

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 25 MARCH, 2015, COMMENCING AT 3 PM.

PRESENT: Cr P J Harmon (Mayor) [Chairperson], Crs D F Baker, H N Castledine, P J Girle, B C Johnston, D C Jones, A A Michael, M J Peters and J A Watts.

The General Manager (Paul Henry), Director Corporate & Economic Services (Ken Beddie) and Director Civil & Environmental Services (Brett McInnes).

APOLOGIES **S13.6.9/08**

Nil.

CONFIRMATION OF MINUTES **S13.5.2/08**

11/15 RESOLVED (Baker/Castledine) that the Minutes of the Ordinary Meeting of Council held on 25 February, 2015, as circulated to members, be confirmed as a true and correct record of that meeting.

DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS

There were no interests declared.

PUBLIC FORUM **S13.5.6/08**

At this juncture, the time being 3.02pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Mr Bob Bensley Town Centre Renewal Plan (TCRP)

Mr Bensley spoke in respect of the TCRP. Mr Bensley noted his support for the TCRP and the maintenance issues associated with the current Plane Trees, which he believes should have not been planted. Mr Bensley stated that it was his view that Council undertook extensive community consultation in respect of the TCRP and provided a comprehensive range of information to the community.

At this juncture, the time being 3.12pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

SECTION B
ADVOCACY REPORTS

Cr Jones Inverell Resident – Max Woods

Cr Jones noted Mr Max Woods' 100th birthday and the contribution Mr Woods has made to the community.

Cr Michael Promotional Magazine

A new promotional magazine has been published in Inverell to promote local events and businesses called 'Enliven'.

Cr Michael Local Tourism

A local group of visitors staying at the Inverell Showground had advised Cr Michael that over the period of their stay they had spent \$12K in Inverell businesses.

Cr Baker Inverell Shire Public Library

Cr Baker noted the recent 75th Anniversary of the Library and the importance of the library to the community.

Cr Harmon Clontarf Rugby League Carnival

Cr Harmon noted the recent carnival held for Indigenous youth from across the region and the success of the event.

Cr Harmon Multi-Cultural Day

Cr Harmon noted the annual Multi-Cultural Day held on 21 March, 2015 in Campbell Park. The day was a success which was assisted by the efforts of the Inverell Chapter of People to People.

1. **MAYORAL MINUTE: SENIOR STAFF PERFORMANCE APPRAISALS (LISTING) S22.19.1**

12/15 RESOLVED (Harmon/Michael) that the matter be referred to closed Council for consideration as:

- i) the report includes 'Personnel matters concerning particular individuals (other than Councillors)' (Section 10A(2)(a) of the Local Government Act, 1993); and
- ii) on balance the public interest in preserving the confidentiality of this matter outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting.

**SECTION C
COMMITTEE REPORTS**

1. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 11 MARCH 2015 S4.11.16/07**

13/15 RESOLVED (Castledine/Jones) that:

- i) the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 11 March, 2015, be received and noted; and
- ii) the following recommendation of the Civil & Environmental Services Committee be adopted by Council:

1. **EXPRESSIONS OF INTEREST INVERELL PUBLIC OPEN SPACE STRATEGY S18.6.63**

That Council engage Ross Planning to undertake the preparation of the Inverell Public Open Space Strategy.

2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 11 MARCH 2015 S4.11.17/07

14/15 RESOLVED (Jones/Girle) that the following Question Without Notice be noted for inclusion in the minutes of the Economic and Community Sustainability Committee Meeting held on 11 March, 2015:

“Cr Jones asked if a meeting between the Concerned Inverell Ratepayers Association (CIRA) executive, all Councillors and senior staff relating to the Town Centre Renewal Plan (TCRP), was going to occur after the Council Meeting on 25 March, 2015. He stated that the president of the CIRA, Caroline Wilson, had sought permission from the Mayor at the conclusion of the Council Meeting, for all Councillors to be present at the meeting and the Mayor left her in no doubt that he would allow all Councillors to be present. The Mayor in his response to Cr Jones’ question, stated that he had said that it was within his power as Mayor to allow all Councillors to be present at the meeting, not that he had actually agreed that all Councillors be present. Cr Jones stated that he thought that the Mayor did not have a very open mind on the matter.”

15/15 RESOLVED (Watts/Baker) that:

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 11 March, 2015, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. REQUEST FOR REDUCTION IN TOWN HALL HIRE FEES/SPONSORSHIP – GWYMAC LANDCARE S12.22.1/08 & S5.24.4/08

That Council not accede to the request for the reduction in Town Hall Hire Fees.

2. REQUEST FOR DONATION – DELUNGRA GIRL GUIDES S12.22.1/08

That Council donate \$500 to the Delungra Girl Guides with the funds being sourced from the Villages Grant Development Program.

3. TRANSGRID - PROPOSAL TO CREATE RIGHT OF CARRIAGEWAY - MANDOE RADIO SITE S5.10.61

That:

- i) *Council agree to the purchase and creation of a 6m wide Floating or Track in Use Easement through Lot 22, DP 721168;*
- ii) *Council is prepared to accept the sum of \$5,000 for the purchase of the proposed easement;*
- iii) *the purchase and creation of the easement be subject to any terms and conditions as negotiated with the General Manager; and*
- iv) *the Common Seal of Council be affixed to any necessary documentation.*

4. FIT FOR THE FUTURE (FFF) ROADMAP – GENERAL ACTIVITIES S13.1.2

That Inverell Shire Council prepare a roadmap that is consistent with the following principles:

- a) *remain a ‘standalone’ Council as recommended by the Independent Review Panel, and*

b) Council has a capacity to provide leadership to a broader area within this region.

5. DEVELOPMENT OF COUNCIL OWNED LAND FOR RESIDENTIAL PROPERTIES S5.2.0/08

That a report on development of the identified Council land be prepared for the March, Ordinary Meeting of Council.

6. FORMS OF RECOGNITION S2.2.2

That a report be prepared for the April, Economic and Community Sustainability Committee meeting regarding Council's existing policy on Forms of Significant Recognition.

7. ELSMORE RURAL FIRE SHED S5.9.18

That Council transfer ownership of the old Rural Fire Shed at Elsmore to the Trustees of the Elsmore Soldiers Memorial Hall.

8. GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2/08

That:

i) *the report indicating Council's Fund Management position be received and noted; and*

ii) *the Certification of the Responsible Accounting Officer be noted.*

9. STORES & MATERIALS STOCKTAKE S23.16.5/08

That:

i) *the stores and materials Stocktake information be received and noted; and*

ii) *the adjustment of **-\$1,526.58** be made in the Stores Ledger.*

10. BEST EMPLOYMENT LTD S8.3.1/08

That Council determine a course of action for this land, after all Expressions of Interest have been considered.

**SECTION D
DESTINATION REPORTS**

1. INVERELL TENNIS CLUB – ANNUAL GENERAL MEETING (AGM)
S26.4.17

16/15 RESOLVED (Baker/Michael) *that the office bearers elected to the Executive positions in the Inverell Tennis Club be noted and the three (3) nominated persons, Mr Aaron Baker, Mrs June Baxter-Turner and Mr Rowan Butler, be formally appointed as members of the Section 355 Committee of Council responsible for the management of the reserve on which the tennis courts are located.*

**SECTION E
INFORMATION REPORTS**

1. STAFF MOVEMENTS: 1 OCTOBER, 2014 TO 31 DECEMBER, 2014
S22.25.1

2. NEW ENGLAND ZONE LITTLE ATHLETICS CHAMPIONSHIPS S6.8.9

3. DELUNGRA DISTRICT DEVELOPMENT COUNCIL S3.15.13
4. QUESTIONS WITHOUT NOTICE S13.5.5/08
5. STRATEGIC TASKS – ‘SIGN OFF’ – FEBRUARY 2015 S4.13.2
6. CONSTRUCTION CERTIFICATES APPROVED FOR FEBRUARY 2015
S7.2.4/08
7. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING
FEBRUARY 2015 S7.2.4/08
8. SUMMARY OF BUILDING CONSTRUCTION FOR FEBRUARY 2015
S7.2.4/08
9. DEVELOPMENT CONSENTS AND REFUSALS DURING FEBRUARY 2015
S18.10.2/08
10. SEPTIC TANK APPROVALS FOR FEBRUARY 2015 S29.19.1
11. ORDINANCE ACTIVITIES REPORT FOR FEBRUARY 2015 S18.10.1
12. SERVICE NSW - ONE STOP SHOP S8.3.1/08
13. ACTIVE TRANSPORT FUNDING 2015 – 2016 S15.8.54
14. WASTE STRATEGY - GRANT FUNDING
15. LAND VALUATION SYSTEM - PILOT PROJECT S25.12.11
16. ASHFORD WATER TREATMENT PLANT PCG MEETING MINUTES – 17
MARCH 2015 S5.9.12
17. STATE ROAD MANAGEMENT ARRANGEMENTS AND THE TOWN CENTRE
RENEWAL PLAN S30.11.4

17/15 RESOLVED (Michael/Castledine) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 25 March, 2015, be received and noted.

SECTION F **QUESTIONS WITHOUT NOTICE**

QWN/ORD 7/15 Staff Matters S22.20.1
Cr Peters

Cr Peters asked that he be allowed to take a matter into Closed Committee.

18/15 RESOLVED (Peters/Jones) that the matter be referred to Closed Committee for consideration as:

- i) the matters and information are ‘Personnel matters concerning particular individuals (other than councillors).’ (Section 10A(2)(a) of the Local Government Act, 1993);
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and

- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

QWN/ORD 8/15

Cr Johnston

Fit for the Future

Cr Johnston noted his concern with the 'Fit for the Future' Roadmap and whether any opportunity exists politically for boundary variations based on communities of interest.

QWN/ORD 9/15

Cr Johnston

Road Funding Matters

S13.5.5/08

Cr Johnston asked that he be allowed to take a matter into Closed Committee.

19/15 RESOLVED (Johnston/Castledine) *that the matter be referred to Closed Committee for consideration as:*

- i) *the matters and information are 'commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.' (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

QWN/ORD 10/15

Cr Johnston

Delungra Girl Guides

Cr Johnston noted the recent request from the Delungra Girl Guides for a donation and asked if the matter should be raised with the Delungra District Development Council.

QWN/ORD 11/15

Cr Castledine

Town Centre Renewal Plan (TCRP)

Cr Castledine asked if the current division that appears to exist within the Council in respect of the TCRP would be addressed, for the wider benefit of the whole community and to ensure community harmony.

**SECTION G
CONFIDENTIAL REPORTS IN CLOSED COUNCIL
(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)**

At 3.42pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

CLOSED COUNCIL REPORTS

20/15 RESOLVED (Watts/Baker) *that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.*

Upon resuming Open Council at 4.10pm, the Chair verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

1. **MAYORAL MINUTE: SENIOR STAFF PERFORMANCE APPRAISALS**
S22.19.1

EPRO-N *That:*

- i) *the information from the Senior Staff Performance Appraisal Committee be noted; and*
- ii) *Council unanimously finds the performance of Messrs Henry, Beddie and McInnes during the review period, was highly commendable and in terms of the Contracts of Employment, noted the performance of the Officers has been highly satisfactory.*

Note: The senior staff were not present in the chamber at the time this item was considered.

2. **STAFF MATTERS** **S22.20.1**

GM-A That a report be presented to Council in accordance with the *Anti-Discrimination Guidelines for Local Councils Fact Sheet*.

3. **ROAD FUNDING MATTERS** **S13.5.5/08**

That the information be noted.

ADOPTION OF RECOMMENDATIONS

21/15 RESOLVED (*Watts/Johnston*) *that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 4.12pm.

CR P J HARMON

CHAIRPERSON