 COUNCIL RESOLUTION:

That the Delivery Program 2013/14 – 2016/16 progress report be received and noted.

10.5 CAMPVERVAN AND MOTORHOME CLUB OF AUSTRALIA

SUSPENSION OF STANDING ORDERS IN COMMITTEE OF THE WHOLE

A Motion was Moved Councillor M O'KEEFE, Seconded Councillor RG SWAIN that Council move into Committee of the Whole for discussion in relation to Item 10.5 concerning the Campervan and Motorhome Club of Australia.

RESOLUTION OUT OF COMMITTEE OF THE WHOLE

A Motion was Moved Councillor M O'KEEFE, Seconded Councillor J CAMPBELL that Council move back into Ordinary Meeting and adopt the recommendations of the Committee of the Whole.

AUTHOR Executive Manager, Business Systems and Governance

Council Resolution

Moved Councillor A LUKE

Seconded Councillor C FULLER

13.02/17 COUNCIL RESOLUTIONS:

1. That Council lodge an expression of interest with the Campervan and Motorhome Club of Australia to stage a rally at Gunnedah during October 2018, with an offer of financial allowance of \$50,000 for in kind and direct support of the event.
2. That an allocation of \$50,000 be considered in the preparation of the 2017/18 Operational Plan to support the Campervan and Motorhome Club of Australia Rally proposal for Gunnedah during 2018.
3. That a working group to support staff in a bid consisting of staff, three Councillors and at least two community members be established.
4. That Councillors C FULLER, R HOOKE and OC HASLER (pending his acceptance of the nomination) be appointed as delegates to the Campervan and Motorhome Club of Australia Working Group.

10.6 DONATION – FACILITY HIRE SUPPORT FUND

AUTHOR Executive Manager, Business Systems and Governance

Council Resolution

Moved Councillor C FULLER

Seconded Councillor A LUKE

14.02/17 COUNCIL RESOLUTION:

1. That a donation of \$921 be provided from the Facility Hiring Support Fund for the upcoming Rotary Club of Gunnedah West Debutante Ball.
2. That the Rotary Club of Gunnedah West acknowledge Council's support in relation to the conduct of the Ball.

10.7 20th ANNIVERSARY MAYORAL DINNER

AUTHOR Executive Manager, Business Systems and Governance

Council Resolution

Moved Councillor C FULLER

Seconded Councillor R HOOKE

15.02/17 COUNCIL RESOLUTION:

That \$1,751.00 be allocated from the Events budget towards the conduct of the 20th Anniversary Mayoral Dinner in the Gunnedah Town Hall on 13 September 2017.

10.8 OUTSTANDING RESOLUTION REGISTER

AUTHOR Executive Manager, Business Systems and Governance

Council Resolution

Moved Councillor C FULLER

Seconded Councillor J CAMPBELL

16.02/17 COUNCIL RESOLUTION:

That the information be received and noted.

11. PLANNING AND ENVIRONMENTAL SERVICES

11.1 PROPOSED SMOKE-FREE ZONE IN GUNNEDAH AND SMOKE-FREE ENVIRONMENT POLICY - GUNNEDAH

AUTHOR Project Town Planner

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor D MOSES

17.02/17 COUNCIL RESOLUTION:

That Council:

1. Endorse the draft Smoke-free Environment Policy;
2. Notify, in writing, those businesses located within the proposed smoke-free zone of the Gunnedah Central Business District of the draft Smoke-free Environment Policy;
3. Publicly exhibit the draft Smoke-free Environment Policy for a period of not less than 28 days; and
4. Invite submissions for a period of not less than 42 days prior to presentation of the Smoke-free Environment Policy to a future Council meeting for adoption.

11.2 ECONOMIC DEVELOPMENT FUNCTION STAFFING PROPOSAL

AUTHOR Director Planning and Environmental Services

Council Resolution

Moved Councillor C FULLER

Seconded Councillor A LUKE

18.02/17 COUNCIL RESOLUTIONS:

1. That Council allocate \$40,000 in funding for the remainder of the 2016/17 financial year, from General Reserves, to resource the Economic Development function of Council.
2. That Council commit funding to the ongoing employment of the position in its forward elements.

12. INFRASTRUCTURE SERVICES

12.1 DONNELLY FIELDS AMENITIES BLOCK FUNDING ALLOCATION

AUTHOR **Manager Public Facilities**

Council Resolution

Moved Councillor C FULLER

Seconded Councillor R HOOKE

19.02/17 COUNCIL RESOLUTION:

That Council re-allocate \$89,981 from Public Facilities Capital projects to the extension of the Donnelly Fields Amenities Block and associated infrastructure capital budget.

12.2 REQUEST – WATER CONSUMPTION CHARGE REDUCTION

AUTHOR **Project Manager Water Services**

Council Resolution

Moved Councillor A LUKE

Seconded Councillor R HOOKE

20.02/17 COUNCIL RESOLUTIONS:

1. That Council reduce the charges on Assessment Number 13286698 at the Gunnedah Scouts as a 'one-off' offer for the period 04/08/16 to 04/11/16 to the average quarterly consumption during the past two years of 22kl and issue a revised invoice for \$24.64.
2. That Council request Gunnedah Scouts put in place measures to monitor the water usage that may pick up faults or excess usage if or when it occurs.

12.3 SUCCESSFUL GRANT APPLICATION FOR GUNNEDAH SEWERAGE UPGRADE

AUTHOR **Manager Water Services**

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor J CAMPBELL

21.02/17 COUNCIL RESOLUTION:

That the information be received and noted.

12.4 WATER SUPPLY AND SEWERAGE ASSET RE-VALUATION FUNDING

AUTHOR **Manager Water Services**

Council Resolution

Moved Councillor A LUKE

Seconded Councillor RG SWAIN

22.02/17 COUNCIL RESOLUTIONS:

1. That Council allocate an additional \$10,000 from the Gunnedah Water Supply Restricted Asset to undertake a revaluation of all water supply assets in the 2016/17 Operational Plan.
2. That Council allocate an additional \$10,000 from the Gunnedah Sewer Restricted Asset to undertake a revaluation of all sewer assets in the 2016/17 Operational Plan.

12.5 FUNDING ALLOCATION RESERVE MANAGEMENT FUND

AUTHOR Manager Public Facilities

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor D MOSES

23.02/17 COUNCIL RESOLUTION:

That Council reallocate the remaining amount of \$158,919 from the 2017/18 capital budget for the Showground fence replacement to the new Reserves Management Fund.

13. *PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE*

13.1 PLANNING ENVIRONMENT AND DEVELOPMENT COMMITTEE MEETING REPORT

AUTHOR Executive Manager Business Systems and Governance

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor A LUKE

24.02/17 COUNCIL RESOLUTION:

That the Council note that the items of the Planning Environment and Development Committee Meeting Report for the meeting held on Wednesday 1 February 2017 were dealt within the delegated powers of the Committee.

14. *QUESTIONS ON NOTICE*

Nil.

CLOSED COUNCIL

Council Resolution

Moved Councillor D MOSES

Seconded Councillor C FULLER

25.02/17 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) Director Planning and Environmental Services Report to Closed Council; and
- b) Director Infrastructure Services Report to Closed Council.

16. PLANNING AND ENVIRONMENTAL SERVICES

16.1 TENDER T1671-05 – DRY HIRE OF LANDFILL COMPACTOR

AUTHOR Manager Building and Environment

Council Resolution

Moved Councillor R HOOKE

Seconded Councillor D MOSES

26.02/17 COUNCIL RESOLUTION:

That Tender T1617-05 – Dry Hire of a Landfill Compactor be awarded to GCM Enviro Pty Ltd for a minimum period of two years, commencing in March 2017 through to March 2019 with an optional one year further extension.

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.

17. INFRASTRUCTURE SERVICES

17.1 TENDER T1516-19 – EXTENSION OF THE DONNELLY FIELDS AMENITIES BLOCK AND ASSOCIATED INFRASTRUCTURE

AUTHOR Manager Public Facilities

Council Resolution

Moved Councillor RG SWAIN

Seconded Councillor M O'KEEFE

27.02/17 COUNCIL RESOLUTION:

That Council delegate authority to the General Manager to award Tender T1516-19 for the Extension to Donnelly Fields Amenities Block and Associated Infrastructure to Hoswell Constructions.

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.

17.2 TENDER T1516-14 – GUNNEDAH SEWAGE TREATMENT PLANT UPGRADE

AUTHOR Manager Water Services

Council Resolution

Moved Councillor A LUKE

Seconded Councillor RG SWAIN

28.02/17 COUNCIL RESOLUTION:

That Council delegate authority to the General Manager to award Tender T1516-14 for the construction of the Gunnedah Sewage Treatment Plant Upgrade to Gongues Constructions Pty Ltd.

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.

17.3 TENDER T1617-03 – CONSTRUCTION OF GUNNEDAH MEMORIAL POOL COMPLEX UPGRADE

AUTHOR Special Project Manager

Council Resolution

Moved Councillor R HOOKE

Seconded Councillor C FULLER

OFFICER'S RECOMMENDATIONS:

1. That Council not accept any tenders in respect of Tender T1617-03 – Construction of Gunnedah Memorial Pool Complex Upgrade.
2. That Council invite fresh Expressions of Interest from suitably qualified construction companies to be considered to tender for construction of Gunnedah Memorial Pool Complex Upgrade, with the number of companies invited to proceed to tender to be limited to three.

Councillor R HOOKE Withdrew his Amendment, Seconded Councillor C FULLER.

Council Resolution

Moved Councillor M O'KEEFE

Seconded Councillor RG SWAIN

29.02/17 COUNCIL RESOLUTIONS:

1. That Council not accept any tenders in respect of Tender T1617-03 – Construction of Gunnedah Memorial Pool Complex Upgrade.
2. That due to the unavailability of competitive and reliable tenderers based on its previous Expression of Interest process and the recent inviting of Open Tenders, Council determines that a satisfactory result for appointment of a contractor to undertake construction of the Gunnedah Memorial Pool Upgrade Project would not be achieved by inviting further tenders 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 documentation.
3. That upon receipt of the various quotations that the matter be further reported to Council for determination.

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.

RESOLUTION OUT OF CLOSED COUNCIL

Council Resolution

Moved Councillor D MOSES

Seconded Councillor A LUKE

30.02/17 COUNCIL RESOLUTION:

On the resumption of the Ordinary business of the meeting, the Chairperson reported that the previous resolution was adopted in Closed Council.

There being no further business, the meeting closed at 6:11pm.

**Mayor J Chaffey
CHAIRPERSON**