

**MINUTES OF NARRABRI SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE NARRABRI SHIRE COUNCIL CHAMBERS, 46-48 MAITLAND STREET, NARRABRI
ON TUESDAY, 25 AUGUST 2020 AT 1.02PM**

PRESENT: Cr Catherine Redding (Mayor), Cr Cameron Staines (Deputy Mayor), Cr Maxine Booby, Cr Ron Campbell, Cr Ron Campey, Cr Lloyd Finlay, Cr Robert Kneale, Cr Annie McMahon.

IN ATTENDANCE: Stewart Todd (General Manager), Lindsay Mason (Director Corporate Services), Bileen Nel (Director Infrastructure Delivery - Acting), Delece Hartnett (Administration).

Proceedings of the meeting commenced at 1.02pm.

1 OPENING PRAYER BY A MEMBER OF THE NARRABRI MINISTER'S FRATERNAL

Members and officers were upstanding for the opening prayer by Ps. Travis Lions of the Christian Outreach Centre Narrabri, in association with the Narrabri Ministers Fraternal.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the Traditional Owners of the land on which the Council met, the Kamilaroi people, and the Council paid its respects to Elders past and present.

3 APOLOGIES/GRANTING OF LEAVE OF ABSENCES

Nil.

4 DECLARATION OF PECUNIARY AND NON- PECUNIARY INTERESTS

Councillors are reminded of their obligation to declare their interest in any matters listed before them.

In considering your interest, you are reminded to include pecuniary, non-pecuniary and conflicts of interest as well as any other interest you perceive or may be perceived of you.

Councillors may declare an interest at the commencement of the meeting, or alternatively at any time during the meeting should any issue progress or arise that would warrant a declaration.

Councillors must state their reasons in declaring any type of interest.

COUNCILLOR	ITEM NUMBER	PECUNIARY/ NON-PECUNIARY	REASON
Cr Finlay	Item 9.1 – 2020/2021 Community Grants Fund	Non-pecuniary, Non- significant	Member of the Narrabri Clay Target Club.

5 ITEMS TO BE CONSIDERED IN THE CONFIDENTIAL (PUBLIC EXCLUDED) MEETING

MINUTE 129/2020

Moved: Cr Annie McMahon Seconded: Cr Robert Kneale

That the following matters will be considered in the Closed (Public Excluded) Meeting:

- 13.1 Northern NSW Inland Port**
- 13.2 Contract 2020-21/07 - Design & Construction of Replacement Bridges at Horsearm Creek and Spring Creek, Narrabri**
- 13.3 Contract 2020-21/08 - Maitland Street Pavement Works**
- 13.4 Mayoral Minute - General Manager Annual Performance Review - period ending June 2020.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

6 PRESENTATIONS

Nil.

7 CONFIRMATION OF MINUTES

MINUTE 130/2020

Moved: Cr Maxine Booby Seconded: Cr Ron Campey

That the minutes of Ordinary Meeting of the Narrabri Shire Council held on 28 July 2020 comprising Minute Nos 120/2020 to 128/2020 as circularised be confirmed and signed as a correct record by the Mayor.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

8 MAYORAL MINUTE

8.1 MAYORAL MINUTE - MAYORAL APPOINTMENTS FOR JULY/AUGUST 2020**MINUTE 131/2020**

Moved: Cr Catherine Redding

That Council note the Mayoral Appointments for the period July/August 2020.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

9 OUR SOCIETY

9.1 2020/2021 COMMUNITY GRANTS FUND**MINUTE 132/2020**

Moved: Cr Ron Campey Seconded: Cr Maxine Booby

1. That Council allocate the following funding from the 2019/2020 Community Grants Fund:
 - a. \$2,500.00 to ADFAS Narrabri and North West for their 2020/2021 Program Delivery
 - b. \$4,000.00 to Wee Waa Public School P&C for School Car Park Fencing.
 - c. \$4,000.00 to Kogil Street Preschool for Building Upkeep – Internal Painting.
 - d. \$2,000.00 to Cancer Council NSW for the Narrabri Stars Dance for Cancer Fundraising Event.
 - e. \$2,000.00 to Narrabri and District Cricket Association for the 6th Annual Town V Country Charity Cup.
 - f. \$3,900.00 to Narrabri West Public School for Canteen Improvements.
 - g. \$1,187.00 to Wee Waa Swimming Club for Updating of Computer Equipment and Swimming Club Computer Program.
2. That Council advise applicants that submitted applications deemed ineligible the reasons as to their ineligibility with the aim of assisting these applicants, where possible, to lodge eligible applications in future.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

10 OUR ENVIRONMENT

Nil reports.

11 OUR ECONOMY

Nil reports.

12 OUR CIVIC LEADERSHIP

12.1 INVESTMENT REPORT - JULY 2020**MINUTE 133/2020**

Moved: Cr Ron Campbell Seconded: Cr Maxine Booby

That Council note the Investment Report for July 2020.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.2 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE**MINUTE 134/2020**

Moved: Cr Cameron Staines Seconded: Cr Lloyd Finlay

That Council note the Minutes of the Audit, Risk and Improvement Committee meeting held on 15 July 2020.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.3 EMERGENCY SERVICES LEVY**MINUTE 135/2020**

Moved: Cr Maxine Booby Seconded: Cr Ron Campbell

That Council note the future financial impacts of the Emergency Services Levy.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.4 EPA SITE INSPECTION - NARRABRI LANDFILL**MINUTE 136/2020**

Moved: Cr Annie McMahon Seconded: Cr Maxine Booby

- 1. That Council note the acknowledgement of the NSW EPA that there has been significant improvement in the management of the landfill, particularly in the last 12-month period.**
- 2. That Council extend its appreciation and thanks to the Council Staff responsible for significant improvement in the oversight and management of the Narrabri Landfill.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.5 SPORTING WALL OF FAME POLICY - SUBMISSIONS**MINUTE 137/2020**

Moved: Cr Lloyd Finlay Seconded: Cr Robert Kneale

That Council adopt the Sporting Wall of Fame Policy, as attached to this report.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.6 CAPITAL WORKS CARRY FORWARDS, REVOTES AND OVER RUNS**MINUTE 138/2020**

Moved: Cr Robert Kneale Seconded: Cr Maxine Booby

- 1. That Council revote in 2020/2021 an amount of \$160,614, as identified in Attachment 1 to this report, from the 2019/2020 capital works program.**
- 2. That Council carry forward to 2020/2021 an amount of \$870,865, as identified in Attachment 1 to this report, to finalise works not completed as at end of 2019/2020 financial year.**
- 3. That Council create an internal restriction for the works funded from untied funding, being \$10,000, at 30 June 2020.**
- 4. That Council reduce multi-year capital project budgets in 2020/2021 by an amount of \$2,407,535, for projects that exceeded their projected votes at 30 June 2020, or were commenced in advance, as identified in the attachments to this report.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.7 OPERATIONAL AND SERVICE PLAN ANNUAL REPORT - JUNE 2020**MINUTE 139/2020**

Moved: Cr Annie McMahon Seconded: Cr Maxine Booby

That Council adopt the Operational and Service Plan Annual Report, as attached, detailing Council's progress in meeting its actions, capital works and key performance measures for the 2019/2020 financial year.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

12.8 DELIVERY PROGRAM 6 MONTHLY PROGRESS REPORT - JUNE 2020**MINUTE 140/2020**

Moved: Cr Ron Campey Seconded: Cr Cameron Staines

That Council adopt the Delivery Program 6 Monthly Progress Report, as attached, detailing Council's progress in meeting its objectives, strategies and measures up to the June 2020 period.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13 CONFIDENTIAL (CLOSED COUNCIL) MEETING**MINUTE 141/2020**

Moved: Cr Annie McMahon Seconded: Cr Robert Kneale

That at 2.02pm Council move into Closed (Public Excluded) Meeting of Council and that the press and members of the public be asked to leave the room whilst Council considers the following items:

13.1 Northern NSW Inland Port

This matter is considered to be confidential under Section 10A(2) - (d)(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

13.2 Contract 2020-21/07 - Design & Construction of Replacement Bridges at Horsearm Creek and Spring Creek, Narrabri

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

13.3 Contract 2020-21/08 - Maitland Street Pavement Works

This matter is considered to be confidential under Section 10A(2) - (c) and (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

13.4 Mayoral Minute - General Manager Annual Performance Review - period ending June 2020

This matter is considered to be confidential under Section 10A(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13.1 NORTHERN NSW INLAND PORT**MINUTE 142/2020**

Moved: Cr Cameron Staines Seconded: Cr Annie McMahon

- 1. That Council note the detailed information regarding the Northern NSW Inland Port in this report.**
- 2. That Council endorse the ongoing engagement of specialist consultants to provide Council specialist/technical support in the further development of N2IP.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13.2 CONTRACT 2020-21/07 - DESIGN & CONSTRUCTION OF REPLACEMENT BRIDGES AT HORSEARM CREEK AND SPRING CREEK, NARRABRI**MINUTE 143/2020**

Moved: Cr Annie McMahon Seconded: Cr Ron Campbell

- 1. That Council deem invalid the tender received from Gradian Project Pty Ltd for Contract No. 2020-21/07 – Design and Construction of Replacement Bridges at Horsearm and Spring Creek, Narrabri as the tender was not submitted in accordance with the Conditions of Tendering.**
- 2. That Council note that after assessing the tenders submitted (in accordance with the criteria specified in the tender documents) and having regard to all the circumstances, the Tender Panel recommends that Council accept the tender from Saunders Civilbuild Pty Ltd in the GST exclusive amount of \$2,308,862.50 for Contract No. 2020-21/07 – Design and Construction of Replacement Bridges at Horsearm Creek and Spring Creek, Narrabri.**
- 3. That Council accept the tender from Saunders Civilbuild Pty Ltd in the GST exclusive amount of \$2,308,862.50 for Contract No. 2020-21/07 – Design and Construction of Replacement Bridges at Horsearm Creek and Spring Creek, Narrabri and authorise the General Manager to sign the contract documents.**
- 4. That Council maintain the confidentiality of the documents and considerations in respect of Contract No. 2020-21/07 – Design and Construction of Replacement Bridges at Horsearm Creek and Spring Creek, Narrabri.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13.3 CONTRACT 2020-21/08 - MAITLAND STREET PAVEMENT WORKS**MINUTE 144/2020**

Moved: Cr Annie McMahon Seconded: Cr Ron Campbell

1. That Council note that after assessing the tenders submitted (in accordance with the criteria specified in the tender documents) and having regard to all the circumstances, the Tender Panel recommends that Council accept the tender from Daracon Group Pty Ltd in the GST exclusive amount of \$2,761,390.22 for Contract No. 2020-21/08 – Construction of Pavement Replacement at Maitland Street, Narrabri.
2. That Council accept the tender from Daracon Group Pty Ltd in the GST exclusive amount of \$2,761,390.22 for Contract No. 2020-21/08 – Construction of Pavement Replacement at Maitland Street, Narrabri and authorise the General Manager to Sign the contract documents.
3. That Council maintain the confidentiality of the documents and consideration in respect of Contract No. 2020-21/08 – Construction of Pavement Replacement at Maitland Street, Narrabri.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

13.4 MAYORAL MINUTE - GENERAL MANAGER ANNUAL PERFORMANCE REVIEW - PERIOD ENDING JUNE 2020**MINUTE 145/2020**

Moved: Cr Catherine Redding Seconded: Cr Cameron Staines

1. That the record of performance assessment as recorded in the General Manager's 2019/20 Personal Performance Agreement Annual Review be submitted to Council for information.
2. That it be noted in the opinion of the Performance Appraisal Panel, the General Manager, Stewart Todd is performing at a level that is a Better Than Satisfactory standard in terms of the rating scale within the Agreement.
3. Note the report of the General Manager Performance Appraisal Panel.
4. Note the findings of the Panel on the General Manager's Annual Personal Performance Review for the period ending 30 June 2020, in particular the Panel's summary assessment:
 - a. The Panel, in reaching its assessment, took into account the effect of the COVID-19 virus on the organisation. It congratulates the General Manager on the manner in which he managed these trying times.
 - b. The General Manager has achieved an overall rating of 8.2 which well exceeds the

Better Than Satisfactory rating.

- 5. **Note that the Panel is developing a Personal Performance Agreement for 2020/21. The Panel is adopting new format for the Performance Agreement for 2020/21 as presented at the Meeting.**
- 6. **The Panel noted the Better Than Satisfactory Performance and the rating scale contained within the Performance Agreement; in lieu of the applicable performance bonus the Panel has negotiated the provision of additional leave to the General Manager, as provided by the contract schedule tabled at the meeting and confirms this provision.**

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

MINUTE 146/2020

Moved: Cr Annie McMahon Seconded: Cr Ron Campbell

That at 3:22pm Council move out of Closed (Public Excluded) Meeting and that the resolutions from the Closed (Public Excluded) Meeting be read out to those present by the Chair of the Meeting or their nominee.

In Favour: Crs Catherine Redding, Cameron Staines, Maxine Booby, Ron Campbell, Ron Campey, Lloyd Finlay, Robert Kneale and Annie McMahon

Against: Nil

CARRIED 8/0

14 MEETING CLOSED

The Meeting closed at 3:23pm.

The minutes of this meeting are scheduled to be confirmed at the Ordinary Council Meeting to be held on 22 September 2020.

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CHAIRPERSON