



MINUTES

OF THE

ORDINARY MEETING

OF

GILGANDRA SHIRE COUNCIL

HELD ON

19 AUGUST 2019

PRESENT

Councillors

D Batten (Mayor)
A Walker (Deputy Mayor)
G Johnson
B Mockler
N Mudford
D Naden
N Wrigley
G Peart

Employees

D J Neeves
General Manager
N Alchin
Director Corporate Services
G McAnally-Elwin
Acting Director Community Services
D Colwell
Director Infrastructure
L Mathieson
Director Planning & Environment
J Prout
Executive Assistant

Proceedings of the meeting commenced at 4.pm.

LEAVE OF ABSENCE

Cr S Baker

RESOLVED 142/19	Cr Naden/Cr Wrigley
That the apology submitted be accepted and leave of absence granted.	

ADJOURNMENTS

Nil

DECLARATIONS OF INTEREST

Cr Peart, *Request from Central West Inland Rail Realignment Group.*
Cr Peart's son has property in the proposed inland rail corridor.

Cr Walker, *Request from Central West Inland Rail Realignment Group.*
Cr Walker has property on the existing rail line.

Cr Walker, *Tender – Preferred Supplier Plumbing Services (Closed).*
Cr Walker is a partner in Walker Group which tendered for plumbing services.

Cr Mudford, *Request for recognition/storyboard - Mr Len Stockings.*
Cr Mudford is a distant relative of the Stockings family.

CONFIRMATION OF MINUTES

RESOLVED 143/19	Cr Johnson/Cr Mudford
That the minutes of the Ordinary meeting held on 16 July 2019, which were circulated to members prior to this meeting, be hereby confirmed as a faithful record of the meeting referred to.	

(GO.CO.1)

MAYORAL MINUTE - 8/19
MAYORAL COMMITMENTS

SUMMARY

To advise of the Mayor's activities during the preceding month.

RESOLVED 144/19	Cr Batten
That the report be noted.	

(GO.ME.1)

MOTIONS TO 2018 LGNSW CONFERENCE

SUMMARY

To advise outcome of motions to the 2018 LGNSW Conference.

RESOLVED 145/19	Cr Walker/Cr Peart
That the report be noted.	

(GO.ME.1)

AMENDMENTS TO THE LOCAL GOVERNMENT ACT 1993

SUMMARY

To advise of amendments to the Local Government Act 1993 .

RESOLVED 146/19	Cr Wrigley/Cr Johnson
That the report be noted.	

(GO.ME.1)

REQUEST FROM CENTRAL WEST INLAND RAIL REALIGNMENT GROUP

SUMMARY

To advise of a request from the Central West Inland Rail Realignment Group.

MOTION	Cr Mockler/Cr Walker
<ol style="list-style-type: none">1. That Council acknowledge the concerns of the potentially impacted landholders and, whilst not supporting requests for a yet to be defined independent inquiry terms of reference, write to Mr Coulton and Mr McCormack requesting the release and full disclosure of all information contained in the studies that support the inland rail business case and justify the May 2017 route alignment.2. That the State member be advised accordingly.	

AMENDMENT	Cr Peart/Cr Mudford
<ol style="list-style-type: none">1. That Council support the request by the Group of impacted landholders and lobby government for an official independent enquiry into the process of determining the alignment.2. That Council write to the Hon. Mark Coulton MP in his role as the Member for Parkes and the Minister for Regional Services, Decentralisation and Local Government to notifying him of Council's support for an inquiry.3. That Council write to the Hon. Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional to notifying him of Council's support for an inquiry.4. That Council write to Roy Butler MP, Member for Barwon notifying him of Council's support for an inquiry.	

The amendment was put and carried.

RESOLVED 147/19	Cr Peart/Cr Mudford
<ol style="list-style-type: none">1. That Council support the request by the Group of impacted landholders and lobby government for an official independent enquiry into the process of determining the alignment.2. That Council write to the Hon. Mark Coulton MP in his role as the Member for Parkes and the Minister for Regional Services, Decentralisation and Local Government to notifying him of Council's support for an inquiry.3. That Council write to the Hon. Michael McCormack, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional to notifying him of Council's support for an inquiry.4. That Council write to Roy Butler MP, Member for Barwon notifying him of Council's support for an inquiry.	

LISTING OF MATTERS
TO BE CONSIDERED IN CLOSED COUNCIL

RESOLVED 148/19	Cr Walker/Cr Peart
<p>That Council note the following matters to be listed as specified under Section 10 (2) of the Local Government Act 1993:</p> <ul style="list-style-type: none">• General Manager's Performance Review (a)• Organisational Structure Review (a)• Tenders – preferred supplier plumbing services (d)	

RESOLVED 149/19	Cr Walker/Cr Peart
That the Press and Public be excluded from the meeting by reason of the confidential nature of the matters to be considered in line with the confidentiality policy of Council and Clause 10 (2) of the Local Government Act, 1993, relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate at 4.06pm.	

(PE1071.1)

MAYORAL MINUTE – 9/19
GENERAL MANAGER'S PERFORMANCE REVIEW

This information is classified CONFIDENTIAL under section 10A (2)(a) of the Local Government Act 1993.

SUMMARY

To formalise the Annual Performance Review of the General Manager.

RESOLVED 150/19	Cr Mockler/Cr Peart
That Council note and acknowledge a satisfactory result in respect of the General Manager's annual performance review.	

RESOLVED 151/19	Cr Walker/Cr Mockler
That standing orders be suspended to allow the General Manager to provide detailed information about the organisational structure review.	

Proceedings in Brief

- It being 4.43pm, the General Manager asked all subordinate staff to leave the meeting.
- Staff were asked to return to the meeting at 5.49pm.

RESOLVED 152/19	Cr Johnson/Cr Naden
That standing orders be resumed.	

(CM.PL.1)

ORGANISATIONAL STRUCTURE REVIEW

This information is classified CONFIDENTIAL under section 10A (2)(a) of the Local Government Act 1993.

SUMMARY

To provide Council with a new organisational structure to be endorsed for consultation with staff.

RESOLVED 153/19	Cr Wrigley/Cr Walker
1. That Council endorse the organisational structure as presented.	
2. That consultation sessions with staff commence.	

Proceedings in Brief

Cr Walker declared an interest and left the meeting at 5.50pm

TENDER 25/19 – PREFERRED SUPPLIER PLUMBING SERVICES

This information is classified CONFIDENTIAL under section 10A (2)(d) of the Local Government Act 1993.

SUMMARY

To consider submissions received for Tender 25/19 – Preferred Supplier Plumbing Services.

RESOLVED 154/19	Cr Wrigley/Cr Mudford
That Council not accept any of the tenders and cancel the proposed contract.	

Proceedings in Brief

Cr Walker returned to the meeting at 6.04pm, having taken no part in discussion or voting.

RESOLVED 155/19	Cr Mockler/Cr Peart
That the press and public be allowed to re-enter the meeting at 6.04pm.	

RESOLVED 156/19	Cr Mockler/Cr Peart
That the General Manager, Mr David Neeves, in line with Clauses 9(3), 377 and 335 of the Local Government Act, 1993, list all business relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate in line with the confidentiality policy of Council and Clause 10 (2) of the Act for consideration by the next meeting of the Council as such matters are deemed to be of confidential nature or such that Council's interest may be prejudiced by publicity, that the press and public be excluded from the meeting, provided however that, at the discretion of the Mayor, interested parties and/or their agents be granted approval to address the Council so that they are provided with the opportunity to substantiate any proposals under consideration and answer any questions from Councillors in relation thereto.	

Proceedings in Brief

Council's Acting Finance Manager, Mrs Barb Hay, entered the meeting.

(FM.PL.1)

EMERGENCY SERVICES LEVY

SUMMARY

To advise of notification from the Minister for Local Government that the first year increase of the Emergency Services Levy for all locals councils will be met by the government.

RESOLVED 157/19	Cr Peart/Cr Wrigley
1. That Council write to the Hon, Shelley Hancock, Minister for Local Government, formally acknowledging the Governments support for the payment for the 19/20 Budget and emphasise the long-term impacts to Council's financial position as a result of the increase. 2. That, in accordance with 2(v) of resolution 111/19, Council ask the NSW Government to work with local government to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future.	

(CM.PL.1)

2018/19 QUARTERLY OPERATIONAL PLAN REVIEW TO 30 JUNE 2019

SUMMARY

To consider progress for the June quarter with Council's 2018/19 Operational Plan.

RESOLVED 158/19	Cr Johnson/Cr Naden
That the 2018/19 Operational Plan Review for the quarter ended 30 June 2019 be adopted.	

QUARTERLY BUDGET REVIEW - 30 JUNE 2019

SUMMARY

To detail the major variances to the original estimates for the 2018/19 financial year as presented in the Quarterly Budget Review as at 30 June 2019. In addition, to report as to whether the Quarterly Budget Review indicates the financial position of Council is satisfactory, having regard to the original estimates adopted by Council.

RESOLVED 159/19	Cr Walker/Cr Wrigley
That the Quarterly Budget Review document and report as at 30 June 2019 be adopted.	

(FM.LO.1)

LOAN FUNDING

SUMMARY

To seek Council's resolution to sign and seal loan documentation from NAB.

RESOLVED 160/19	Cr Peart/Cr Naden
That authority be granted to the Mayor and General Manager to sign and seal the Letter of Offer from National Australia Bank.	

Proceedings in Brief

At this point, Mrs Barbara Hay left the meeting.

(CR.EQ.1)

REQUEST FOR RECOGNITION/STORYBOARD – MR LEN STOCKINGS

SUMMARY

To advise of a request from members of the Stockings family for recognition of the achievements of Mr Len Stockings in relation to the creation of a road over the Warrumbungle mountains to Coonabarabran.

RESOLVED 161/19	Cr Mockler/Cr Johnson
1. That Council support the request of the Stockings family for the purchase and installation of a storyboard to complement the existing plaque located at White gum lookout to recognise the achievements of Mr Len Stockings in the creation of a road through the Warrumbungles to Coonabarabran.	
2. That consideration be given during the 1 st Quarter Budget Review for how the project can be funded.	

ENGAGEMENT OF LEGAL SERVICES - INLAND RAIL

SUMMARY

To advise legal services have been engaged to support, facilitate and guide Council's future negotiations and agreements with the Australian rail Track Corporation (ARTC).

RESOLVED 162/19	Cr Walker/Cr Peart
That the report be noted	

(GS.PG.1)

STRONGER COUNTRY COMMUNITIES FUND ROUND 3

SUMMARY

To confirm the intention to lodge an application for funding under the Stronger Country Communities Fund Round 3.

RESOLVED 163/19	Cr Mockler/Cr Walker
<ol style="list-style-type: none">1. That Council note the survey results and further consultation planned as outlined in this report.2. That Council submit an application under the Stronger Country Communities Fund for two projects made up as follows:<ol style="list-style-type: none">a. Youth Related Activities<ol style="list-style-type: none">i. Work Readinessii. Library Technological Hubiii. McGrane Oval Upgradesiv. Skate Park upgradeb. General Community<ol style="list-style-type: none">i. CBD Activationii. Rising Sun Installationiii. Electronic Community Message Boards3. That Council consider the other suggestions provided by the community in conjunction with its 2020/21 Integrated Planning review processes.4. That the comments received be made available on Council's website.	

(GS.PG.1)

EXPENDITURE RELATING TO ARMATREE & TOORAWEEAH VILLAGES 2018/19

SUMMARY

To provide details of expenditure relating directly to the Villages of Armatree and Tooraweenah in 2018/19.

RESOLVED 164/19	Cr Walker/Cr Mudford
That the report be noted.	

(FM.FR.1)

ANNUAL ACCOUNTS – YEAR ENDING 30 JUNE 2019

SUMMARY

To advise Council of the completion of the annual financial statements for the year ended 30 June 2019 and, in accordance with the provisions of the Local Government Act (1993), obtain the necessary resolution to refer same to the auditor.

RESOLVED 165/19	Cr Wrigley/Cr Johnson
That the financial statements be accepted by the Council and referred for audit.	

(CS.SV.1)

VACATION CARE UPDATE

SUMMARY

To provide Council with an update on the progress of setting up a vacation care service.

RESOLVED 166/19	Cr Johnson/Cr Wrigley
That Council discontinue with the implementation of a vacation care service.	

DA2019/298 GILGANDRA SHIRE COUNCIL DEPOT REDEVELOPMENT

SUMMARY

To determine DA2019/298 and to consider a request to vary the building line set back and car park requirements of Council's DCP 2011.

RESOLVED 167/19	Cr Mockler/Cr Peart
<ol style="list-style-type: none">1. That DA2019/298 be approved subject to the attached conditions outlined in Annexure "A".2. That Council support the request for variation from the Gilgandra Development Control Plan 2011 to vary the car parking requirements from 100% on-site to allow the use of the existing car park located in the road reserve adjacent to the property boundary. Noting that should Roads and Maritime Services require to undertake works in the road reserve in the future, the provision of parking in the road reserve may need to be removed.	

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- | |
|---|
| 3. That Council support the request for variation from the Gilgandra Development Control Plan 2011 to vary the building line set back distance from 9m to 4m on Lot 29, DP260623. |
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Division

For: Crs Naden, Johnson, Walker, Peart, Mockler, Wrigley, Mudford and Batten
Against: Nil

(CM.PL.1)

DRAFT COMMUNITY PARTICIPATION PLAN

SUMMARY

To present the Draft Community Participation Plan for endorsement.

RESOLVED 168/19	Cr Naden/Cr Mudford
That the Draft Community Participation Plan be endorsed and placed on public exhibition for a period of 28 days.	

(LE.LC.1)

CHANGES TO NSW OUTDOOR DINING POLICY

SUMMARY

To provide an overview of the new NSW Outdoor Dining policy and compare this with Council's current Street Trading Policy.

RESOLVED 169/19	Cr Mockler/Cr Wrigley
1. That the 2019 NSW Outdoor Dining Policy be noted.	
2. That Council determine if changes are required to the current Street Trading Policy at the next policy review in 2020.	

MINUTES – COMMITTEE MEETINGS FOR ADOPTION

SUMMARY

To present the following minutes of Committee meetings for consideration and adoption.

Aged Care Committee

7 August 2019

Proceedings in Brief

The minutes of the Disability Services Committee meeting held on 13 August 2019 were tabled, noting the recommendation to transfer \$300,000 to reserves for the construction of the specialised disability accommodation.

RESOLVED 170/19	Cr Johnson/Cr Wrigley
That the above listed Committee minutes be adopted.	

MINUTES – COMMITTEE MEETINGS FOR NOTATION

SUMMARY

To present the following minutes of Committee meetings for notation.

Health & Safety Committee
Interagency

8 August 2019
25 July 2019

RESOLVED 171/19	Cr Peart/Cr Johnson
That the above listed Committee minutes be noted.	

REPORTS FOR INFORMATION AND NOTATION

SUMMARY

To present reports for information and notation.

RESOLVED 172/19	Cr Walker/Cr Peart
That the reports be noted.	

PRECIS OF CATEGORY B CORRESPONDENCE

SUMMARY

To pass on relevant information from correspondence received.

Proceedings in Brief

It was noted the Newell Highway Taskforce minutes had just been received and would be circulated to Councillors.

RESOLVED 173/19	Cr Mockler/Cr Walker
That receipt of the Category B correspondence be noted.	

LATE REPORT

TOUR DE OROC

SUMMARY

To consider a request for sponsorship of the 2019 Tour de OROC.

MINUTES OF: GILGANDRA SHIRE COUNCIL
HELD ON: 19 AUGUST 2019

Proceedings in Brief

It was noted that Bronze sponsorship this year is \$250 and will form part of a Guinness World Record attempt world record attempt for the “most brands advertising on one single sportwear item”.

RESOLVED 174/19	Cr Mockler/Cr Walker
That Council purchase four bronze sponsorships at a cost of \$1,000.	

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 7.00PM.

Cr D Batten
Mayor