

**MINUTES OF THE ORDINARY MEETING OF GREATER HUME SHIRE COUNCIL
TO BE HELD AT THE COUNCIL CHAMBERS, BALFOUR STREET, CULCAIRN
ON WEDNESDAY, 7 DECEMBER 2016**

IN ATTENDANCE: Councillors Wilton (Chairperson), Hicks, Meyer, O'Neill, Osborne, Quinn, Schilg, Stewart and Weston.

PRESENT: General Manager, Director Corporate & Community Services, Director Environment & Planning, Director Engineering and Executive Assistant.

Cr O'Neill offered a prayer to open the meeting.

ACKNOWLEDGEMENT OF COUNTRY

The Mayor (Chairperson) offered an Acknowledgement of Country at the commencement of the meeting.

DECLARATION OF PECUNIARY INTEREST OR NON PECUNIARY INTEREST (CONFLICT OF INTEREST)

Nil.

APOLOGY

Nil.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 16 NOVEMBER 2016

4540 RESOLVED [Meyer/Hicks]

That the Minutes of the Ordinary Meeting of Greater Hume Shire Council held at Gerogery on Wednesday, 16 November 2016 as printed and circulated be confirmed as a true and correct record of the proceedings of such meeting.

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OFFICERS' REPORTS – PART A – FOR DETERMINATION

ENVIRONMENT AND PLANNING

1. **TENDER NO: TL06 2016-2017 NEW POOL HOLBROOK SWIMMING POOL COMPLEX**

4541 RESOLVED [Quinn/Meyer]

That:

1. the tender submitted by Total Creations & Services for \$1,337,410 exclusive of GST for the construction of a new pool at Holbrook Swimming Pool Complex be accepted.
2. the General Manager and the Mayor be authorised to sign the contract with Total Creations & Services.
3. the unsuccessful tenderers are advised of the outcome of Council's decision.

2. **TENDER NO: TL07 2016-201 NEW POOL AMENITIES BUILDING HOLBROOK POOL COMPLEX**

4542 RESOLVED [O'Neill/Stewart]

That:

1. Council accept the tendered price received from Premier Building & Construction for the construction of the Holbrook Pool Complex Amenities Building for \$592,647 ex GST
2. the General Manager and the Mayor be authorised to sign the contract with Premier Building and Construction.
3. the unsuccessful tenderers are advised of the outcome of Council's decision.

GOVERNANCE

1. **DISCLOSURE OF INTEREST RETURNS**

4543 RESOLVED [Quinn/Hicks]

That the report be received and noted.

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2. CROWN LANDS MANAGEMENT ACT 2016

4544 RESOLVED [Quinn/Hicks]

That:

1. the report be received and noted and
2. at the appropriate time Council express an interest in being an early starter for the transfer of Crown Land to Council.

3. NSW TREASURY – INTRODUCTION OF EMERGENCY SERVICES PROPERTY LEVY

4545 RESOLVED [Osborne/Hicks]

That the report be received and noted.

4. COMMUNITY SATISFACTION SURVEY

4546 RESOLVED [Meyer/Hicks]

That the implementation of the following actions by Management be endorsed:

Action	Estimated start date	Estimated completion date
Development and adoption of a Communications Policy		21/12/2016
Development and adoption of a Communications Plan	1 January 2017	31 March 2017
Production of monthly information brochures	December 2016	Ongoing
Review structure of Council Newsletter (prior to winter edition)	March 2017	May 2017
Development of scope for a new website (including proposed implementation cost)	February 2017	April 2017
New website live date (subject to the provision of funding in the 2017/2018 Budget)	July 2017	31 December 2017

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5. FUTURE OF ECONOMIC DEVELOPMENT AND TOURISM ADVISORY COMMITTEES

4547 RESOLVED [Quinn/Hicks]

That:

1. the Economic Development and Tourism Advisory Committees be discontinued and
2. a letter of appreciation be forwarded to community representatives on the above committees.

CORPORATE AND COMMUNITY SERVICES

1. STATE EMERGENCY SERVICES AND FIRE RESCUE NSW CO-LOCATION AT GOOMBARGANA HILL COMMUNICATIONS TOWER

4548 RESOLVED [Osborne/Schilg]

That:

1. authority be granted to enter into an agreement for the co-location of State Emergency Services and Fire Rescue NSW communications infrastructure on the Rural Fire Services Goombargana Hill Communication Tower site.
2. the Mayor and General Manager be authorised to execute the agreement and associated documents under the Common Seal of Council for the co-location of State Emergency Services and Fire Rescue NSW communications infrastructure on the Rural Fire Services Goombargana Hill Communication Tower site.

ENGINEERING

1. RECONSTRUCTION OF COMMERCIAL STREET, BETWEEN RAILWAY CROSSING AND RAILWAY STREET, WALLA WALLA

4549 RESOLVED [Hicks/Schilg]

That:

1. the tender submitted by Longford Civil of \$168,059.00 (excl. GST) be accepted.
2. the General Manager and the Mayor be authorised to sign the Contract with Longford Civil.

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2. RECONSTRUCTION OF JINDERA STREET AND CONSTRUCTION OF BUS TURNING LANE, JINDERA

4550 RESOLVED [O'Neill/Osborne]

That:

1. the tender submitted by Hutchinson Civil Pty Ltd of \$140,005.50 (excl. GST) be accepted
2. the General Manager and the Mayor be authorised to sign the Contract with Hutchinson Civil Pty Ltd
3. the unsuccessful tenderer be advised of the outcome of Council's decision.

3. CONSTRUCTION OF JELBART ROAD TURNING LANE, JINDERA

4551 RESOLVED [Osborne/O'Neill]

That:

1. the tender submitted by Hurst Earthmoving of \$62,527.00 (excl. GST) be accepted.
2. the General Manager and the Mayor be authorised to sign the Contract with Hurst Earthmoving.

4. RECONSTRUCTION OF HUESKE ROAD (CH2000 – 2838), JINDERA

4552 RESOLVED [O'Neill/Osborne]

That:

1. in accordance with clause 178 (1) (b) of the Local Government (General) Regulation 2005 Council resolve to decline the tender submitted by Excell Gray Bruni Pty Ltd, and
2. Council invite, in accordance with clause 167 of the Local Government (General) Regulation 2005, fresh tenders based on the same or different details.

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ITEMS TO BE REFERRED TO CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

1. **IRENE LISTER – OFFER TO GIFT LAND ADJACENT TO HOLBROOK GOLF COURSE (LOT 1 DP 215832)**

4553 RESOLVED [Meyer/Quinn]

That the matter of erosion control issues at Holbrook be referred to Closed Council in accordance with section 10A (2)(g) of the Local Government Act, 1993 :- advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings of the grounds of legal professional privilege.

REASON FOR REFERRAL

On balance the need for Council to be able to discuss legal advice previously provided outweighs the public interest in maintaining transparency in Council decision making because in doing so it may prejudice the legal position of Council.

2. **CONSTRUCTION OF HOLBROOK WORKS DEPOT**

4554 RESOLVED [Meyer/Quinn]

That the consideration of the tender for the construction of the Holbrook Works Depot be referred to Closed Council in accordance with section 10A(2)(c) information that would, if disclosed, confer an advantage to a person whom Council is conducting (or proposes to conduct) business.

REASON

On balance the public interest in preserving the confidentiality of the tenders for the construction of the new Holbrook Works Depot outweighs the public interest in maintaining openness and transparency in Council decision making because the disclosure of this information confers an advantage to a person whom Council is conducting (or proposes to conduct) business.

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PART B - ITEMS FOR INFORMATION

GOVERNANCE

1. **GENERAL MANAGER AND DIRECTORS LEAVE**

CORPORATE AND COMMUNITY SERVICES

1. **CHRISTMAS / NEW YEAR OFFICE CLOSURE**
2. **GREATER HUME CHILDREN SERVICES**

4555 RESOLVED [Meyer/Schilg]

That Part B of the Agenda be received and noted.

MATTERS OF URGENCY

Nil.

QUESTIONS ON NOTICE

Nil.

CLOSING THE MEETING

At this juncture there were no members in the public gallery.

4556 RESOLVED [7.05pm] [Quinn/Hicks]

That the meeting be closed during the discussion of the confidential matters listed in the agenda.

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COMMITTEE OF WHOLE SECTION

4557 RESOLVED [Quinn/Hicks]

That, in accordance with the provisions of the Local Government Act 1993, Council enter into 'Committee of the Whole' for the discussion of the following items of business:

CONFIDENTIAL - CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

1. **IRENE LISTER – OFFER TO GIFT LAND ADJACENT TO HOLBROOK GOLF COURSE (LOT 1 DP 215832)**
2. **CONSTRUCTION OF HOLBROOK WORKS DEPOT**

ORDINARY MEETING RECONVENED

4558 RESOLVED [7.17pm] [Quinn/Hicks]

That the Ordinary Meeting be reconvened for the purpose of determining the report of the matter dealt with in Committee.

COMMITTEE REPORT

The Mayor reported that the Committee of the Whole makes the following recommendation.

1. **IRENE LISTER – OFFER TO GIFT LAND ADJACENT TO HOLBROOK GOLF COURSE (LOT 1 DP 215832)**

RECOMMENDATION [Osborne/O'Neill]

That:

1. Council advise Mrs Irene Lister that the offer to gift Lot DP 215832 to Council is declined
2. Council authorises the General Manager to seek to negotiate with all interested parties a shared cost responsibility to resolve the issue and bring the matter to a conclusion.

RECOMMENDATION AMENDMENT [Quinn/Hicks]

That Council undertake the work to resolve the erosion issues on the stream adjacent to the Holbrook Golf Course.

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ON BEING PUT TO THE VOTE, THE AMENDMENT WAS CARRIED, BECAME THE SUBSTANTIVE RECOMMENDATION AND BEING PUT TO THE VOTE WAS CARRIED.

CR OSBORNE REQUESTED HER OPPOSITION TO THE RECOMMENDATION BE RECORDED.

2. CONSTRUCTION OF HOLBROOK WORKS DEPOT

RECOMMENDATION [Osborne/Meyer]

That:

1. in accordance with Clause 178 (1)(b) of the Local Government (General) Regulation 2005 Council decline to accept any tenders for the construction of Holbrook Works Depot project.
2. in accordance with Clause 178(3)(b) invite in accordance with clause 169 fresh tenders based on different details with the three lowest tenderers who submitted tenders with the aim of amending the design parameters of the project to reduce the overall cost of the project and maintain budget integrity. The reason for calling a selective tendering process with the three lowest tenders is that the tendered prices are lower than the other submitted prices by a considerable margin and as such it is considered unlikely that the cost savings required to maintain budget integrity could be obtained through the addition of the remaining tenderers.

RECOMMENDATIONS OF CLOSED COUNCIL (COMMITTEE OF THE WHOLE)

4559 RESOLVED [Quinn/Hicks]

That the foregoing report and recommendations from Closed Council (Committee of the Whole) be adopted.

There being no further business, the meeting concluded at 7.20pm.

THESE MINUTES WERE CONFIRMED at the Council meeting held on 21 December 2016 at which time the signature hereon was subscribed.

Cr Heather Wilton,
Mayor - Greater Hume Shire Council