

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 23 SEPTEMBER, 2015, COMMENCING AT 3 PM.

PRESENT: Cr P J Harmon (Mayor) [Chairperson], Crs D F Baker, H N Castledine, 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**

The General Manager advised that Cr Girle and Cr Johnston tendered their apologies and sought leave of absence for personal reasons.

76/15 RESOLVED (Michael/Baker) *that the apologies from Cr Girle and Cr Johnston due to their absence for personal reasons be accepted, and that leave of absence be granted.*

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

77/15 RESOLVED (Castledine/Jones) *that the Minutes of the Ordinary Meeting of Council held on 26 August, 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**

There were no members of the public present to speak.

ELECTION OF MAYOR, DEPUTY MAYOR, MEETING DATES & TIMES

CSOT-A **1. ELECTION OF MAYOR** **S13.7.2**

A nomination for the position of Mayor was received from Cr Paul Harmon.

The General Manager advised that there being only one (1) nomination, Cr Harmon was declared duly elected as Mayor for the ensuing 12 month period.

78/15 RESOLVED (Baker/Watts) *that the nomination forms be destroyed following the declaration of the result.*

CSOT-A **2. ELECTION OF DEPUTY MAYOR** **S13.7.2**

A nomination for the position of Deputy Mayor was received from Cr Anthony Michael.

The General Manager advised that there being only one (1) nomination, Cr Michael was declared duly elected as Deputy Mayor for the ensuing 12 month period.

79/15 RESOLVED (Watts/Baker) *that the nomination forms be destroyed following the declaration of the result.*

CSOT-A **3. MEETING DATES AND TIMES** **S13.5.4**

80/15 MOTION (Watts/Baker) *that:*

- i) *the Ordinary Meetings of Council be held on the fourth Wednesday of the month commencing at 3pm (with the exception of December);*
- ii) *the Major Committee Meetings be held on the second Wednesday of each month (with the exception of December) with the commencement times being as follows:*

8.30am – Civil and Environmental Services
10.30am – Economic and Community Sustainability.
- iii) *for the month of December, the Ordinary Meeting of Council be held on the third Wednesday of the month commencing at 3pm and no Committee meetings be held.*

AMENDMENT (Jones/Baker) that:

- i) *the Ordinary Meetings of Council be held on the fourth Wednesday of the month commencing at 4pm (with the exception of December);*
- ii) *the Major Committee Meetings be held on the second Wednesday of each month (with the exception of December) with the commencement times being as follows:*

8.30am – Civil and Environmental Services
10.30am – Economic and Community Sustainability.
- iii) *for the month of December, the Ordinary Meeting of Council be held on the third Wednesday of the month commencing at 4pm and no Committee meetings be held.*

The amendment on being put to the meeting was lost. The motion on being put to the meeting was carried.

CSOT-A **4. APPOINTMENT OF COUNCIL COMMITTEES S13.6.7**

81/15 MOTION (Baker/Watts) that:

- i) *the following Councillors be appointed to the two (2) major committees:*

Civil & Environmental Services Committee – Crs Castledine, Harmon, Johnston, Jones and Michael.

Economic & Community Sustainability Committee – Crs Baker, Girle, Harmon, Michael and Watts.
- ii) *the Chairperson of each Committee be delegated authority to co-opt Councillors in attendance at the meeting to be a member of the Committee to that meeting for the purpose of providing a quorum;*
- iii) *the following Councillors be appointed to the Advisory Committees:*

COMMITTEE	DELEGATE ENTITLEMENT	DELEGATE	ALTERNATE DELEGATE
Aboriginal Consultative Committee - established to promote an increased knowledge and understanding of Aboriginal Culture and Society in the wider community and to develop the interests of Aboriginal people in the local area.	Mayor, General Manager, 1 Ashford Local Land Council, 1 Anaiwan Local Land Council, 1 Aboriginal Elder, 3 members of the community.	Mayor General Manager	
Conduct Review Committee (Statutory term) - Committee that establishes the facts of an allegation that has been referred to it in accordance with the provisions of Council's Code of Conduct.	2 Representatives (Mayor, General Manager), and 3 independents.	Mayor General Manager Expressions of interest to be called for independents as required.	
Local Emergency Management Committee (LEMC) - Provision of the State Emergency Rescue and Management Act. The role of the LEMC is to: <ul style="list-style-type: none"> • Prevent or reduce the impact of emergencies; • Ensure the preparedness of our community; • Provide an effective and coordinated response to the emergency; • Provide for the recovery of our community. 	1 Representative And Local Emergency Management Officer (LEMO).	Cr Jones Manager Civil Engineering (LEMO).	
Local Traffic Committee (LTC) A technical review committee that advises the Council on matters for which the Council has delegated authority. Council is not bound by the advice given by its LTC, however if Council does wish to act contrary to the unanimous advice of the LTC or when the advice is not unanimous, it must notify the RTA & the NSW Police before proceeding.	LTC comprises 4 formal representatives: <ul style="list-style-type: none"> - 1 Council - 1 NSW Police - 1 RTA - 1 Local State Member or their nominee. 	The Council's representative may be any Councillor or Council officer. In the past, Council's representative has been the Mayor; however this role has been sub-delegated to the Manager Environmental Engineering.	
Water and Sewer Advisory Committee For the purpose of developing a Draft Water and Sewer Capital Works Plan.	3 Representatives	Cr Castledine Cr Harmon Cr Jones	

Waste Management Sunset Committee For the purpose of developing a draft Landfill Environmental Management Plan.	5 Representatives	Cr Harmon Cr Castledine Cr Girle Cr Jones Cr Johnston	
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iv) *the following Councillors be appointed to the Community Committees:*

COMMITTEE	DELEGATE ENTITLEMENT	DELEGATE	ALTERNATE DELEGATE
Delungra District Development Council	1 Representative	Cr Watts	
Equestrian Council	(Fixed Term) 1 Representative	Cr Baker	
Great Inland Fishing Festival	1 Representative	Cr Castledine	
Inverell Development Support Group	2 Representatives (Mayor & General Manager)	Cr Harmon General Manager	
Inverell Liquor Consultative Committee	1 Representative	Cr Watts	
Inverell on Display (In recess)	2 Representatives	Cr Johnston Cr Michael	
Inverell Sports Council	(Fixed Term) 2 Representatives	Cr Harmon Cr Michael	
Newstead Homestead	1 Representative	Cr Watts Cr Jones	
Oakwood Recreation Area	1 Representative	Cr Baker	
Inverell Sapphire City Festival	1 Representative	Mayor (ex-officio) Cr Girle	

AMENDMENT (Jones/Baker) that all Councillors be members of the two (2) Major Committees.

The amendment on being put to the meeting was lost. The motion on being put to the meeting was carried.

CSOT-A

5. ELECTION OF DELEGATES TO REGIONAL & LOCAL ORGANISATIONS (ANNUAL APPOINTMENT) S13.6.7

82/15 RESOLVED (Baker/Castledine) *that the following Council delegates be appointed to the Regional & Local Organisations:*

COMMITTEE	DELEGATE ENTITLEMENT	DELEGATE	ALTERNATE DELEGATE
Country Public Libraries Association of NSW	1 Representative	Cr Baker	
GWYMAC	1 Representative	Cr Johnston	
Inverell District Development Foundation	2 Representatives & General Manager	Cr Harmon Cr Johnston General Manager	

Inverell Village	Pioneer	1 Representative	Cr Castledine	1 Representative
Macintyre Development 2000	Unit	1 Representative	Cr Jones	
Northern Weeds Committee	Inland Advisory	1 Representative	Cr Johnston	
Northern Bushfire Management Committee	Tablelands	1 Representative	Local Emergency Management Officer	
Overloading of Vehicles Committee		1 Representative	Manager Civil Engineering	
South Neighbourhood Advisory (Department of Housing)	Inverell	1 Representative	Cr Castledine	

SECTION B ADVOCACY REPORTS

GM-A Cr Harmon Local News Services S8.3.1/08

Cr Harmon noted the removal of local news services from 2NZ/Gem FM.

83/15 RESOLVED (Michael/Castledine) that:

- i) *the Super Radio Network be advised of Council's dismay at the removal of the local news segment on 2NZ/Gem FM and be requested to reinstate this segment;*
- ii) *Council encourage the community to register its views with the Network in relation to the decision to remove the local news from the station;*
- iii) *the Tenterfield, Glen Innes Severn, Guyra and Gwydir Shire Council's be advised of Council's decision and be requested to support Council's position; and*
- iv) *the question of what constitutes "local content" in the licensing requirements for radio stations to be raised with Barnaby Joyce MP, Member for New England. Further, the view that "local content" should include a requirement for a local news segment be raised with the Local Member.*

Cr Baker Clinical Services Plan

Cr Baker noted the continuing work in this matter by Louise Evans. The Plan over the next 18 months will scope the infrastructure, services and staffing needs of the new Inverell Hospital Facility.

GM-A Cr Harmon Inverell Art Show S26.4.14

Cr Harmon noted the successful 2015 Art Show and Council's 2015 acquisitions.

84/15 RESOLVED (Watts/Michael) that Council's appreciation be extended to the Art Gallery for the successful conduct of the 2015 event.

**SECTION C
COMMITTEE REPORTS**

**1. JOINT COMMITTEE MEETING MINUTES – 9 SEPTEMBER 2015
S4.11.16/07 & S4.11.17/07**

85/15 RESOLVED (Castledine/Jones) that:

- i) the Minutes of the Joint Committee Meeting held on Wednesday, 9 September, 2015, be received and noted; and
- ii) the following recommendations of the Joint Committee be adopted by Council:

1. 4 YEAR DELIVERY PLAN – MID TERM REVIEW S4.13.2

That:

- i) the amended 4 Year Delivery Plan be adopted with the following projects to be included in the 2015/2016 Works Program:
 - a. Bellevue Park Playground - \$120K
 - b. Equestrian Centre Shade Shelters - \$40K
 - c. Oliver Street Car Parking - \$300K
- ii) Council staff continue to pursue funding to enable further identified priority works to be completed at the earliest time, particularly in the area of road safety matters on the Gwydir Highway.

2. PUBLIC ART SUNSET COMMITTEE S26.5.10

That the Public Art Sunset Committee continue to identify and propose public art in the Inverell Shire Area.

3. PUBLIC ART COMPETITION S26.5.10 & S15.8.55

That:

- i) Council endorse the Public Art Sunset Committee's recommendation of the work to be commissioned; and
- ii) Council investigate the ownership of the other designs entered in the competition.

2. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 9 SEPTEMBER 2015 S4.11.16/07

86/15 RESOLVED (Castledine/Michael) that:

- i) the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 9 September, 2015, be received and noted; and
- ii) the following recommendation of the Civil & Environmental Services Committee be adopted by Council:

1. HERITAGE ADVISORY SERVICE UPDATE S18.8.3/03

That the report be received and noted.

3. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING
MINUTES – 9 SEPTEMBER 2015 S4.11.17/07

87/15 RESOLVED (Watts/Baker) that:

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 9 September, 2015, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. SPONSORSHIP REQUEST – 2016 INVERELL TOUGHEN UP CHALLENGE
S12.22.1/09

That Council provide the same sponsorship as in previous years, being the Silver Sponsorship Package valued at \$500 plus GST.

2. REQUEST TO LICENCE LAND – DANAHER S5.10.148

That:

- i) *Council enter into a Licence Agreement with Ms Sarah Danaher for Part Lot 1 DP 758036, Semmes Street, Ashford for a two (2) year period with a further two (2) year option;*
- ii) *the Licence fee be \$120.00 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.*

3. REQUEST TO CONDUCT "CAR BOOT SALE" MARKETS - LIONS CLUB OF INVERELL MACINTYRE INC. S26.4.8

That Council grant a 12 month licence agreement to be reviewed prior to offering a further option, with the following conditions:

- a) *the Club be responsible for the tidying of the area after each event; and*
- b) *the Club continuing to support community events & activities.*

4. SPONSORSHIP REQUEST – TINGHA UNITED ABORIGINAL RUGBY LEAGUE CLUB S12.22.1/08

That:

- i) *The request be noted; and*
- ii) *the Club be advised that Council cannot accede to their request in this matter.*

5. 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.*

6. STORES & MATERIALS STOCKTAKE S23.16.5/08

That:

- i) the stores and materials Stocktake information be received and noted; and
 - ii) the adjustment of **\$301.15** be made in the Stores Ledger.
7. JUNE BUDGET REVIEW 2014/2015 S12.5.1/08

That the proposed variations to budget votes for the 2014/2015 Financial Year be adopted.

SECTION D DESTINATION REPORTS

**1. CAMERON PARK AMENITIES BUILDING PROJECT TENDER (LISTING)
S5.9.20**

88/15 RESOLVED (Jones/Michael) that:

- 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.

DCS-A

**2. GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2014/2015
S12.11.5**

89/15 RESOLVED (Baker/Castledine) that:

- i) the transfers to Council's Internally Restricted Assets for the 2013/2014 Financial Year totalling \$5,691,264 and Council's transfers from Internally Restricted Assets for the 2014/2015 Financial Year totalling \$3,023,656 be endorsed;
- ii) the attached list of Revotes representing works in progress at 30 June, 2015, be revoted to the 2015/2016 budget in accordance with Section 211 of the Local Government General Regulation;
- iii) Council resolve to make the required statements on its Financial Reports for the year ended 30 June, 2015; and
- iv) Council's appreciation be extended to staff in this matter.

SECTION E INFORMATION REPORTS

- 1. STRATEGIC TASKS – 'SIGN OFF' – AUGUST 2015 S4.13.2**
- 2. CONSTRUCTION CERTIFICATES APPROVED FOR
AUGUST 2015 S7.2.4/08**
- 3. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING
AUGUST 2015 S7.2.4/08**

4. SUMMARY OF BUILDING CONSTRUCTION FOR AUGUST 2015
S7.2.4/08
5. DEVELOPMENT CONSENTS AND REFUSALS DURING AUGUST 2015
S18.10.2/08
6. SEPTIC TANK APPROVALS FOR AUGUST 2015 S29.19.1
7. ORDINANCE ACTIVITIES REPORT FOR AUGUST 2015 S18.10.1

90/15 RESOLVED (Jones/Baker) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 23 September, 2015, be received and noted.

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

At 3.35pm, 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

91/15 RESOLVED (Baker/Watts) 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 3.47pm, 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:

- EMCCS-A 1. CAMERON PARK AMENITIES BUILDING PROJECT TENDER S5.9.20

That:

- i) Council accept the Tender from Danbuilt for the Inverell Cameron Park Amenities Building Project for the Tender Price of \$340,596.72 (excluding GST);
- ii) the General Manager and Mayor be authorised to execute the contract under Council Seal; and
- iii) Cr Michael be Council's representative on the Project Control Group for the Project.

ADOPTION OF RECOMMENDATIONS

92/15 RESOLVED (Watts/Michael) that the recommendations of Closed Council be adopted.

There being no further business, the meeting closed at 3.56pm.

CR P J HARMON

CHAIRPERSON