

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 23 MARCH, 2016, 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).

SECTION A

APOLOGIES **S13.6.9/09**

Nil.

CONFIRMATION OF MINUTES **S13.5.2/09**

13/16 RESOLVED (Baker/Michael) that the Minutes of the Ordinary Meeting of Council held on 24 February, 2016, 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

At this juncture, the time being 3.02pm, the following interests were declared:

- Cr Baker declared a pecuniary interest in Section C, Committee Reports, Item # 2 'Urban Works Program'. The nature of the interest relating to Cr Baker being the owner of a property located within the CBD.

PUBLIC FORUM **S13.5.6/09**

At this juncture, the time being 3.03pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

GM-A	Ms Caroline Wilson	<u>Town Centre Renewal Plan (TCRP)</u>	<u>S30.11.4 & S21.7.8/09</u>
		Ms Wilson tabled a copy of an Arborist Report prepared by Ms Jacki Brown for the group. Ms Wilson spoke in respect of the report, asked Council to consider the report and provide a response to the group.	
	Mrs Sue Moran	<u>Council Operations and Processes</u>	
		Mrs Moran spoke in respect of her views of Council's operations and actions, particularly noting the TCRP and the Concerned Inverell Ratepayer's Arborist Report.	
		Mrs Moran noted Council's actions in respect of the CBD Street Trees.	
		Mrs Moran queried Council's proposed 14.25% Special Rate Variation and the need for a Special Rate Variation. Mrs Moran asked that Council not remove any more trees in the CBD.	

Mr Greg Moran Fit for the Future (FFF)

Mr Moran spoke in respect of Council's FFF Roadmap and Asset Data. Mr Moran queried Council's Infrastructure Backlog figures as included in the FFF Roadmap and Asset Condition Assessments.

At this juncture, the time being 3.26pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

**SECTION C
COMMITTEE REPORTS**

**1. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING
MINUTES – 9 MARCH 2016 S4.11.17/08**

14/16 RESOLVED (Watts/Michael) that:

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 9 March, 2016, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. REQUEST TO LICENCE LAND – REEVES S5.10.154

That:

- i) *Council enter into a Licence Agreement with Mr Graham and Felicity Reeves for Lot 8, DP 188692 and Lot 7, DP 1101540 Rifle Range Road, Inverell for a two (2) year period with a further two (2) year option;*
- ii) *the Licence fee be \$500.00 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) *the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

**2. FIT FOR THE FUTURE – SUPPLEMENTARY ROADS RENEWAL AND
ENHANCEMENT PROGRAM 2015/2016 – 2016/2017 S15.8.23/10**

That:

- i) *the additional \$2.1M to be received for the 2016/2017 Roads to Recovery Program be allocated to Shoulder Widening and Pavement Strengthening MR 187, south of Wallangra; and*
- ii) *the following additional high priority Rural Road Projects be funded in the 2015/2016 Budget;*
 - a) *Swanbrook Road Upgrade – Moore Street to Runnymede Intersection (Shire Road). \$ 0.30M*
 - b) *Kings Plains Road Shoulder widening/Pavement Strengthening, north of Swanbrook Bridge. \$ 0.10M*
 - c) *Auburnvale Road shoulder widening and re-alignment, McBride's Lane to Minnamurra Lane (Shire Local Road). \$ 1.00M*

(Total additional Rural Roads Program 2015/2016 – 2016/2017 \$3.5M)

3. ASHFORD OVAL - NEW AMENITIES BLOCK/CANTEEN S21.8.4

That the \$146K funding shortfall be provided from the Building Upgrade and Refurbishment Internally Restricted Asset.

4. ARTS NORTH WEST S26.5.4

That Council provide Arts North West the opportunity to present the benefits of becoming a member.

5. VISITOR SIGNAGE S28.27.17

That Council take up the offer to advertise in this prominent location.

6. STORES & MATERIALS STOCKTAKE S23.16.5/09

That:

- i) *the stores and materials Stocktake information be received and noted; and*
- ii) *the adjustment of \$871.80 be made in the Stores Ledger.*

7. STORES & MATERIALS STOCKTAKE S23.16.5/09

That:

- i) *the stores and materials Stocktake information be received and noted; and*
- ii) *the adjustment of \$721.43 be made in the Stores Ledger.*

8. GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2/09

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.*

At this juncture, the time being 3.30pm, Cr Baker, having previously declared a pecuniary interest in Section C, Committee Reports, Item # 2 'Urban Works Program', left the Chambers.

2. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 9 MARCH 2016 S4.11.16/08

URBAN WORKS PROGRAM S28.21.1/09

MOTION (Peters/Jones) that the Town Centre Renewal Plan be rescinded..

The MOTION on being put to the meeting was LOST.

URBAN WORKS PROGRAM S28.21.1/09

MOTION (Peters/Jones) that the matter be referred to Closed Council for consideration.

The MOTION on being put to the meeting was LOST.

**2. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES –
9 MARCH 2016 S4.11.16/08**

15/16 RESOLVED (Castledine/Michael) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 9 March, 2016, be received and noted; and*
- ii) *the following recommendations of the Civil & Environmental Services Committee be adopted by Council:*

**1. PUBLIC ART SUNSET COMMITTEE MEETING MINUTES – 19 FEBRUARY
2016 S26.5.10**

That:

- i) *the Minutes of the Public Art Sunset Committee Meeting held on Friday, 19 February, 2016, be received and noted; and*
- ii) *the following recommendation of the Public Art Sunset Committee be adopted by Council:*

2. ABORIGINAL ART PROJECT

That:

- i) *Council approve the concept of another public art project utilising an Aboriginal theme in the suggested location; and*
- ii) *further details then be prepared for further consideration.*

3. URBAN WORKS PROGRAM S28.21.1/09

That:

- i) *the urban works order of priorities for 2016/17 be:*
 - a) *Chisholm Street (Brae St to Brown St),*
 - b) *Old Bundarra Road Pavement Rehab (Macintyre St to Lions Park),*
 - c) *PAMP/Cycleway Program,*
 - d) *Captain Cook Drive / Wood St intersection pavement and asphalt,*
 - e) *Gilchrist Street Shoulders, Kerb and Gutter replacement (Bannockburn Rd to Jack St),*
 - f) *Town Centre Renewal Plan Works.*
- ii) *funding for the priority works listed in point i) be provided in the 2016/17 Urban Works Program;*
- iii) *funding include an amount of \$300K allocated from the Urban Program to continue the implementation of TCRP initiatives;*
- iv) *the TCRP works include stage 1 drainage in Byron Street, centre median design works in Otho Street, continued staged removal of Plane Trees and further development of CBD tree planting options; and*
- v) *the designs as presented for the future upgrade of Byron Street between Lawrence and Woods Streets be endorsed.*

4. INVERELL AND ASHFORD SWIMMING POOL S5.10.109

That the Inverell and Ashford Pool Agreement be extended for three (3) months.

At this juncture, the time being 3.47pm, Cr Baker returned to the Chamber.

**SECTION D
DESTINATION REPORTS**

1. SAPPHIRE WIND FARM - TERMS OF REFERENCE (LISTING) S18.6.52/01

16/16 RESOLVED (Watts/Jones) *that the matter be referred to Closed Council 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.*

2. A MERGER PROPOSAL S13.1.2

GM-A

17/16 RESOLVED (Jones/Baker) *that Council provide a submission to the four (4) way merger proposal of Armidale, Guyra, Uralla and Walcha Shires Councils specifically in respect of the Bundarra Community on the basis that Inverell Shire Council's interest is predicated on:*

- a) the four (4) way merger proposal proceedings; and*
- b) during the consultation process, the Bundarra Community expresses the view that it wishes to be part of Inverell Shire.*

3. 104 OTHO STREET, INVERELL – ADDITIONAL DETAIL (LISTING)
S5.2.1/18

18/16 RESOLVED (Girle/Johnston) *that the matter be referred to Closed Council 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.*

4. LOT 5, TAYLOR AVENUE, INVERELL (LISTING) S5.2.0/09

19/16 RESOLVED (Baker/Jones) that the matter be referred to Closed Council 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.

SECTION E INFORMATION REPORTS

1. INVERELL CHAMBER OF COMMERCE & INDUSTRY S6.8.9
2. KURRAJONG RE-ENACTMENT S6.8.9
3. COMMUNITY SAFETY CAMERA PROGRAM AUDIT REVIEW S11.8.10
4. STAFF MOVEMENTS: 1 JULY 2015 - 30 SEPTEMBER 2015 S22.25.1
5. STAFF MOVEMENTS: 1 OCTOBER 2015 - 31 DECEMBER 2015
S22.25.1
6. MANAGEMENT TEAM MEETING MINUTES S4.11.5/09
7. QUESTIONS WITHOUT NOTICE S13.5.5/09
8. STRATEGIC TASKS – 'SIGN OFF' – FEBRUARY 2016 S4.13.2
9. CONSTRUCTION CERTIFICATES APPROVED FOR
FEBRUARY 2016 S7.2.4/09
10. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING
FEBRUARY 2016 S7.2.4/09
11. SUMMARY OF BUILDING CONSTRUCTION FOR FEBRUARY 2016
S7.2.4/09
12. DEVELOPMENT CONSENTS AND REFUSALS DURING FEBRUARY 2016
S18.10.2/09
13. SEPTIC TANK APPROVALS FOR FEBRUARY 2016 S29.19.1
14. ORDINANCE ACTIVITIES REPORT FOR FEBRUARY 2016 S18.10.1

20/16 RESOLVED (Watts/Michael) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 23 March, 2016, be received and noted.

SECTION F QUESTIONS WITHOUT NOTICE

QWN/ORD 6/16 Town Centre Renewal Plan
Cr Jones

At this juncture, the time being 4.05pm, Cr Baker, having

previously declared a pecuniary interest in respect of the Town Centre Renewal Plan, left the Chambers.

Cr Jones asked that Council consider putting a moratorium in place preventing the removal of any further CBD Plane Trees until after the 2016 Local Government Elections.

MOTION (Jones/Peters) that no further CBD Plane Trees be removed prior to the 2016 Local Government Elections, subject to the submission of a report to Council on any tree that may cause a safety risk to the public during this period.

The MOTION on being put to the meeting was LOST.

At this juncture, the time being 4.22pm, Cr Baker returned to the Chamber.

QWN/ORD 7/16

Cr Michael

Campbell Park

Cr Michael noted ongoing vandalism in this area including the recent theft of a small marquee.

The Director Civil & Environmental Services provided details in respect of this matter.

QWN/ORD 8/16

Cr Watts

Campbell Park Fountain

Cr Watts requested an update in respect of repairs being carried out on the fountain.

The Director Civil & Environmental Services provided an update on this matter.

CSOP-N

QWN/ORD 9/16

Cr Harmon

April Committee Meetings

S13.6.9/09

Cr Harmon advised that he will be an apology for the April, 2016 Committee Meetings.

ADJOURNMENT

At this juncture, the time being 4.28pm, Council adjourned.

RESUMPTION

At this juncture, the time being 4.42pm, Council reconvened.

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

At 4.43pm, 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

21/16 RESOLVED (Watts/Girle) 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 5.38pm, 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. SAPPHIRE WIND FARM - TERMS OF REFERENCE S18.6.52/01

GM-A *That:*

- i) Council acknowledge the intention of CWP Renewables Pty Ltd to establish a Community Fund;*
- ii) Council consent to administer the Fund;*
- iii) the Terms of Reference, as amended, be submitted to the Company for consideration; and*
- iv) Council's representatives be the Mayor (Deputy Mayor as alternate) and one (1) other Councillor.*

2. 104 OTHO STREET, INVERELL – ADDITIONAL DETAIL S5.2.1/18

GM-A *That:*

- i) Council advise BEST Employment Ltd of Council's view in respect of the provision of Public Toilets in Otho Street and that they be invited to submit an offer for the outright purchase of the land; and*
- ii) the proposal be subject to a probity audit.*

At this juncture, the time being 5.36pm, Cr Jones left the Chamber.

3. LOT 5, TAYLOR AVENUE, INVERELL S5.2.0/09

GM-A *That:*

- i) Council accept the offer in this matter on the terms and conditions as contained in the report;*
- ii) the General Manger be duly authorised to take all actions necessary to complete the sale; and*
- iii) all necessary documentation be completed under the Common Seal of Council.*

ADOPTION OF RECOMMENDATIONS

22/16 RESOLVED (Watts/Girle) *that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 5.39pm.

CR P J HARMON

CHAIRPERSON