



# Minutes

## Ordinary Council Meeting

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27 September 2016

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The Mayor declared the meeting opened at **5.55pm** and welcomed the Councillors, Staff, Media and Members of the Gallery.


The Mayor then gave the Acknowledgement of Country.

*I would like to acknowledge the Wiradjuri people who are the Traditional Custodians of the Land. I would also like to pay respect to their people both past and present and extend that respect to other Aboriginal Australians who are present.*

#### Disclosure of Political Donations

The Chief Executive Officer advised those present, of the legislative requirement for Disclosure of Political Donations:

*.....The Environmental Planning and Assessment Act 1979, Section 147 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, \$1,000. The Disclosure Statement forms are available on Councils website or from the Customer Service Centre and must be lodged in accordance with the Act.....*

 *There were no Disclosure of Political Donations received by the Chairperson.*

## **PRESENT**


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Councillors Cr Kschenka (Mayor), Cr Fahey (Deputy Mayor), Cr Bryon, Cr Clarke, Cr Galvin, Cr Hall, Cr Lewis, Cr Morris, Cr Payne

Also in attendance were the Chief Executive Officer – J Charlton; the Deputy General Manager Infrastructure – Julian Geddes; the Deputy General Manager Corporate and Community - M Hiscox; the Governance & Engagement Manager – C Taylor; and the Personal Assistant to Mayor & Chief Executive Officer – V Maher.


## **APOLOGIES**

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 *No Apologies – All in Attendance*

## **PUBLIC QUESTION TIME**

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 *A request for a listing in Public Question Time has been received from Mr Sebastian Papa regarding Information Supplied on the matter of Contamination of Property at Gillenbah.*

Mr Papa believes that Council has withheld a number of documents from him relating to his property at 16312 Newell Highway, Gillenbah NSW 2700. The request does not include specific questions however the information below is a summary of what information is believed to be sought.

*\*\*\* The Chief Executive Officer advised that the questions and responses had been distributed to all Councillors and were also shown on the screen.*

**Information sought 1** – Seeking access to reports from Trent Cormie and Frank Dyrssen from their first and second inspections of his property.

**Response 1** – Mr Papa submitted an application through the Government Information (Public Access) Act 2009 (GIPA) during September 2014 with a Notice of Determination sent to Mr Papa 24 October 2014. The schedule of documents released contained an internal memo referenced as IR14-35 being a file note from Trent Cormie relating to effluent disposal from the Newell Motor Inn. No further reports from Mr Cormie or Mr Dyrssen were identified as part of this GIPA request.

Subsequent to this request there have been further enquires by Mr Papa regarding this matter and Council has devoted considerable resources in researching this matter and no further reports of inspections by Mr Cormie or Mr Dyrssen were discovered.

**Information sought 2** - Access to alleged permission agreement referred to by Ms Charlton.

**Response 2** – Mr Papa refers to an alleged permission agreement often referred to by Ms Charlton, Council does not have knowledge of Ms Charlton referring to an agreement or the existence of such an agreement.

## **PRESENTATIONS**

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 *No Presentations for this meeting*

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## DECLARATIONS OF INTEREST

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\*\*\* Cr Hall declared a Non Significant Non Pecuniary Interest in Item 6.1 Tender T-16/17-2 - Sprayed Bitumen Surfacing 2016 as Business Relationship (Accountant/Client) with a Tenderer and will leave the Chambers during discussions and voting on this matter.

## CONFIRMATION OF MINUTES

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### 16/203 RESOLVED

That the Minutes of the Ordinary Meeting of Narrandera Shire Council held on 16 August 2016 and as contained in the minute numbers 16/153 to 16/173 (a copy having been circulated to Councillors) are hereby **Confirmed**.

**Moved:** Cr Hall

**Seconded:** Cr Morris

**CARRIED**

## BLOCK RESOLUTION

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\*\*\* At this point the below item numbers were considered for a block resolution by Council. Councillors were afforded the opportunity to remove any of the items listed if it was felt that debate was warranted.

### 16/204 RESOLVED

That Council receive and note the below item numbers and resolved under a Block Resolution and adopt the respective recommendations contained therein.

3.1, 3.4, 3.5, 9.1.1, 9.2.1, 9.2.2, 9.2.3, 9.2.4

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

## MAYORAL REPORT - 1

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**ITEM No:** 1.1  
**SUBJECT:** MAYORAL REPORT

### 16/205 RESOLVED

That the August / September Mayoral Report be received and that the contents throughout be noted.

**Moved:** Cr Fahey

**Seconded:** Cr Payne

**CARRIED**

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*NOTE – During the week 12 to 16 September, Councillors Clarke and Morris represented Council at previously scheduled functions.*

*Cr Clarke attended the Uniting Church Synod on Monday 12<sup>th</sup>, and the Riverina Ladies Golf Association 85th Anniversary on Wednesday 14<sup>th</sup>.*

*Cr Morris attended the Heavy Vehicle Forum in Temora on Friday 16<sup>th</sup>.*

### **NOTICES OF MOTION - 2**

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 No Reports Listed for Section 2

### **COMMITTEE REPORTS - 3**

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**ITEM NO: 3.1**  
**SUBJECT: STATUTORY AND SECTION 355 COMMITTEES - MINUTES AS INFORMATION THAT REQUIRE COUNCILS ENDORSEMENT**

#### **16/204 RESOLVED – BLOCK VOTE**

That Council receive and note, for information, the Minutes of the following Committee Meetings:

3.1-1	Narrandera and Leeton Visitor Services Steering Committee Meeting	26 July 2016
3.1-2	John O'Brien Festival Organising Committee Meeting	8 August 2016
3.1-3	John O'Brien Festival Organising Committee Meeting	22 August 2016
3.1-4	Parkside Cottage Museum Committee Meeting	8 August 2016
3.1-5	Food Bowl Inland Rail Alliance Committee Meeting	9 August 2016

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

**ITEM NO: 3.2**  
**SUBJECT: MINUTES – LAKE TALBOT ENVIRONS ADVISORY AGM COMMITTEE**

**MEETING DATE: 17 August 2016**

#### **16/206 RESOLVED**

That Council receive and note the Minutes of the Lake Talbot Environs Advisory Committee Meeting held 17 August 2016 and adopt the following recommendations:

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**RECOMMENDATION Item 5 – PM1:**

That the Committee advise Council of concerns in regard to the most recent draft of the Lake Talbot Hydrological Study and its view that it has not adequately addressed some key areas of the brief and that these areas identified be referred to the consultant for urgent review and action.

**RECOMMENDATION Item 5 – PM2:**

That the Committee advise Council of its support for a grant funding application for the first stage of walking/cycling from Rotary Lookout to the foreshore of the lake.

**Moved:** Cr Hall

**Seconded:** Cr Fahey

**CARRIED**

**ITEM NO:** 3.3

**SUBJECT:** MINUTES – LAKE TALBOT ADVISORY COMMITTEE

**MEETING DATE:** 7 September 2016

**16/207 RESOLVED**

That Council receive and note the Minutes of the Lake Talbot Environs Advisory Committee Meeting held 7 September 2016 and adopt the following recommendations:

**RECOMMENDATION Item 5 – PM1:**

That this Committee seek an urgent meeting with the General Manager and appropriate council officers to discuss the concerns over the current draft study with the view to scheduling a meeting with the consultants to resolve issues prior to the completion of the draft for exhibition stage.

**Moved:** Cr Lewis

**Seconded:** Cr Payne

**CARRIED**

*NOTE – Items 3.4 and 3.5 were previously included in the Block Vote resolution, however the vote was put and carried individually.*

**ITEM NO:** 3.4

**SUBJECT:** MINUTES – NARRANDERA STADIUM MANAGEMENT COMMITTEE - AGM AND ORDINARY

**MEETING DATE:** 22 August 2016

**16/208 RESOLVED**

That Council receive and note the Minutes of the Narrandera Stadium Management Committee AGM and Ordinary meetings of 22 August 2016 and adopt the following recommendation:

**RECOMMENDATION Item 6:**

Council endorse the following members for the Narrandera Stadium Management Committee for 2016/2017.

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Gayle Murphy (Chair & Secretary)  
Steve Buchanan (Deputy Chair)  
Martin Hiscox  
Lee Longford  
Clair Bolton  
Sam Irons  
Council Representative

**Moved:** Cr Payne

**Seconded:** Cr Hall

**CARRIED**

**ITEM NO: 3.5**  
**SUBJECT: MINUTES – JOHN O'BRIEN FESTIVAL ORGANISING COMMITTEE**

**MEETING DATE: 5 September 2016**

**16/204 RESOLVED – BLOCK VOTE**

That Council receive and note the Minutes of the John O'Brien Festival Organising Committee Meeting of 5 September 2016 and adopt the following recommendation:

**RECOMMENDATION GB1:**

That Council accept the resignation of John Morey from the 2017 John O'Brien Festival Organising Committee and thank him in writing for his contribution towards the 2017 John O'Brien Festival.

**Moved:** Cr Fahey

**Seconded:** Cr Hall

**CARRIED**

**ITEM NO: 3.6**  
**SUBJECT: MINUTES – JOHN O'BRIEN FESTIVAL ORGANISING COMMITTEE**

**MEETING DATE: 19 September 2016**

*\*\*\* Cr Bryon gave advice of an intended Foreshadow Motion.*

**MOVED:**

That Council receive and note the Minutes of the John O'Brien Festival Organising Committee Meeting of 19 September 2016 and adopt the following recommendation:

**RECOMMENDATION Item 6:**

That Council endorse the John O'Brien Festival to move to a biennial model with the option to return to an annual event post the 2018 festival.

**Moved:** Cr Morris

**Seconded:** Cr Payne

**LOST**

**The following Foreshadow Motion was Moved:**

**16/209 RESOLVED**

That Council:

1. Receive and note the Minutes of the John O'Brien Festival Organising Committee Meeting of 19 September 2016 and adopt the following recommendation:
2. Endorse further consultation with the committee concerning the holding of the 2017 Festival and to return a recommendation as soon as possible to a future council meeting.

**Moved:** Cr Bryon

**Seconded:** Cr Clarke

**CARRIED**

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**SECTION 4**

**A Strong and Resilient Community and Sustainable Environment – Reports**

 *No Reports Listed for Section 4*

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**SECTION 5**

**A Growing Economy – Reports**

 *No Reports Listed for Section 5*

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**SECTION 6**

**Quality and Sustainable Infrastructure – Reports**

*\*\* At this point, time being 6.18pm, Cr Hall after earlier declaring an Interest in Item 6.1 vacated the Chambers during discussions and voting on the matter.*

**ITEM NO:**

**6.1**

**SUBJECT:**

**TENDER T-16/17-2 – SPRAYED BITUMEN SURFACING**

**16/210 RESOLVED**

That Council:

1. Accept the tender by Downer EDI and enter into a contract for reseal works for the period 1 November 2016 to 30 July 2018 with the option of two 12 month performance based extensions.
2. Accept the tender by Mezplant Pty Ltd and enter into a contract for Otta Seal and Primerseal works for the period 1 November 2016 to 30 July 2018 with the option of two 12 month performance based extensions.
3. Authorise the General Manager to sign the contract documents.



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4. Give approval to affix the Common Seal of Council, if required, to this and any future documentation necessary relating to the matter.

**Moved:** Cr Morris

**Seconded:** Cr Payne

**CARRIED**

*\*\* At this point, time being 6.19pm, Cr Hall returned to the Chambers and re-joined the meeting.*

**ITEM NO: 6.2**  
**SUBJECT: FINAL DRAFT PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP)**

**16/211 RESOLVED**

That Council:

1. Adopt the Final Pedestrian Access and Mobility Plan 2016.
2. Give approval to affix the Common Seal of Council, if required, to this and any future documentation necessary relating to this matter.
3. Include the Plan in Strategies Register and upload to Councils Website.

**Moved:** Cr Payne

**Seconded:** Cr Morris

**CARRIED**

## **SECTION 7**

### **Efficient and Responsive Service – Reports**

 *No Reports Listed for Section 7*

## **SECTION 8**

### **Trusted and Effective Government – Reports**

**ITEM NO: 8.1**  
**SUBJECT: COUNCILLOR NOMINATIONS TO ATTEND THE 2016 LOCAL GOVERNMENT ANNUAL CONFERENCE**

**16/212 RESOLVED**

That Council nominate up to two (2) Councillors to attend the 2016 Local Government Annual Conference with the Mayor of the Day and Deputy Mayor of the Day.

**Moved:** Cr Lewis

**Seconded:** Cr Payne

**CARRIED**

*\*\*\* Councillors Hall and Bryon will attend.*

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**ITEM NO: 8.2**  
**SUBJECT: POLICY REVIEW ES80 - COMPLAINTS MANAGEMENT**

**16/213 RESOLVED**

That Council:

1. Adopt for exhibition revised Policy ES80 Complaints Management. Exhibition to be for a period of 28 days seeking community feedback. Any submissions are to be brought to Council for consideration when adopting the policy.
2. If no community feedback is received the revised Policy ES80 be deemed as adopted and updated in policy register.
3. Upon adoption of revised Policy ES80 staff are to be trained and empowered to implement the policy.

**Moved:** Cr Galvin

**Seconded:** Cr Hall

**CARRIED**

**ITEM NO: 8.3**  
**SUBJECT: POLICY REVIEW – ES320**  
**UNREASONABLE COMPLAINANT CONDUCT**

**16/214 RESOLVED**

That Council: adopt revised Policy ES320 Unreasonable Complainant Conduct.

**Moved:** Cr Payne

**Seconded:** Cr Morris

**CARRIED**

**ITEM NO: 8.4**  
**SUBJECT: POLICY REVIEW CS20 - FINANCIAL ASSISTANCE PROGRAM**

**16/215 RESOLVED**

1. That Council adopt the proposed amendments to Financial Assistance Program Policy CS20.
2. That Council endorse advertising the amended policy for a period of 28 days seeking community comment.
3. That if no community comment is received following the exhibition period, that the amendments to Financial Assistance Program Policy CS20 be deemed as adopted and included into the Policy Register and uploaded to Council's website.

**Moved:** Cr Payne

**Seconded:** Cr Hall

**CARRIED**

CONFIRMED

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**ITEM NO: 8.5**  
**SUBJECT: ENDORSEMENT OF COMMUNITY ENGAGEMENT STRATEGIES**

**16/216 RESOLVED**

That Council:

1. Endorse the proposed Community Engagement Strategy for the review of the Community Strategic Plan
2. Endorse the proposed Community Engagement Strategy for the development of a Disability Inclusion Action Plan.

**Moved:** Cr Galvin

**Seconded:** Cr Payne

**CARRIED**

## **SECTION 9**

### **Statutory & Other Compulsory Reports**

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9.1.

**ITEM NO: 9.1.1**  
**SUBJECT: AUGUST DEVELOPMENT SERVICES ACTIVITIES**

**16/204 RESOLVED – BLOCK VOTE**

That Council receive and note Development Services Report for August 2016.

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

 *There were no Disclosure of Political Donations received by the Chairperson.*

### **9.2. Financial / Audit**

**ITEM NO: 9.2.1**  
**SUBJECT: AUGUST STATEMENT OF RATES AND RECEIPTS**

**16/204 RESOLVED – BLOCK VOTE**

That Council receive and note the information contained in the Statement of Rates and Receipts report as at 31 August 2016.

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

**ITEM NO: 9.2.2**  
**SUBJECT: AUGUST STATEMENT OF BANK BALANCES**

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**16/204 RESOLVED – BLOCK VOTE**

That Council receive and note the information contained in the Statement of Bank Balances report as at 31 August 2016.

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

**ITEM NO: 9.2.3**

**SUBJECT: AUGUST STATEMENT OF INVESTMENTS**

**16/204 RESOLVED – BLOCK VOTE**

That Council receive and note the information contained in the Statement of Investments report as at 31 August 2016.

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

**ITEM NO: 9.2.4**

**SUBJECT: AUGUST INCOME STATEMENT**

**16/204 RESOLVED – BLOCK VOTE**

That Council receive and note the information contained in the Income Statement report as at 31 August 2016.

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

**ITEM NO: 9.2.5**

**SUBJECT: AUGUST CAPITAL WORKS PROGRAM**

**16/217 RESOLVED**

That Council receive and note the information contained in the Capital Works report as at 31 August 2016.

**Moved:** Cr Hall

**Seconded:** Cr Lewis

**CARRIED**

**ITEM NO: 9.2.6**

**SUBJECT: COUNCIL GENERAL PURPOSE FINANCIAL STATEMENTS**

**16/218 RESOLVED**

That Council:

1. Resolve that in its opinion the General Purpose & Special Purpose Financial Statements as prepared, are in accordance with the attached certificates and that the certificates be completed by the Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer.

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2. Resolve that the funds as listed in the attached schedule be reported as internally restricted in Council's accounts as at 30 June 2016.

**Moved:** Cr Payne

**Seconded:** Cr Lewis

**CARRIED**

**9.3. Other**

 *No Reports Listed for Section 9.3*

*At this point, members of the Gallery and Press were advised that Council will move into Closed Session of Council for the consideration of the Confidential Items.*

*They were asked to leave the Chambers and advised they may return upon resumption of Open Council.*

**CLOSED COMMITTEE**

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 *No Reports Listed for Section 10*

**There being no further business the Mayor declared the meeting closed at 6.25pm.**

Chairman of the Meeting of the Narrandera Shire Council held on **Tuesday 11 October 2016**, at which meeting the signature hereon was inscribed.

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**Judith Charlton**  
Chief Executive Officer

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**Cr Neville Kschenka**  
Mayor