SUMMARY OF MINUTES – 17 AUGUST 2017
COUNCIL MEETING
Part I

I would like to acknowledge the Traditional Custodians of the land on which we meet today and pay respect to the Elders both past and present

PRAYER

Rex Taylor - Church in the School Yard

PRESENTATIONS

Jenny Bennett, CEO of Centroc

PRESENT

Cr Graeme Miller, (Mayor) (Chair), Cr Susan Chau, Cr Grant Clifton, Cr Steven Karaitiana, Cr Phyllis Miller OAM, Cr Jeff Nicholson, Cr Chris Roylance and Cr Jenny Webb together with the General Manager, Director Engineering and Technical Services, Director Environmental Services and Planning and Executive Assistant.

DECLARATIONS OF INTEREST

1. Cr S Karaitiana regarding Clause 4.1 - Community Funding Request from the Forbes North Public School fete.

2. Cr J Webb regarding Clause 2.7 - Syerston Nickel Cobalt Scadium Project.

CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 20 JULY 2017

880. RESOLVED: that the minutes of the Council Meeting held on 20 July 2017 be adopted. (Cr C Roylance/Cr G Clifton)

APOLOGIES

Cr Michele Herbert. (Cr P Miller/Cr J Nicholson)

CONDOLENCES

881. The Mayor reported the deaths of Mervyn Marcus Masters, Albert John Bollinger, Catherine Mary McAuliffe, Desmond John Smith, Helen Lynette Nicholls, Coral Annie Reedy, Dawn
Holloway, Isobel Hope Shephard, Herbert Edward MacNamara and Cheryl Marea Loomes. RESOLVED: that Council observe a minute’s silence for those that have passed away in the past month and that letters of condolence be forwarded to the next-of-kin.  
(Cr J Nicholson/Cr P Miller)

PUBLIC FORUM

1. Bill Scott, Vice President of the Forbes Croquet Club requesting the upgrade of their watering system and returfing, fertilising, top dressing and seeding of the croquet fields.

PRESENTATIONS BY COUNCILLORS

Nil.

OPEN COUNCIL – PART I

Meeting commenced at: 1:00 pm

Meeting adjourned for afternoon tea: 2:32 pm (Cr C Roylance/Cr G Clifton)

Meeting resumed: 2:54 pm (Cr J Webb/Cr J Clifton)

Motion to move into Closed Council in Accordance with Section 10A of the Local Government Act 1993; Motion to exclude public and press From the Committee of the Whole: 2:54 pm (Cr J Webb/Cr S Karaitiana)

CLOSED SECTION – PART II

Motion to move out of Closed Council: 4:05 pm (Cr J Webb/Cr P Miller)

Motion to move into Open: 4:05 pm (Cr. P Miller/Cr J Webb)

Meeting closed at: 4.45 pm
2  GENERAL MANAGER’S REPORT TO COUNCIL – PART I

2.1 ELECTED MEMBERS PROGRAM

RESOLVED

That Council receive and note the information. (Cr P Miller/Cr J Nicholson)

2.2 INVESTMENT OF COUNCIL’S FUNDS – 31 JULY 2017

RESOLVED

That Council receive and note the information within the report and the Certificate of the Responsible Accounting Officer for the reporting period to 31 July 2017. (Cr C Roylance/Cr J Nicholson)

2.3 RATES & CHARGES COLLECTION AS AT JULY 2017

RESOLVED

That Council adopt the rates and charges report as at July 2017. (Cr J Nicholson/Cr G Clifton)

2.4 PROCUREMENT REPORTING

RESOLVED

That Council adopt the procurement report for the period ending 31 July 2017. (Cr J Nicholson/Cr C Roylance)

2.5 NATIONAL GENERAL ASSEMBLY 2017 MOTIONS

RESOLVED

That Council receive and note the information regarding the National General Assembly 2017 motions. (Cr C Roylance/Cr S Karaitiana)

2.6 DRAFT DELIVERY PROGRAM 2017-2021

RESOLVED

That Council adopt the Delivery Program 2017-2021 for integration into operational controls in accordance with the Local Government Act 1993. (Cr J Webb/Cr S Karaitiana)

2.7 SYERSTON NICKEL COBALT SCADIUM PROJECT – COMMUNITY CONSULTATIVE COMMITTEE

RESOLVED

That Council appoint Cr S Karaitiana for the Syerston Nickel Cobalt Scadium Project Community Consultative Committee.
2.8 ELECTION OF DEPUTY MAYOR

260 RESOLVED

That Council:

1). move into open discussion. (Cr G Clifton/Cr C Roylance)

2). move out of open discussion. (Cr C Roylance/Cr S Karaitiana)

3). align the Deputy Mayor’s term with the Mayor’s term for two years ie to September 2018. (Cr P Miller/Cr C Roylance) LOST

3). elect the Deputy Mayor on an annual basis and conduct an election in September 2017. (Cr S Karaitiana/Cr J Webb)

2.9 REVIEW OF POLICY - CODE OF MEETING PRINCIPLES AND PRACTICES POLICY

261 RESOLVED

That Council place the draft Code of Meeting Principles and Practices Policy on public exhibition in accordance with Section 361 of the Local Government Act 1993. (Cr J Nicholson/Cr S Chau)

3 DIRECTOR ENVIRONMENTAL SERVICES & PLANNING

REPORT TO COUNCIL

3.1 DEVELOPMENT APPLICATIONS

262 RESOLVED

That Council note the lodgement of 15 Development Applications with a total value of $930,231.00 for the May, June and July reporting period. (Cr C Roylance/Cr G Clifton)

3.2 1A BROOKE STREET PLANNING PROPOSAL PUBLIC EXHIBITION AND AMENDMENTS TO FORBES SHIRE DEVELOPMENT CONTROL PLAN

263 RESOLVED

That Council upon finalisation of the drafting of clause 5.20 and 6.23 of the DCP:

1). resolve to place the amendments to the Forbes Development Control Plan 2013 on public exhibition for a period of 28 days,

2). resolve to place amendment No.5 to the Forbes Local Environmental Plan 2013 for the rezoning of 1A Brooke Street on public exhibition for 28 days, and
3). forward submissions received during this period to the Department of Planning and Environment.

4). forward resolution for 1A Brooke Street, Forbes to the Department of Planning and Environment for endorsement. (Cr C Roylance/Cr S Karaitiana)

3.3 AMENDMENT NO. 6 TO THE FORBES LOCAL ENVIRONMENTAL PLAN 2013- RECLASSIFICATION OF PARKS FROM COMMUNITY TO OPERATIONAL LAND

264 RESOLVED

That Council:

1). adopt the amendments to the Planning Proposal for the Reclassification of Parks from Community to Operational Land Amendment No. 6 to the Forbes Local Environmental Plan 2013,

2). direct the General Manager to send the amended Planning Proposal to the Department of Planning and Environment,

3). place Amendment No. 6 to the Forbes Local Environmental Plan 2013 on public exhibition for 28 days and conduct a public hearing during this time in accordance with the requirements of the Gateway Determination,

4). forward any submissions, relevant material and the Planning Proposal to the Department of Planning and Environment and request a draft LEP is prepared. (Cr J Nicholson/Cr S Karaitiana)

4. MANAGER COMMUNITY DEVELOPMENT REPORT TO COUNCIL

4.1 COMMUNITY FUNDING PROGRAM DONATION REQUESTS

Cr. S Karaitiana declared an interest in the Forbes North Public School matter on account of pecuniary interests and left the meeting at 2:16 pm

265 RESOLVED

That Council:

1). move into open discussion. (Cr. P Miller/Cr J Webb)

2). move out of open discussion. (Cr C Roylance/Cr P Miller)

3). donate $2,500 to the Forbes North Public School for the support of their annual fete from the 2017-18 donations budget. (Cr C Roylance/Cr P Miller)

Cr. S Karaitiana returned to the meeting at 2:20 pm

4). donate $2,700 to the Forbes Aboriginal and Community Working Party for support of the Sharing Language project from the 2017-18 donations budget. (Cr P Miller/Cr G Clifton)
5). donate to the Ben Hall Motorshow on 1 October 2017 for waiver of Grinsted Oval and South Circle Oval hire fees, DA and electricity usage, labour for bunting installation and rubbish bin supply and removal from the 2017-18 donations budget.  
(Cr P Miller/Cr Roylance)

6). donate $4,000 sponsorship to the Forbes Services Club and Crispin Promotions, for the Baby Boomers Festival from the 2017-18 donations budget.  
(Cr P Miller/Cr C Roylance)

4.2 WHITE CRANE TAI CHI DONATION

RESOLVED

That Council:

1). approve the request to donate $2,500 to fund the White Crane Tai Chi classes based on the additional information that has been provided.

2). advise the proponents that if this service is to continue that Council will call for tenders.  
(Cr P Miller/Cr C Roylance)

5. INWARD CORRESPONDENCE – OPEN COUNCIL – PART I

5.1 LETTERS OF APPRECIATION

RESOLVED

That Council receive and note the information.  
(Cr J Nicholson/Cr G Clifton)

6. BUSINESS WITHOUT NOTICE

6.1 COMMUNITY SERVICE ORDERS SCHEME

RESOLVED

That Council receive a report on the scheme at a future Council meeting.  
(Cr S Chau/Cr J Webb)

6.2 GAREMA PUBLIC HALL TRUST

RESOLVED

That Council refer this correspondence back through Council’s community funding application process for consideration at a future meeting.  
(Cr J Webb/Cr S Karaitiana)
6.3 FORBES CROQUET CLUB

RESOLVED

That Council investigate the issues regarding the Forbes Croquet Club and report back to the next meeting. (Cr. P Miller/Cr J Webb)
SUMMARY OF MINUTES – 17 AUGUST 2016
COUNCIL MEETING
Part II

PRESENT
Cr Graeme Miller, (Mayor) (Chair), Cr Susan Chau, Cr Grant Clifton, Cr Steven Karaitiana, Cr Phyllis Miller OAM, Cr Jeff Nicholson, Cr Chris Roylance and Cr Jenny Webb together with the General Manager, Director Engineering and Technical Services, Director Environmental Services and Planning and Executive Assistant.

APOLOGIES
Nil

CLOSED COUNCIL

271. RESOLVED that Council move into closed Council. (Cr J Webb/Cr S Karaitiana)

RESOLVED that the press and the public be excluded on the grounds that the receipt or discussion of any of the following matters involves:

(a) personnel matters concerning particular individuals;
(b) the personal hardship of any resident of ratepayer;
(c) commercial information the disclosure of which would be likely:
   • to prejudice the commercial position of the person who supplied it
   • to confer a commercial advantage on a competitor of the council
   • to reveal a trade secret;
(d) proposals for:
   • the sale or purchase of land
   • the rezoning land
   • entering into contracts of any kind;
   if prior knowledge of those proposals could confer an unfair financial advantage on any person;
   information that is subject to legal obligations of confidence; the receipt and consideration of legal advice concerning litigation of which would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
(e) the receipt and consideration of legal advice concerning litigation or which would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege;
(f) information the disclosure of which would prejudice the maintenance of the law;
(g) matters affecting the security of the council, councillors, council staff or council property;
(h) a motion to close the meeting to the public.

The General Manager reported that the following matters had been discussed in Committee and RESOLUTIONS had been made as indicated:
1. GENERAL MANAGER’S REPORT TO COUNCIL – PART II

1.1 DEVELOPMENT OF ABATTOIR AS A “SHOVEL READY PROJECT”

RESOLVED

That Council:

1). request the General Manager to develop a business case for an Abattoir including funding and grant options.

2). develop a marketing and promotion campaign. (Cr P Miller/Cr J Nicholson)

1.2 OFFER OF PURCHASE

RESOLVED

That Council advise the proponent that Council is not in a position to purchase the property. (Cr. P Miller/Cr J Webb)

1.3 AIR FREIGHT POTENTIAL AND MOU

RESOLVED

That Council sign a Memorandum of Understanding and proceed with this concept plan. (Cr C Roylance/Cr P Miller)

2 DIRECTOR ENGINEERING & TECHNICAL SERVICES

REPORT TO COUNCIL – PART II

2.1 PLANT REPLACEMENT: CONCRETE GANG TRUCK URBAN CONSTRUCTION CREW

RESOLVED

That Council:

1). purchase one (1) Hino 500 FC1022 from West Orange Motors for $99,989.42 (GST inc).

2). sell Plant No. 1319 by the most favourable means by advertising for expressions of interest locally as well as seek estimates to sell this item of plant by auction. (Cr J Nicholson/Cr C Roylance)

2.2 PLANT REPLACEMENT: WEED SPRAYER VEHICLE

RESOLVED

That Council:

1). purchase one (1) Holden Colorado from Frank Spice for $42,198.00 (GST inc).
2). sell Plant No. 1485 by the most favourable means by advertising for expressions of interest locally as well as seek estimates to sell this vehicle by auction. (Cr J Nicholson/Cr S Karaitiana)

2.3 ELECTRICAL SUPPLY TO THIRD BORE

277 RESOLVED

That Council:
1). receive and note the report on the electrical supply to the third bore.
2). accept the Tender of D&C Power for the Construction of the Underground Power Supply to No. 3 Bore. (Cr G Clifton/Cr J Nicholson)

2.4 TENDER FOR SUPPLY OF BITUMEN EMULSION AND COLD MIX

278 RESOLVED

That Council agree to participate in Centroc’s regional contracts for supply of bitumen emulsion and cold mix. (Cr P Miller/Cr J Nicholson)

2.5 PROVISION OF SPRAYED SEALING SERVICE

279 RESOLVED

That Council:
1). receive and note the report on the provision of sprayed sealing services.
2). accept the Tender of Downer EDI for the Provision of Sprayed Sealing Services. (Cr P Miller/Cr C Roylance)

3 BUSINESS WITHOUT NOTICE

3.1 NATIONAL AUSTRALIA BANK UPDATE

280 RESOLVED

That Council delegate authority to Cr P Miller and the General Manager to now move into a political and media approach in relation to the National Australia Bank. (Cr J Nicholson/Cr G Clifton)

3.2 RESIGNATION OF GENERAL MANAGER

281 RESOLVED

That Council:
1). accept the General Manager’s resignation;
2). does not wish to continue with the current process to solve the identified engineering problems. (Cr P Miller/Cr C Roylance)
3.3 APPOINTMENT OF ACTING GENERAL MANAGER

282 RESOLVED

That Council appoint Max Kershaw as Acting General Manager to commence Friday 1 September 2017. (Cr P Miller/Cr J Nicholson)

3.4 RECRUITMENT OF GENERAL MANAGER

283 RESOLVED

That Council appoint Local Government NSW to conduct the recruitment process for a new General Manager (Cr P Miller/Cr J Nicholson)

Cr Graeme Miller
MAYOR