



Inverell Shire Council



Four new bus shelters will soon be installed at Delungra, Ashford and Little Plain. The shelters have been designed and fabricated by Council staff. Pictured are Workshop Supervisor Evan Anderson and Fleet Coordinator Phil Clayton.

Business Paper
Ordinary Meeting of Council
Wednesday 22 May, 2019

INVERELL SHIRE COUNCIL

NOTICE OF ORDINARY MEETING OF COUNCIL

17 May 2019

An Ordinary Meeting of Council will be held in the Council Chambers, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 22 May, 2019, commencing at **3pm**.

Your attendance at this Ordinary Meeting of Council would be appreciated.

P J HENRY PSM

GENERAL MANAGER

A G E N D A

SECTION A	APOLOGIES CONFIRMATION OF MINUTES DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS PUBLIC FORUM
SECTION B	ADVOCACY REPORTS
SECTION C	COMMITTEE REPORTS
SECTION D	DESTINATION REPORTS
SECTION E	INFORMATION REPORTS
SECTION F	QUESTIONS WITHOUT NOTICE
SECTION H	CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

2PM

AFTERNOON TEA

Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.





MEETING CALENDAR

October 2018 – September 2019

Ordinary Meetings:

Time: 3.00 pm

Venue: Council Chambers

OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
24	28	19	No Meeting	27	27	24	22	^26	24	28	25

Major Committee Meetings:

Civil and Environmental Services - 9.00 am

Economic and Community Sustainability - 10.30 am

Venue: Committee Room

OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
10	14	No Meeting	No Meeting	13	13	10	8	12	10	14	11

Members of the public are invited to observe meetings of the Council.

Should you wish to address Council, please contact the Office of the General Manager on 6728 8206.

^ Meeting at which the Management Plan for 2019/2020 is adopted.

SUN	MON	TUE	WED	THU	FRI	SAT
<p>Objections to the inclusion of land to be vested in public bodies lodged.</p> <p>Valuer General to provide increase / decrease in values of rateable land. Delivery program progress reports provided to Council. Operation Plan 2019-20 adopted and Long Term Financial Plan updated.</p> <p>30.</p>						<p>Elsmore Family Fun Day 2pm – 7:30pm</p> <p>1.</p>
<p>Sapphire City Markets</p> <p>2.</p>	<p>Reports due for Committee meetings by 4.30pm</p> <p>3.</p>	<p>Radio Youth Program 4pm – 5pm</p> <p>4.</p>				<p>Yetman Yes We Can! Festival</p> <p>8.</p>
<p>Yetman Yes We Can! Festival</p> <p>9.</p>	<p>Queen's Birthday</p> <p>10.</p>	<p>Radio Youth Program 4pm – 5pm</p> <p>11.</p>	<p>9am - Civil & Environmental meeting 10.30am Economic & Community Sustainability meeting</p> <p>12.</p>			<p>15.</p>
<p>Sapphire City Markets</p> <p>16.</p>	<p>Reports due for Ordinary meeting by 4.30pm</p> <p>17.</p>	<p>Radio Youth Program 4pm – 5pm</p> <p>18.</p>				<p>22.</p>
		<p>Radio Youth Program 4pm – 5pm</p> <p>25.</p>	<p>Ordinary Meeting, 3pm</p> <p>26.</p>			<p>Bonshaw Drought Event</p> <p>Mount Russell Hall Dinner 6pm</p> <p>29.</p>

KEY:

 Council office closed

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MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 24 APRIL, 2019, COMMENCING AT 3 PM.

PRESENT: Cr P J Harmon (Mayor) [Chairperson], Crs D F Baker, A A Michael, C M Dight, P A King, S J Berryman and J A Watts.

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

SECTION A

APOLOGIES **S13.6.9/11**

The General Manager advised that Crs J N McCosker and M J Peters had tendered their apologies and sought leave of absence for personal reasons.

21/19 RESOLVED (*Watts/Dight*) *that the apologies from Crs J N McCosker and M J Peters due to their absence for personal reasons be accepted, and that leave of absence be granted.*

CONFIRMATION OF MINUTES **S13.5.2/11**

22/19 RESOLVED (*Michael/Baker*) *that the Minutes of the Ordinary Meeting of Council held on 27 March, 2019, 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

The following interests were declared:

Cr Harmon declared a pecuniary interest in Section C, Committee Reports, " DA-143/2018 Medical Centre and Offices 3 Rivers St, Inverell" The nature of the interest relates to Cr Harmon having a family member with a business interest in 129-135 Otho St, Inverell.

PUBLIC FORUM **S13.5.6/11**

No members of the public to wish to speak

SECTION B
ADVOCACY REPORTS

Cr Harmon 2019 Renault 4CV Muster at Myall Creek

Cr Harmon attended the 2019 Renault 4CV Muster at Myall Creek. The event was organised by the Renault Car Club of Queensland.

Cr Harmon RSM Rifle Club Event

Cr Harmon presented prizes at the RSM Rifle Club shoot on Easter Sunday.

Cr Harmon Youth Events

Cr Harmon attended school holidays youth events which included

workshops on telescopes, digging for dinosaurs, liquid nitrogen and gross science.

Cr Harmon Inverell Legacy President's Luncheon

Cr Harmon attended the Inverell Legacy President's Luncheon.

Cr Harmon Community Recovery Meetings.

Cr Harmon attended Community Recovery Meetings at Tingha and Gilgai following the Tingha Plateau Fires.

Cr King 2019 Renault 4CV Muster at Myall Creek

Cr King attended the 2019 Renault 4CV Muster at Myall Creek. The event was organised by the Renault Car Club of Queensland. He commended Kelvin Brown on his presentation on the Myall Creek site.

Cr King Youth Events

Cr King attended school holidays youth digging for dinosaurs workshop with his 7 year Grandson, a good time was had by all.

Cr Watts ALGWA conference

Cr Watts gave a verbal report on the recent ALGWA conference.

Cr Watts noted that several people from the Philippines received Australian citizenship at a Ceremony in the Council Chambers earlier today and extended her sympathy to the victims of the recent earthquake in the Philippines.

Cr Michael Drought Response meeting

Cr Michael attended a recent Drought Response meeting and commented that assistance continues to come from across the Community and across the Country. The CWA is playing a critical role in identifying need and distributing the assistance.

Cr Michael RSM Rifle Club Event

Cr Michael attended the RSM Rifle Club shoot on Easter Sunday where he had concerns brought to his attention regarding the long term existence of the Club and of the lack of a buffer between the Club and privately owned land.

Cr Baker Kaput

Cr Baker attended the production of Kaput held at the Inverell Town Hall Wednesday 27th March.

Cr Dight 2019 Inverell Contemporary Exhibition

Cr Dight reminded all Councillors that the 2019 Inverell Contemporary Exhibition will open on 10 May at the Inverell Art Gallery.

**SECTION C
COMMITTEE REPORTS**

1. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 10 APRIL 2019 S4.11.16/11

23/19 RESOLVED (Berryman/Baker) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 10 April, 2019, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

1. NATIONAL CLASS 1 AGRICULTURAL VEHICLE AND COMBINATION MASS AND DIMENSION EXEMPTION NOTICE 2019 S28.15.3/09

That the NHVR consent request be approved for inclusion on the Inverell Shire Council road network in the National Class 1 Agricultural Vehicle and Combination Mass Exemption Notice 2019.

2. STAGE 2 RIFLE RANGE ROAD INDUSTRIAL SUBDIVISION S5.2.58

That:

- i) *the funding strategy as proposed for stage 2 of the Rifle Range Road Industrial Subdivision be approved and works commence accordingly; and*
- ii) *a budget of \$1,148,600 be approved from the Industrial Development Reserve.*

3. ROAD CLOSURE – STAR WARS DAY – MAY THE FOURTH BE WITH YOU S28.23.1/12 & S15.8.92

4. ROAD CLOSURE – ELSMORE COMMUNITY FUN DAY S15.8.90/17 & S28.23.1/12

5. ROAD CLOSURE – YETMAN – YES WE CAN S15.8.90/17 & S28.23.1/12

- i) *Council approve the request for closure of Evans Street, Inverell, between Otho and Campbell Streets on Saturday, 4 May, 2019 from 9am until 9pm to coincide with Star Wars Day – ‘May the Fourth Be with You’, a community event organised by Council.*
- ii) *Council approve the request for closure of Daw Lane, Elsmore between Elsmore Road and the Elsmore Fire Shed on Saturday, 18 May, 2019 from 1pm until 8pm to enable the Elsmore Community Fun Day to proceed.*
- iii) *Council approve the request for closure of Warialda Street, Yetman between Dight Street and Simpson Street from 12 noon on Saturday, 8 June 2019 until 1am on Sunday, 9 June, 2019 to enable the Yetman Yes We Can community event to proceed.*

6. SPECIAL PROJECTS ROADS INFRASTRUCTURE FUNDING ALLOCATION – 2019/2020 S28.16.7

That the Special Projects Roads Infrastructure funding of \$341,055 be allocated to Gravel Resheeting 11.3km of unsealed road network in the Maybole area.

7. ELSMORE ROAD CAUSEWAY - FUNDING ALLOCATION S28.10.SR246

That Council allocate \$115,500 for the replacement of the concrete causeway on Elsmore Road in the 2019/2020 budget, the source of funding being:

- \$72,500 – ACRD Culverts and Causeways
- \$43,000 – ACRD Bitumen Renewal

2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 10 APRIL 2019 S4.11.17/11

24/19 RESOLVED (Michael/Berryman) *that:*

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 10 April, 2019, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council excluding Item #3 'Expiring Licence Agreement – Servco Australia Tamworth Pty Ltd Trading As New England Toyota', item #4 'Arts North West (ANW) Membership' and item #8 'Medical Centre Development Da-143/2018'.*

1 DONATION REQUEST – INVERELL'S GOT TALENT 2019 – ROTARY CLUB OF INVERELL EAST S12.22.1/12

That Council provides a donation of \$800 towards the cost of Inverell's Got Talent that will again be organised by the Rotary Club of Inverell East and will be held as part of the Sapphire City Festival in October 2019.

2 EXPIRING LICENCE AGREEMENT – MR ROB & MRS JACQUI STRAHLEY S5.10.83

That:

- i) *Council renew the agreement with Mr Rob & Jacqui Strahley for Part Lot 3 DP 738104, Inverell Cemetery, Inverell;*
- ii) *The Licence agreement be for a two (2) year period with a two (2) year option;*
- iii) *The Licence fee be \$225.10 per annum (GST Inclusive) with a 3% increase per annum; and*
- iv) *The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

5 2019/2020 TINGHA RATING STRUCTURE S25.12.15

That:

- i) *Properties within the Tingha Boundary Adjustment area be transitioned into Inverell Shire Council's existing rate structure in accordance with the Local Government Act, 1993;*
- ii) *Inverell Shire Council creates a new Residential sub-category called Residential – Tingha; and*
- iii) *Council implement a transitional phase in period over three (3) years for the following annual charges:*

- Annual Water charge,
- Annual Sewerage Unoccupied Charge,
- Waste Management Annual Charge,
- Domestic Waste Management Collection Charge (for properties with 140Lt garbage bins)

6 2019/2020 DRAFT ESTIMATES AND OPERATIONAL PLAN, AND LONG TERM FINANCIAL PLAN S12.5.3

1. Draft Operational Plan and Budget guiding principles

The information be noted.

2. Factors Impacting the Budget

The information be noted.

3. 2019/2020 Budget Programs

The information be noted.

3.1 Urban Works Program:

That the following works be funded from the Urban Works Vote and be included in the 2019/2020 Budget:

A. Inverell and Villages - Urban Renewal and Upgrade General Fund, Water Fund

Project subject to a further report to Civil and Environmental Committee

\$ 512.7K \$ 0K

B. Footpaths and Cycleway Construction

\$ for \$ Contribution to PAMP Program \$ 44K
(Subject to RMS approving the 2019/2020 Program)

C. Village Works – Community suggested projects

Ashford	\$7.36K
Delungra	\$7.36K
Gilgai	\$7.36K
Yetman	\$7.36K
Tingha	\$7.36K
Oakwood	\$1.09K
Bonshaw	\$1.09K
Graman	\$1.09K
Nullamanna	\$1.09K
Elsmore	\$1.09K
Stannifer	\$1.09K
Gum Flat	\$1.09K

GENERAL FUND GRAND TOTAL
WATER FUND TOTAL

\$601.1K

\$0K

3.2 2019/2020 Grant Funded Road Programs

That:

- i) *The budget allocations of \$2,157K for the 2019/2020 ACRD Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the funding allocations and individual works proposed to be undertaken under this program;*
- ii) *The budget allocations of the \$160K RMS Supplementary Block Grant Program be the subject of a further report to the Civil and Environmental Services Committee Meeting;*
- iii) *The budget allocation of \$1,121K for the 2019/2020 Roads to Recovery Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the specific projects to be funded;*
- iv) *The budget allocation of \$2,833K for the 2019/2020 Block Grant Program be endorsed and a further report be presented to the Civil and Environmental Services Committee in respect of the specific projects to be funded; and*
- v) *The budget allocation of \$544K for the RMS Repair Program be endorsed and a report on the projects for the RMS approved Repair Program for 2019/2020 be presented to the Civil and Environmental Services Committee once advice has been received.*

4. Revenue and Expenditure Matters

4.1 Revenue

That Council utilises the maximum permissible rate increase allowed by IPART of 7.25% as approved in Council's Special Rate Variation application.

4.2 Expenditure

That:

- i) *The information be noted;*
- ii) *Council provide an allocation of \$150K for joint industry promotions and assistance;*
- iii) *The following 2019/2020 Strategic Capital Infrastructure/Projects Program projects be endorsed:*
 - *Asset Management - Road Revaluations* *\$ 85K*
 - *Inverell Swimming Pool Redevelopment* *\$ 480K*
- iv) *The budget allocation for \$341K for the 2019/2020 Special Projects – Roads Infrastructure Fund be endorsed;*
- v) *A further report be presented to the Civil and Environment Committee in respect of the specific projects to be funding under the Special Projects – Roads Infrastructure Fund;*

- vi) *the transfers to and from Internally Restricted Assets be endorsed;*
- vii) *The list of inclusions as included in the 2019/2020 draft Operational Plan/Budget and listed in section 4.2.2 & 4.2.3 of the report be endorsed;*

	\$
Inverell Pool - Gas	29,900
Audit & Risk Functions	25,000
Staff - Risk Management Staff Training	5,000
Donations in Lieu of Rates	4,500
CCTV Maintenance	6,000
Passive Parks - APEX Park Ashford	5,000
Storm/Fire/Flood Emergency works	25,000
Clear Zone Protection	100,000
TOTALS	200,400

- viii) *the initial 2019/2020 budget allocations for the Tingha Boundary Adjustment as listed in sections 4.2.4 of the report be endorsed.*

5. Rating Structure

That:

- i) *The following rating categories be utilised for the 2019/2020 rating year:*
 - Residential – Inverell*
 - Residential – General*
 - Residential – Ashford*
 - Residential – Delungra*
 - Residential – Gilgai*
 - Residential – Yetman*
 - Residential - Tingha*
 - Residential – Rural*
 - Business – Inverell Industrial/Commercial*
 - Business – Other*
 - Farmland*
 - Mining*
- ii) *A General Base Amount of \$225 plus an Ad Valorem Rate be determined for the categories detailed in above.*

6. Interest Rate on Outstanding Rates and Charges

That:

- i) *the Interest Rate applicable to Outstanding Rates and Charges for 2019/2020 be the maximum allowable as advised by the Office of Local Government.*

7. Waste Management Charges

That the following Waste Management Charges be adopted:

- i) *Waste Management Charge – All Properties* *\$ 85.00*
- ii) *Waste Management Charge – All Properties* *\$50.00*
(Tingha Boundary Adjustment)

iii)	<i>Domestic Waste Management - Occupied Charge: per service per assessment</i>	<i>\$330.00</i>
iv)	<i>Domestic Waste Management - Occupied Charge Tingha Boundary Adjustment – properties with 140lt garbage bin per service per assessment</i>	<i>\$300.00</i>
v)	<i>Domestic Waste Management – Unoccupied Charge</i>	<i>\$55.00</i>
vi)	<i>Weekly Commercial Waste Management Charge (This Charge is levied per Service, and GST is charged if applicable)</i>	<i>\$330.00</i>
vii)	<i>Weekly Commercial Recycling Charge Fortnightly Commercial Recycling Charge (These Charge are levied per Service, and GST is charged if applicable)</i>	<i>\$115.00 ex GST \$60.00 ex GST</i>

8. Fees & Charges

That the Fees and Charges, as recommended, be adopted.

9. Stormwater Management Service Charge

That:

- i) *The Stormwater Management Service Charge be set at the maximum amount allowable of \$25.00 per Residential Premises, \$12.50 per Residential Strata lot, and \$25.00 for Business Premises for each 350 square metres or additional part thereof, subject to a maximum charge on Business Premises of \$200.00; and*
- ii) *The Stormwater Management Program as recommended being Gilgai Drainage Project as per the adopted Gilgai Drainage Upgrade Plan, be adopted.*

10. Fit for the Future Benchmarks

The information be noted.

11. Summary

That:

- i) *The report on the balanced budget be noted;*
- ii) *The draft Estimates (incorporating the Operational Plan and Long Term Financial Plans) for the General Activities for 2019/2020 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

12. Sewerage Activities

That:

- i) *The Sewerage Charges as listed below be adopted for 2019/2020:*

• Sewerage Charge Occupied	\$ 500.00
• Sewerage Charge Unoccupied	\$ 313.00
• Sewerage Charge Unoccupied – Tingha Boundary adjustment	\$ 200.00
• Sewerage Charge Flats/Units	\$ 313.00
• Sewerage Charge Nursing Homes	\$2,342.00
• Sewerage Charge Hotel/Licensed Clubs	\$1,500.00

<i>Number of Services per Assessment</i>	<i>Annual Charge Per Assessment</i>
1	\$ 500.00
2	\$ 813.00
3	\$1,126.00
4	\$1,439.00
5	\$1,752.00
6	\$2,065.00
7	\$2,378.00
8	\$2,691.00
9	\$3,004.00
10	\$3,317.00
11	\$3,630.00
12	\$3,943.00
13	\$4,256.00
14	\$4,569.00
15	\$4,882.00

• Sewerage Non-Rateable Schools – WC's	\$82.70 per receptacle
• Sewerage Non-Rateable Other – WC's	\$137.20 per receptacle
• Sewerage Non-Rateable Urinals	\$82.70 per receptacle

Charge Structure for Motels and Caravan Parks

In accordance with the new charge structure for Motels and Caravan Parks the following charges are proposed for 2019/2020:

• Motel Residence	\$ 500.00
• Motel Restaurant	\$ 500.00
• Motel Ensuite	\$ 156.60
• Caravan Park Residence	\$ 500.00
• Caravan Park Amenities Block	\$1,500.00
• Caravan Park Ensuite Cabins	\$ 156.60

- ii) *the Draft Estimates (incorporating Operational Plan) for the Sewerage Fund for 2019/2020 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act 1993.*

13. Water Activities

That:

- i) *a water availability base charge of \$364.00 per assessment (Includes first water meter) be adopted for 2019/2020;*
- ii) *a water charge of \$364.00 per additional water meter, per assessment be adopted for 2019/2020;*

- iii) *a water charge of \$280.00 per assessment (includes first water meter) be adopted for properties within the Tingha Boundary Adjustment area for 2019/2020;*
- iv) *a water charge of \$280.00 per additional water meter, per assessment be adopted for properties within the Tingha Boundary Adjustment area for 2019/2020;*
- v) *a charge of \$1.57 per kilolitre be adopted for commercial water consumption for 2019/2020;*
- vi) *a charge of \$1.57 per kilolitre, 0 to 600 kilolitres and \$1.83 per kilolitre over 600 kilolitres be adopted for residential water consumption for 2019/2020;*
- vii) *a charge of \$1.11 per kilolitre be adopted for Sporting Association water consumption;*
- viii) *a charge of \$0.40 per kilolitre be adopted for Raw Water consumption for 2019/2020;*
- ix) *a charge of \$0.82 per kilolitre be adopted for Abattoirs, plus a 40 per cent early settlement discount for the period 1st July to 31st December 2019 and a 20 per cent early settlement discount for the period 1st January to 30th June 2020; and*
- x) *the draft Estimates (incorporating Operational Plan) for the Water Fund for 2019/2020 be adopted and placed on public exhibition for a period of 28 days as required by Section 405 of the Local Government Act, 1993.*

7 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2/12

That:

- i) *the report indicating Council's Fund Management position be received and noted; and*
- i) *the Certification of the Responsible Accounting Officer be noted.*

EXPIRING LICENCE AGREEMENT – SERVCO AUSTRALIA TAMWORTH PTY LTD TRADING AS NEW ENGLAND TOYOTA S5.10.130

MOVED (Michael/King) that:

- i) *Council renew the agreement with Servco Australia Tamworth Pty Ltd trading as New England Toyota for Lot 2, DP 1038122 Oliver Street, Inverell;*
- ii) *The Licence fee be \$200 per month (GST Inclusive); and*
- ii) *The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

25/19 AMENDMENT (Watts/Dight) that:

- i) *Council offer to renew the agreement with Servco Australia Tamworth Pty Ltd trading as New England Toyota for Lot 2, DP 1038122 Oliver Street, Inverell at a licence fee be \$300 per month (GST Inclusive); and*
- ii) *Council authorise Council's General Manager to negotiate the terms of the*

agreement.

The Amendment on being put to the meeting was CARRIED. It then became the MOTION. The MOTION on being put to the meeting was CARRIED.

ARTS NORTH WEST (ANW) MEMBERSHIP S26.5.4

MOVED (Michael/Berryman) that:

- i) For the purposes of securing touring performances and other ANW cultural opportunities in the future, Inverell Shire Council agree to membership of Arts North West for the year 2019/20;
- ii) That the cost of membership for the year 2019/20 be included in Council's forward budget;

The MOTION was lost.

MOVED (Michael) that Council not have an elected member on the ANW Advisory Board.

The MOTION lapsed for want of a seconder.

26/19 RESOLVED (Watts/Baker) that:

- i) *For the purposes of securing touring performances and other ANW cultural opportunities in the future, Inverell Shire Council agree to membership of Arts North West for the next 3 years commencing 2019/20;*
- ii) *That the cost of membership for the next three (3) year period commencing 2019/20 be included in Council's forward budget;*
- iii) *This be conditional on Inverell Shire Council having an elected member on the ANW Advisory Board; and*
- iv) *Cr Dight be nominated as Council's representative on the ANW Advisory Board.*

Cr Harmon left the meeting the time being 3.43pm. Cr Michael assumed the chair.

MEDICAL CENTRE DEVELOPMENT DA-143/2018

27/19 RESOLVED (Baker/Dight) that Council support the Armajun Aboriginal Health Service development of a new medical centre on the corner of Campbell and Rivers Streets Inverell by assisting with the following civil works on public land, so to integrate the development with that part of the CBD:

- i) *Bitumen seal and install kerb and guttering the full length of County Lane (Indicative cost: \$114K),*
- ii) *Indent kerb line in Rivers Street to provide space for nine (9) rear to kerb angled car parking spaces (Indicative cost: \$100K), and*
- iii) *Supply pavers in keeping with the area towards the establishment of footpaths on Rivers Street and Campbell Street. It is the intent the Developer bears the cost of the construction of the footpaths.*

Cr Harmon re-joined the meeting the time being 3.47pm and resumed the Chair.

**SECTION D
DESTINATION REPORTS**

1. REQUEST TO LICENCE LAND – LINDA O'BRIEN S5.10.111

28/19 RESOLVED (Baker/Dight) that:

- i) Council enter into a Licence Agreement with Ms Linda O'Brien for Lot 5, DP 867523, Taylor Avenue, Inverell for a three (3) year period with a further three (3) year option;
- ii) the Licence fee be \$380 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. REQUEST TO LICENCE LAND – R AND K CARRUTHERS S5.10.65

29/19 RESOLVED (Watts/Baker) that:

- i) Council enter into a Licence Agreement with Robert and Katherine Carruthers for Lot 1 and Lot 3, DP 1037597, Bonshaw Road, Ashford, for a two (2) year period with a further two (2) year option;
- ii) the Licence fee be \$110 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. MODEL CODES OF CONDUCT S13.6.5/10

30/19 RESOLVED (King/Watts) that:

- A. Council adopt the:
 - i) Draft Inverell Shire Model Code of Conduct for councillors;
 - ii) Draft Inverell Shire Model Code of Conduct for staff and delegates;
 - iii) Draft Inverell Shire Model Code of Conduct for Committee Members, Delegates of Council and Council Advisers; and
- B. That the Draft Procedures for the Administration of the Inverell Shire Codes of Conduct be noted.

**SECTION E
INFORMATION REPORTS**

- 1. MYALL CREEK MEMORIAL - LETTER OF APPRECIATION S6.8.9
- 2. INTERNATIONAL AIR FREIGHT STUDY S14.18.6/12
- 3. STRATEGIC TASKS – 'SIGN OFF' – APRIL 2019 S4.13.2
- 4. QUESTIONS WITHOUT NOTICE – MARCH 2019 S13.5.5/09

5. ESTABLISHMENT OF INVERELL BLAZE AID CAMP S9.9.12
6. CONSTRUCTION CERTIFICATES APPROVED FOR MARCH 2019 S7.2.4/12
7. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING MARCH 2019 S7. 2.4/12
8. SUMMARY OF BUILDING CONSTRUCTION FOR MARCH 2019 S7.2.4/12
9. DEVELOPMENT CONSENTS AND REFUSALS DURING MARCH 2019 S18.10.2/12
10. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING MARCH 2019 S18.10.2/12
11. SEPTIC TANK APPROVALS FOR MARCH 2019 S29.19.1
12. ORDINANCE ACTIVITIES REPORT FOR MARCH 2019 S18.10.1
13. TINGHA PENSIONER REBATES S25.12.15

31/19 RESOLVED (Michael/King) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 24 April, 2019, be received and noted.

SECTION F QUESTIONS WITHOUT NOTICE

QWN/ORD
Cr Baker

Councillor Briefing Session

Cr Baker asked that Adam Marshal MP be thanked for attending the Councillor briefing session prior to the meeting.

QWN/ORD
Cr Watts

Delunga Standpipe

Cr Watts asked about the operation of the Delunga Standpipe and whether there had been any recent large increase in the amount of water being taken from and if so had there been any impact on the Town supply?

The Director Civil & Environmental Services advised that the standpipe was coin operated, that there had been no significant increase in the amount of water delivered and had been no unreasonable pressure placed on the Delunga water supply.

QWN/ORD
Cr Watts

Policy to support victims of domestic violence

Cr Watts asked if Council has a Policy to support victims of domestic violence?

The General Manager replied that Council does have such a Policy and he would provide Cr Watts with a copy.

QWN/ORD
Cr Dight

2019 Inverell Contemporary Exhibition

Cr Dight invited all Councillors to attend the Opening of 2019 Inverell Contemporary Exhibition, 10 May at the Inverell Art Gallery.

THE SAPPHIRE WIND FARM COMMUNITY BENEFIT FUND ROUND 1

32/19 RESOLVED (Michael/Berryman) to accept the recommendations of the Sapphire Wind Farm Community Benefit Fund. Committee as a late agenda item.

33/19 RESOLVED (Michael/Dight) to note and endorse the recommendations of the Sapphire Wind Farm Committee that the following organisation receive funding.

	Applicant	Details	\$ Awarded
1	Inverell Town & Country Club	Upgrade Public Amenities - painting, tiling, new fittings	8,948
2	National Transport Museum	Vehicle restoration building - 20m x 6m x 125m	17,000
3	Ashford Golf Club	Installation of Solar System	8,845
4	Inverell Rescue Squad (VRA)	Personal Protective Equipment, uniforms, upgrade of Equipment eg chainsaws	10,000
5	Elsmore Rural Fire Brigade	Ipads for navigation and pre-incident planning. Water transfer pump for fire trucks	800
6	Inverell Show Society	Upgrade Campdraft Facilities - troughs, cattle ramp, water pipe upgrade, shade	5,000
7	Inverell NAIDOC Committee	Inverell NAIDOC Celebrations - movie rights, pa system, marquee, entertainment, catering	1,500
8	Inverell Junior Cricket Association	Sun shelters and rep cricket shirts	4,257
9	Inverell Events Inc	Sapphire Rock & Roll Festival - 30 Aug /1 Sept	10,000
10	The Blue Sky Film Project	Film project involving people with a disability	4,500
11	Ashford Pony Club	New Show jumping Equipment	14,000
12	Sapphire Sports Shears	Renovation of Wool Handling/Shearing Boards @ Showground Pavilion	4,454
13	Inverell Motorcycle Sports Club	Provision of Grandstands for Inverell Motorsports Complex	8,850

There being no further business, the meeting closed at 4.03 pm.

CR P J HARMON

CHAIRPERSON

TO ORDINARY MEETING OF COUNCIL 22/05/2019

ITEM NO:	1.	FILE NO: S14.10.1
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) MEETING, MAY 2019	
PREPARED BY:	Cr Kate Dight	

SUMMARY:

The quarterly meeting of the Border Regional Organisation of Councils (BROC) was held in Warwick in May, 2019. Council is being asked to consider the recommendations detailed in the report.

COMMENTARY:

Southern Downs Council at Warwick hosted this quarter's meeting of BROC and all councils were in attendance with Walgett Shire attending remotely.

The Mayor of Southern Downs warmly welcomed us. The communities of Warwick & Stanthorpe are being heavily impacted by drought and are currently experiencing extreme water restrictions (120litre/day on the RMS sign as you enter the township) and are trying to navigate their way with the impact of reduced water allocations. Despite this, they are 'Open for Business' and are actively inviting business to their region and coming up with solutions for the problem.

As always there was energetic discussion across many pertinent issues. The Emergency Services Levy was the first item of debate and there was a general consensus to not pay the increased levy amount but to pay last year's amount plus the rate peg allowance for 2019. It was suggested that all councils should be in solidarity on this matter and it will be discussed further at the Country Mayors meeting.

Speakers -**James McTavish – Cross Border Commission**

James McTavish, the NSW Cross Border Commissioner, gave the first address. His role has dramatically increased because he has also been given the role of NSW Regional Town Water Coordinator.

In the cross border space, the Commonwealth is coming on board more and more in recognising these issues. From the end of May there will be a new Toowoomba based DPC regional coordination branch specifically focusing on cross border issues. There is a genuine willingness in QLD to improve cross border activities, especially in the areas of service delivery and health. He is asking BROC to list their priorities for infrastructure projects to be considered for the \$20M Infrastructure Fund. For these projects they need to be across both jurisdictions and co-funded with the Fund. The Canberra Rugby League Centre of Excellence was funded via these means with ACT, NSW and the Commission working collaboratively. A major area of focus is border crime and managing poor access to justice services across borders. Deficiencies in the rescue system are paramount and work is being done to ensure accreditation is given to interjurisdictional services, i.e. 'who gets there first'.

In his new role as NSW Regional Town Water Supply Coordinator, there are huge issues obviously extenuated by the current drought conditions. The system is steeped in beauracratc problems with

delivery and politicised debate. The townships of Menindee, Walgett, Bourke, Mendoura, Cobar, Tamworth, Tenterfield, Dubbo and Walcha are really impacted by limited water supply and have a hugely problematic outlook. Tenterfield has 180 days left of total water supply. The lack of planning in many of these areas has made their situations worse with poor coordination across catchments and across levels of government. In many regions of NSW the water resource plans have not been completed leading to lack of direction in times such as these. The main criteria for town water supply are availability, safety, acceptability and sustainability for the future. Both Federal and State Government must engage with local government and co-design outcomes. Opportunities in reverse osmosis, bores and water infrastructure are available and need to be a part of long term strategy & solutions. These need to be addressed with urgency, including commercial design, to minimise wastage, e.g., non-potable raw water made available for stock and domestic use, infrastructure projects needs to be brought forward such as weirs at local communities to manage local delivery of water, and big initiatives need to be taken in the headwaters to build water storages.

Craig Magnussen – Invasive Pest Control

The Southern Downs Regional Council has enforced a levy onto general rates for pest and bio-management. The result of this is a very successful scheme that has engaged a huge number of farmers to put a management plan in place for bio-security. The top five threats are box thorn, black berry, rabbits, tree pear and wild dogs. Financial support has been given to spray units and spray officers and there is a close working relationship with National Parks and LLS to provide a collaborative approach to management. Properties locked up for carbon credits are posing a big problem by becoming a breeding ground for bio-threats. Southern Downs LG is working with all farmers to prioritise the problem and clean up problem areas.

Scott Smith – CEO of the Council of Mayors, SE Qld

The Council of Mayors is an advocacy body which aims to deliver better regional funding, policy and collaborative outcomes. They take on the three big strategic initiatives; people mass movement to SE QLD, the SE QLD City Deal and the 2032 Olympic & Para-Olympic Games. They are a group of 10 mayors including the City of Brisbane Mayor. SE QLD are facing a 41% population increase over the next 25 years. In a similar fashion to the Joint Organisations in NSW, the group provides the opportunity for collaboration between the three tiers of government regardless of political inclination and priorities are based on what is best for the region.

Kelly Foran – Friendly Faces Helping Hands Foundation

Kelly is based in Inverell Shire Council area and runs a support group for families who are dealing with adversity. Her personal story is overwhelming. She was faced with a brain tumour while she was pregnant which resulted in a stroke and she has had years of dealing with the health system and navigating tiers of health services in both NSW & QLD. She runs this network to assist other families faced with these adversities and aims to make their lives easier. She is not drawing a wage from the organisation but works to help families navigate government, private and clinical health services. She was asking for \$1000 from BROCC to support her organisation and for every Council to put the Friendly Faces Helping Hands logo on their website as a measure of support.

General Business

- The reinstatement of the Bruxner Way to the State register. Adam Marshall has moved to reinstate Bruxner Way as well as 31 other regional roads back to the state register.
- Moved to donate \$1000 to Friendly Faces Helping Hands Foundation.
- The Cross Border Transport Study needs to be updated to facilitate connectivity. Angus Witherby is across this and there was discussion to progress this, ie whether we support this financially with the \$10,000 that we have previously tagged for this purpose.
- Cross Border Waste – The QLD waste levy begins on July 1 2019 and NSW has also announced a move to levy waste that is moved across the border. Truck Drivers will need consignment notes etc. if this practice is taking place.

RECOMMENDATION:

That:

- i) *Inverell Shire Council writes to Goondiwindi Regional Council to invite them to*

collaboratively write a submission to the Cross Border Commission for support to upgrade Cunningham's Weir on the QLD, NSW border;

- ii) For the purposes of this Council, could Inverell Shire Council provide an assessment and summary of the domestic water availability for all the communities in our shire and the outlook for future water supply;*
- iii) Inverell Shire Council write to Adam Marshall for an update on the latest water storage opportunities for the upper catchment areas of the Murray Darling Basin and the progress that these are making, i.e. what studies are currently being undertaken to investigate these opportunities.*

TO ORDINARY MEETING OF COUNCIL 22/05/2019

ITEM NO:	1.	FILE NO: S4.11.16/11
DESTINATION 2 DESTINATION 3 DESTINATION 5:	A Community that is healthy, educated and sustained. An environment that is protected and sustained. The Communities are served by sustainable services and infrastructure.	CES
SUBJECT:	CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 8 MAY 2019	
PREPARED BY:	Kristy Paton, Corporate Support Officer - Publishing	

SUMMARY:

Meeting held on Wednesday, 8 May, 2019.

For the consideration of Council.

COMMENTARY:

**MINUTES OF THE CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, 144 OTHO STREET, INVERELL ON
WEDNESDAY, 8 MAY, 2019, COMMENCING AT 9.00 AM.**

PRESENT: Cr D F Baker (Chairperson), Crs A A Michael, M J Peters, S J Berryman and J N McCosker.

Also in attendance: Crs J A Watts, C M Dight and P A King

Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services), Scott Norman (Director Corporate and Economic Services), Justin Pay (Manager Civil Engineering) and Chris Faley (Development Planner).

SECTION A**APOLOGIES:**

Apologies were received from Cr P J Harmon.

RESOLVED (Berryman/Michael) that the apology from Cr Harmon be noted.

1. CONFIRMATION OF MINUTES

RESOLVED (Berryman/Michael) that the Minutes of the Civil and Environmental Services Committee Meeting held on 10 April, 2019, as circulated to members, be confirmed as a true and correct record of that meeting.

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

There were no interests declared.

3. PUBLIC FORUM S13.5.6/12

At this juncture, the time being 9.02 am, the Chair welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Noel Daley
DA - 26/2019 Noel Daley spoke about the removal of vegetation and erection of a Colorbond fence at the RSM Clay Target Club. He was concerned that it would increase noise from the Gun Club at his residence. In particular he would prefer that a timber fence be erected.

Miriam Daley
DA - 26/2019 Miriam Daley is also concerned about increased noise from the Clay Target Club. She asked that advanced trees be planted to screen the fence and Council consider restricting the days and hours the Club can shoot.

At this juncture, the time being 9.05 am, the Public Forum Session closed and the Committee resumed the balance of the Agenda.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

SECTION B
ADVOCACY REPORTS

Nil

SECTION D
DESTINATION REPORTS

1. DA-23/2019 – DEMOLITION, CONSTRUCTION OF DUAL OCCUPANCY (ATTACHED), CONSTRUCTION OF DWELLING AND SUBDIVISION – 63 GRANVILLE STREET, INVERELL DA-23/2019

RESOLVED (Berryman/Michael) that the Committee recommend to Council:

1. *Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.*

Consent is granted for:

- *Demolition of all structures;*
- *One (1) into Two (2) Lot Subdivision, being;*
 - *Lot 1 – 504.2m2 rectangular lot;*
 - *Lot 2 – 507.7m2 battle-axe lot;*
- *Construction of Dual Occupancy (Attached) on the rectangular lot; and*
- *Construction of a dwelling on the battle-axe lot.*

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. *The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).*

CONDITIONS RELATING TO DEMOLITION

3. *All demolition work is to be carried out in accordance with Australian Standard 2601 The demolition of structures.*
4. *At all times during demolition a competent person shall directly supervise work. It is the*

responsibility of the person to ensure that:

- The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work;
 - Precautions are to be taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes; and
 - The site shall be sealed off at all times against the unauthorised entry of persons or vehicles.
5. All utilities are to be disconnected from the dwelling and capped to the satisfaction of the relevant authority.
6. If the development is found to contain asbestos the applicant/builder must investigate, and carry out, their obligations as specified under WorkCover, the Work Health and Safety Regulation 2011 and the Protection of the Environment Operations (Waste) Regulation 1996.
7. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the demolition period:
- Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;
 - Demolition may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no demolition is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;
 - Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;
 - Operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;
 - Demolition waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;
 - Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and
 - Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.

CONDITIONS RELATING TO THE ONE (1) INTO TWO (2) LOT SUBDIVISION

8. A Subdivision Certificate must be obtained from Council in accordance with Section 109C (1)(d) of the Environmental Planning and Assessment Act 1979. The applicant must submit a completed Subdivision Certificate application form (with applicable fee), four (4) copies of the survey plan, two (2) copies of any 88b instrument and documentary evidence demonstrating compliance with the conditions of this development consent.
9. Prior to the issue of a Subdivision Certificate, a Construction Certificate must be issued for both the dwelling and the dual occupancy (attached) approved under this consent.

CONDITIONS RELATING TO THE CONSTRUCTION OF THE DWELLING***Prior to Commencement of Works***

10. *Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment Act 1979. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.*
11. *Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for sewerage work, water supply work and stormwater drainage work.*
12. *Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained for the construction of the concrete access crossing in Granville Street.*
13. *New water and sewer connections are to be provided for the dwelling. Prior to issue of a Construction Certificate, the following is to be paid to Council:*
 - *A water connection fee in accordance with Council's fees and charges; and*
 - *A sewer junction fee in accordance with Council's fees and charges.*
14. *Prior to issue of a Construction Certificate, stormwater drainage plans, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show:*
 - *Inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached);*
 - *Drainage of the concrete driveway; and*
 - *Roof water drainage.*

During Construction

15. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:*
 - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
 - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
 - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
 - *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
 - *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
 - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
 - *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.*

16. A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:
- by the pegging of the site prior to the commencement of work; and
 - on completion of footings.

Prior to Occupation

17. Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
 - any preconditions to the issue of the certificate required by a development consent have been met.
18. Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:
- All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction; and
 - The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.
19. Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.
20. Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage and driveway drainage shall be drained in accordance with the approved engineering and Australian Standard 3500.3 Plumbing and drainage.
21. Prior to issue of an Occupation Certificate, the concrete access crossing, concrete access handle and turning areas are to be constructed in accordance with the approved plans and approval under Section 138 of the Roads Act 1993.
22. Prior to issue of an Occupation Certificate, all landscaping is to be completed as per the approved plan.

Ongoing Use

23. A vehicle access door (e.g. roller door or similar) must not be installed within the garage wall facing Granville Lane.
24. All landscaping must be maintained in perpetuity in a reasonable manner.

CONDITIONS RELATING TO THE CONSTRUCTION OF THE DUAL OCCUPANCY (ATTACHED)

Prior to Commencement of Works

25. Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment Act 1979. The application for a

Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.

26. *Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for sewerage work, water supply work and stormwater drainage work.*
27. *Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained for the construction of the concrete access crossings.*
28. *Prior to the issue of a Construction Certificate, two Community Services Contributions must be paid to Council pursuant to Section 7.11 (formerly Section 94) of the Environmental Planning and Assessment Act 1979.*
29. *Separate sewer connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for sewer supply and separate sewer connections. This will require payment to Council of:*
 - *A Contribution under Council's Development Servicing Plan No. 1 for 2 equivalent tenements; and*
 - *A sewer junction fee (Unit B) in accordance with Council's fees and charges.*

Note: Unit A will utilise the existing sewer junction.

30. *Separate water connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for water supply and water connections. This will require payment to Council of:*
 - *A Contribution per lot under Council's Development Servicing Plan No. 1 for 1.6 equivalent tenements; and*
 - *Water connection fees in accordance with Council's fees and charges*
31. *Prior to issue of a Construction Certificate, plans of the inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached), prepared by a suitably qualified engineer, are to be submitted to and approved by Council.*

During Construction

32. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:*
 - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
 - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
 - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
 - *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
 - *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
 - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion*

and Sedimentation Control Policy 2004; and

- Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.

33. A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:
- by the pegging of the site prior to the commencement of work; and
 - on completion of footings.

Prior to Occupation

34. Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- any preconditions to the issue of the certificate required by a development consent have been met.

35. Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:
- All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction; and
 - The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.
36. Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.
37. Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage shall be drained in accordance with the approved engineering and Australian Standard 3500.3 Plumbing and drainage.
38. Prior to issue of Occupation Certificate, a concrete access crossing and driveway is to be constructed from Granville Street to the garage of each unit in accordance with the approved under Section 138 of the Roads Act 1993.
39. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr D F Baker	✓	
Cr A A Michael	✓	
Cr S J Berryman	✓	
Cr M J Peters		✓

Cr J N McCosker	✓	
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2. DA-29/2019 – SINGLE DWELLING USE – 124 TRAFALGAR LANE, GUM FLAT – VARIATION TO MINIMUM LOT SIZE DEVELOPMENT STANDARD DA-29/2019

RESOLVED (McCosker/Michael) that the Committee recommend to Council, subject to concurrence being received from the NSW Department of Planning and Environment, DA-29/2019 be approved subject to the following conditions:

Preliminary

- Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.*

Consent is granted for a single dwelling use only on Lot 308 DP 754840.

Advice Only

- The following matters are not conditions of consent, but will require consideration in the design of any proposed dwelling:*
 - A separate application is to be approved for the actual construction of a dwelling.*
 - Any new dwelling is to comply with the provisions of Planning for Bush Fire Protection 2006.*
 - Approval is required under Sec. 68 of the Local Government Act 1993 for the installation and operation of an onsite sewage management system.*
 - No native vegetation should be removed as a result of the construction of a dwelling without the approval of Council.*
 - The external colours of the dwelling should be sympathetic with the surrounding rural landscape.*
- Any other condition deemed appropriate by the Director Civil and Environmental Services.*

S375A Record of Voting	Councillors For:	Councillors Against:
Cr D F Baker	✓	
Cr A A Michael	✓	
Cr S J Berryman	✓	
Cr M J Peters	✓	
Cr J N McCosker	✓	

3. DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL DA-26/2019

RESOLVED (Michael/McCosker) that additional information regarding the proposed fence be presented in a report to the May 2019 Council meeting.

SECTION E
INFORMATION REPORTS

1. WORKS UPDATE S28.21.1/12

RESOLVED (Michael/Berryman) that the items contained in the Information Reports to the Civil & Environmental Services Committee Meeting held on Wednesday, 8 May, 2019, be received and noted.

SECTION F
GENERAL BUSINESS

Cr McCosker Swan Vale Road

Cr McCosker raised the poor condition of the Elsmore Road and reported that there are large rocks exposed in the pavement.

The Manager Civil Engineering responded the road was in poor condition with some course material on the surface, however grading it in the current dry conditions would only make it worse. Unfortunately sufficient water cannot be sourced in the area.

There being no further business, the meeting closed at 9.45 am.

RECOMMENDATION:

That:

- i) the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 8 May, 2019, be received and noted; and*
- ii) the following recommendation of the Civil & Environmental Services Committee be considered by Council:*
 - 1. DA-23/2019 – DEMOLITION, CONSTRUCTION OF DUAL OCCUPANCY (ATTACHED), CONSTRUCTION OF DWELLING AND SUBDIVISION – 63 GRANVILLE STREET, INVERELL DA-23/2019
 - 1. *Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.*

Consent is granted for:

- *Demolition of all structures;*
- *One (1) into Two (2) Lot Subdivision, being;*
 - *Lot 1 – 504.2m2 rectangular lot;*
 - *Lot 2 – 507.7m2 battle-axe lot;*
- *Construction of Dual Occupancy (Attached) on the rectangular lot; and*
- *Construction of a dwelling on the battle-axe lot.*

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

- 2. *The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).*

CONDITIONS RELATING TO DEMOLITION

3. *All demolition work is to be carried out in accordance with Australian Standard 2601 The demolition of structures.*
4. *At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:*
 - *The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work;*
 - *Precautions are to be taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes; and*
 - *The site shall be sealed off at all times against the unauthorised entry of persons or vehicles.*
5. *All utilities are to be disconnected from the dwelling and capped to the satisfaction of the relevant authority.*
6. *If the development is found to contain asbestos the applicant/builder must investigate, and carry out, their obligations as specified under WorkCover, the Work Health and Safety Regulation 2011 and the Protection of the Environment Operations (Waste) Regulation 1996.*
7. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the demolition period:*
 - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
 - *Demolition may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no demolition is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
 - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
 - *Operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
 - *Demolition waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
 - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
 - *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.*

CONDITIONS RELATING TO THE ONE (1) INTO TWO (2) LOT SUBDIVISION

8. *A Subdivision Certificate must be obtained from Council in accordance with Section 109C (1)(d) of the Environmental Planning and Assessment Act 1979. The applicant must submit a completed Subdivision Certificate application form (with applicable fee), four (4) copies of the survey plan, two (2) copies of any 88b instrument and documentary evidence demonstrating compliance with the conditions of this development consent.*

9. *Prior to the issue of a Subdivision Certificate, a Construction Certificate must be issued for both the dwelling and the dual occupancy (attached) approved under this consent.*

CONDITIONS RELATING TO THE CONSTRUCTION OF THE DWELLING

Prior to Commencement of Works

10. *Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment Act 1979. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.*
11. *Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for sewerage work, water supply work and stormwater drainage work.*
12. *Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained for the construction of the concrete access crossing in Granville Street.*
13. *New water and sewer connections are to be provided for the dwelling. Prior to issue of a Construction Certificate, the following is to be paid to Council:*
- *A water connection fee in accordance with Council's fees and charges; and*
 - *A sewer junction fee in accordance with Council's fees and charges.*
14. *Prior to issue of a Construction Certificate, stormwater drainage plans, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show:*
- *Inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached);*
 - *Drainage of the concrete driveway; and*
 - *Roof water drainage.*

During Construction

15. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:*
- *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
 - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
 - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
 - *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
 - *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
 - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion*

- *and Sedimentation Control Policy 2004; and*
- *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.*

16. *A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:*

- *by the pegging of the site prior to the commencement of work; and*
- *on completion of footings.*

Prior to Occupation

17. *Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.*

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- *all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and*
- *any preconditions to the issue of the certificate required by a development consent have been met.*

18. *Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:*

- *All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction; and*
- *The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.*

19. *Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.*

20. *Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage and driveway drainage shall be drained in accordance with the approved engineering and Australian Standard 3500.3 Plumbing and drainage.*

21. *Prior to issue of an Occupation Certificate, the concrete access crossing, concrete access handle and turning areas are to be constructed in accordance with the approved plans and approval under Section 138 of the Roads Act 1993.*

22. *Prior to issue of an Occupation Certificate, all landscaping is to be completed as per the approved plan.*

Ongoing Use

23. *A vehicle access door (e.g. roller door or similar) must not be installed within the garage wall facing Granville Lane.*

24. *All landscaping must be maintained in perpetuity in a reasonable manner.*

**CONDITIONS RELATING TO THE CONSTRUCTION OF THE DUAL OCCUPANCY
(ATTACHED)**

Prior to Commencement of Works

25. *Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment Act 1979. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.*
26. *Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for sewerage work, water supply work and stormwater drainage work.*
27. *Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained for the construction of the concrete access crossings.*
28. *Prior to the issue of a Construction Certificate, two Community Services Contributions must be paid to Council pursuant to Section 7.11 (formerly Section 94) of the Environmental Planning and Assessment Act 1979.*
29. *Separate sewer connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for sewer supply and separate sewer connections. This will require payment to Council of:*
 - *A Contribution under Council's Development Servicing Plan No. 1 for 2 equivalent tenements; and*
 - *A sewer junction fee (Unit B) in accordance with Council's fees and charges.*

Note: Unit A will utilise the existing sewer junction.

30. *Separate water connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for water supply and water connections. This will require payment to Council of:*
 - *A Contribution per lot under Council's Development Servicing Plan No. 1 for 1.6 equivalent tenements; and*
 - *Water connection fees in accordance with Council's fees and charges*
31. *Prior to issue of a Construction Certificate, plans of the inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached), prepared by a suitably qualified engineer, are to be submitted to and approved by Council.*

During Construction

32. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:*
 - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
 - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
 - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored*

clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;

- *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
- *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
- *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
- *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.*

33. *A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:*

- *by the pegging of the site prior to the commencement of work; and*
- *on completion of footings.*

Prior to Occupation

34. *Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.*

Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:

- *all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and*
- *any preconditions to the issue of the certificate required by a development consent have been met.*

35. *Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:*

- *All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction; and*
- *The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.*

36. *Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.*

37. *Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage shall be drained in accordance with the approved engineering and Australian Standard 3500.3 Plumbing and drainage.*

38. *Prior to issue of Occupation Certificate, a concrete access crossing and driveway is to be constructed from Granville Street to the garage of each unit in accordance with the approved under Section 138 of the Roads Act 1993.*

39. *Any other condition deemed appropriate by the Director Civil and Environmental*

Services.

2. DA-29/2019 – SINGLE DWELLING USE – 124 TRAFALGAR LANE, GUM FLAT – VARIATION TO MINIMUM LOT SIZE DEVELOPMENT STANDARD DA-29/2019

Subject to concurrence being received from the NSW Department of Planning and Environment, DA-29/2019 be approved subject to the following conditions:

Preliminary

1. *Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.*

Consent is granted for a single dwelling use only on Lot 308 DP 754840.

Advice Only

2. *The following matters are not conditions of consent, but will require consideration in the design of any proposed dwelling:*
- *A separate application is to be approved for the actual construction of a dwelling.*
 - *Any new dwelling is to comply with the provisions of Planning for Bush Fire Protection 2006.*
 - *Approval is required under Sec. 68 of the Local Government Act 1993 for the installation and operation of an onsite sewage management system.*
 - *No native vegetation should be removed as a result of the construction of a dwelling without the approval of Council.*
 - *The external colours of the dwelling should be sympathetic with the surrounding rural landscape.*
3. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*
3. DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL DA-26/2019

That additional information regarding the proposed fence be presented in a report to the May 2019 Council meeting.

ITEM NO:	2.	FILE NO: S4.11.17/11
DESTINATION 1 DESTINATION 4:	A recognised leader in a broader context. A strong economy.	RB
SUBJECT:	ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 8 MAY 2019	
PREPARED BY:	Kristy Paton, Corporate Support Officer - Publishing	

SUMMARY:

Meeting held on Wednesday, 8 May, 2019.

For the consideration of Council.

COMMENTARY:

**MINUTES OF THE ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING
HELD IN THE COMMITTEE ROOM, INVERELL SHIRE COUNCIL, 144 OTHO STREET,
INVERELL ON WEDNESDAY, 8 MAY, 2019, COMMENCING AT 10.30AM.**

PRESENT: Cr J A Watts (Chairperson), Crs P A King, A A Michael and C M Dight.

Also in attendance: Crs D F Baker, S J Berryman and J N McCosker.

Paul Henry (General Manager), Scott Norman (Director Corporate and Economic Services), Paul Pay (Manager Financial Services) and Brett McInnes (Director Civil and Environmental Services).

SECTION A**APOLOGIES:**

Apologies were received from Cr P J Harmon.

RESOLVED (Michael/King) that the apology from Cr Harmon be noted.

1. **CONFIRMATION OF MINUTES**

RESOLVED (Michael/Dight) that the Minutes of the Economic and Community Sustainability Committee Meeting held on 10 April, 2019 as circulated to members, be confirmed as a true and correct record of that meeting.

2. **DISCLOSURE OF CONFLICT OF INTERESTS/PECUNIARY AND NON-PECUNIARY INTERESTS**

There were no interests declared.

3. **BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

**SECTION B
ADVOCACY REPORTS**

Cr Michael **Cultural Group AGM**

Cr Michael attended the AGM of the Cultural Group. Les Moulds was elected the new Chair.

Cr Michael **"May the 4th Be With You"**

Cr Michael attended the "May the 4th Be With You" event in Inverell and commented it was well run and well received. He reminded Councillors of the upcoming Council organised events that are part of the Drought Assistance and the Youth Engagement Programs.

Cr Dight **ANZAC Day Services**

Cr Dight attended ANZAC Day Services at Ashford and Yetman and noted the fine presentation on the battle of Beersheba at Yetman.

Cr King **ANZAC Day**

Cr King attended the ANZAC Day Service at Inverell.

Cr King CVPT Meeting

Cr King attended a meeting of the Community Violence Prevention Team.

Cr King IDFS Family Morning

Cr King attended the IDFS Family Morning in Victoria Park where 120 kids attended.

Cr Baker International Fire Fighters Day – Thank you Ceremony

Cr Baker attended the International Fire Fighters Day Thank You Ceremony.

SECTION D DESTINATION REPORTS

1. INDUSTRY SUPPORT FUND (LISTING) S12.22.1/12

RESOLVED (King/Dight) that the matter be referred to Closed Committee for consideration as:

- i) the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business' (Section 10A(2)(c) 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.*

2. GIRL GUIDES ASSOCIATION – REQUEST FOR ASSISTANCE S12.22.1/12

RESOLVED (Michael/Dight) that the matter be referred to Closed Committee for consideration as:

- i) the report includes 'the personal hardship of any resident or ratepayer' (Section 10A(2)(b) 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.*

3. EXPIRING LICENCE AGREEMENTS S4.11.9

RESOLVED (Dight/King) that the Committee recommend to Council that:

- a) BP Australia Pty Ltd - Lot A, DP 385492, Inverell Airport, Gilgai 5.10.1
 - i) Council renew the agreement with BP Pty Ltd, Lot A, DP 385492, Inverell Airport, Gilgai for a five (5) year period with a further five (5) year option under the same terms and conditions;*
 - ii) the licence fee be \$396.64 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.

- b) Licence Agreement, Essential Energy – Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood 5.10.57
 - i) *Council renew the agreement with Essential Energy for a five (5) year period with a further two (2) year option under the same terms and conditions;*
 - ii) *the licence fee be \$1336.08 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.*
- c) Licence Agreement, National Parks and Wildlife Service – Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood. 5.10.58
 - i) *Council renew the agreement with National Parks and Wildlife Service for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5) year period with a further five (5) year option under the same terms and conditions;*
 - ii) *the licence fee be \$1365.01 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.*
- d) Licence Agreement, NSW State Emergency Service - Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood 5.10.60
 - i) *Council renew the agreement with NSW State Emergency Service for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5) year period with a further five (5) year option under the same terms and conditions;*
 - ii) *the licence fee be \$1340.00 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.*
- e) Licence Agreement, Mr G & R Brown - Part Unformed Road, Eastern Boundary of Lots 227 & 333 DP 753287, Inverell 5.10.102
 - i) *Council renew the agreement with Mr Garry and Mrs Robyn Brown for Part Unformed Road, Eastern Boundary of Lots 227 & 333 DP 753287, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
 - ii) *the licence fee be \$81.14 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.*
- f) Licence Agreement, Mr G & R Brown - Part Unformed Road, Eastern Boundary of Lot 263, DP 753287, Inverell 5.10.66
 - i) *Council renew the agreement with Mr Garry and Mrs Robyn Brown for Part Unformed Road, Eastern Boundary of Lot 263, DP 753287, Inverell, for a three (3) year period with a further three (3) year option under the same terms and conditions;*

- ii) *the licence fee be \$95.48 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.*

4. BOUNDARY ADJUSTMENT - ARMIDALE REGIONAL COUNCIL S13.1.1

RESOLVED (Michael/King) that the Committee recommend to Council that:

- i) *The information be received and noted; and*
- ii) *The actions proposed in respect of outstanding rates and charges be endorsed.*

**SECTION E
INFORMATION REPORTS**

1. COMMUNITY SAFETY IMPROVEMENT PROJECT S15.8.95

RESOLVED (Michael/Dight) that the items contained in the Information Reports to the Economic & Community Sustainability Committee Meeting held on Wednesday, 8 May, 2019, be received and noted.

**SECTION G
GOVERNANCE REPORTS**

1. GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2/12

RESOLVED (Dight/Michael) that the Committee recommend to Council 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.*

2. QUARTERLY BUDGET AND OPERATIONAL PLAN REVIEW 2018/2019 S12.5.1

RESOLVED (Dight/King) that the Committee recommend to Council that:

- i) *Council's Quarterly Operational Plan and Budget Review for 31 March, 2019 be adopted; and*
- ii) *the proposed variations to budget votes for the 2018/2019 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2019 from operations of \$5,427.*

3. EMERGENCY SERVICES LEVY INCREASE

Mr Pay advised that each year, the NSW Government collects payments from councils and insurers to fund emergency services agencies in NSW, with councils required to pay 11.7 per cent of the budget required by NSW Emergency Services. These charges are embedded in council rates and insurance premiums.

From 1 July 2019 the NSW Government plans to collect an additional \$160 million (in 2019/20) from NSW councils, communities and those paying insurance premiums to provide better workers' compensation coverage for volunteer and career firefighters who are diagnosed with one of 12 specific work-related cancers.

Councils were sent bills with a letter from Revenue NSW in May 2019, saying NSW council contributions will increase by \$19 million in 2019/20. The letter also foreshadowed increases in the following year, but not the amount.

Inverell Shire Council received an invoice from Revenue NSW for \$393476.85 for its emergency

services levy contribution. This is \$69979.29 more than last year's levy (a 21.63%) increase. This will mean council will need to find additional funds and/or cut planned initiatives or services. Council supports career and volunteer firefighters in NSW – as it does all emergency services workers and volunteers. Indeed, many NSW council staff and councillors are volunteers. We also support the Bill passed in November 2018 to address what was a workers' compensation shortfall.

However, the Local Government was at no point advised that it would be required to cover the cost via significant increases to the emergency services levy, or what this cost would be.

Local Government NSW is calling upon the NSW Government to fund the first 12 months of this extra cost and work with local governments to ensure the implementation of the funding mechanism is fairer into the future. This position should be supported.

Note: Council's Insurance will also increase as a result of the increased Emergency Services Levy; however this impact is not yet known.

RESOLVED (Dight/King) that the Committee recommend to Council that:

- A. *Inverell Shire Council supports Local Government NSW's calls for:*
 - a. *the NSW Government to cover the initial additional \$19M increase to local governments for the first year; and*
 - b. *the NSW Government to work with NSW local governments to redesign the funding mechanism for the scheme to ensure fairness into the future.*
- B. *Requests that the General Manager liaise with Local Government NSW to provide information on:*
 - a. *The impact on council budgets; and*
 - b. *Council advocacy actions undertaken.*
- C. *Requests that the Mayor:*
 - a. *write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:*
 - i. *call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;*
 - ii. *explain how this sudden increase will impact council services / the local community;*
 - iii. *highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;*
 - iv. *explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector;*
 - v. *ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future;*
 - vi. *Questioning the mechanism used to estimate and administer the self managed insurance scheme that covers the increased workers compensations claims that the majority of the increase is attributed to; and furthermore how future surpluses and deficits relating to the scheme will be reported and dealt with.*

(SECTION 10A(2) OF THE LOCAL GOVERNMENT ACT 1993)

At 11.16am, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Committee Meeting should not be considered in Closed Committee. There was no response from the public.

CLOSED COMMITTEE REPORTS

RESOLVED (King/Dight) that the Committee proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

RESOLVED (King/Dight) that the Committee proceed out of Closed Committee into Open Committee.

Upon resuming Open Committee, at 11.23 am, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. INDUSTRY SUPPORT FUND S12.22.1/12

That the Committee recommend to Council that:

- i) Council contribute to upgrading the car park surface at the new dentist surgery at 82 Campbell Street, Inverell from bitumen to concrete; the estimated cost being \$58,000; and*
- ii) The contribution be funded from the Industrial Promotion Vote.*

2. INVERELL GIRL GUIDES ASSOCIATION - REQUEST FOR ASSISTANCE S12.22.1/12

That additional information is sought in regards to the Inverell Girl Guides Association request for assistance and the matter be represented for Council's consideration.

ADOPTION OF RECOMMENDATIONS

RESOLVED (Michael/Dight) that the Committee recommendations of Closed Committee be adopted.

**SECTION F
QUESTIONS WITHOUT NOTICE**

Cr Dight Sought Leave of Absence for the June 2019 Committee Meeting as she will be unable to attend due to personal reasons.

There being no further business, the meeting closed at 11.38 am.

RECOMMENDATION:

That:

- i) the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 8 May, 2019, be received and noted; and*
- ii) the following recommendations of the Economic & Community Sustainability Committee be considered by Council:*

1. EXPIRING LICENCE AGREEMENTS S4.11.9

- a) BP Australia Pty Ltd - Lot A, DP 385492, Inverell Airport, Gilgai 5.10.1
- i) *Council renew the agreement with BP Pty Ltd, Lot A, DP 385492, Inverell Airport, Gilgai for a five (5) year period with a further five (5) year option under the same terms and conditions;*
- ii) *the licence fee be \$396.64 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.*
- b) Licence Agreement, Essential Energy – Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood 5.10.57
- i) *Council renew the agreement with Essential Energy for a five (5) year period with a further two (2) year option under the same terms and conditions;*
- ii) *the licence fee be \$1336.08 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.*
- c) Licence Agreement, National Parks and Wildlife Service – Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood. 5.10.58
- i) *Council renew the agreement with National Parks and Wildlife Service for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5) year period with a further five (5) year option under the same terms and conditions;*
- ii) *the licence fee be \$1365.01 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.*
- d) Licence Agreement, NSW State Emergency Service - Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood 5.10.60
- i) *Council renew the agreement with NSW State Emergency Service for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5) year period with a further five (5) year option under the same terms and conditions;*
- ii) *the licence fee be \$1340.00 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.*
- e) Licence Agreement, Mr G & R Brown - Part Unformed Road, Eastern Boundary of Lots 227 & 333 DP 753287, Inverell 5.10.102
- i) *Council renew the agreement with Mr Garry and Mrs Robyn Brown for Part Unformed Road, Eastern Boundary of Lots 227 & 333 DP 753287, Inverell for a three (3) year period with a further three (3) year option under the same terms*

and conditions;

- ii) the licence fee be \$81.14 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.*
- f) Licence Agreement, Mr G & R Brown - Part Unformed Road, Eastern Boundary of Lot 263, DP 753287, Inverell 5.10.66*
- i) Council renew the agreement with Mr Garry and Mrs Robyn Brown for Part Unformed Road, Eastern Boundary of Lot 263, DP 753287, Inverell, for a three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) the licence fee be \$95.48 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. BOUNDARY ADJUSTMENT - ARMIDALE REGIONAL COUNCIL S13.1.1

That:

- i) The information be received and noted; and*
- ii) The actions proposed in respect of outstanding rates and charges be endorsed.*

3. GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2/12

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.*

4. QUARTERLY BUDGET AND OPERATIONAL PLAN REVIEW 2018/2019 S12.5.1

That:

- i) Council's Quarterly Operational Plan and Budget Review for 31 March, 2019 be adopted; and*
- iii) the proposed variations to budget votes for the 2018/2019 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2019 from operations of \$5,427.*

5. EMERGENCY SERVICES LEVY INCREASE

That:

- A. Inverell Shire Council supports Local Government NSW's calls for:*
 - a. the NSW Government to cover the initial additional \$19m increase to local governments for the first year; and*

b. the NSW Government to work with NSW local governments to redesign the funding mechanism for the scheme to ensure fairness into the future.

B. Requests that the General Manager liaise with Local Government NSW to provide information on:

a. The impact on council budgets; and

b. Council advocacy actions undertaken.

C. Requests that the Mayor:

a. write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:

- i. call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;*
- ii. explain how this sudden increase will impact council services / the local community;*
- iii. highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;*
- iv. explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector;*
- v. ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future;*
- vi. Questioning the mechanism used to estimate and administer the self managed insurance scheme that covers the increased workers compensations claims that the majority of the increase is attributed to; and furthermore how future surpluses and deficits relating to the scheme will be reported and dealt with.*

6. INDUSTRY SUPPORT FUND S12.22.1/12

That:

- i) Council contribute to upgrading the car park surface at the new dentist surgery at 82 Campbell Street, Inverell from bitumen to concrete; the estimated cost being \$58,000; and*
- ii) The contribution be funded from the Industrial Promotion Vote.*

7. INVERELL GIRL GUIDES ASSOCIATION - REQUEST FOR ASSISTANCE S12.22.1/12

That additional information is sought in regards to the Inverell Girl Guides Association request for assistance and the matter be represented for Council's consideration.

TO ORDINARY MEETING OF COUNCIL 22/05/2019

ITEM NO:	1.	FILE NO: DA-11/2019
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	BRIEFING – PLANNING MATTER (LISTING)	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY:

A report has been prepared to brief Councillors on a planning issue. Council is being asked to refer this matter to closed Council. A confidential report in respect of the matter has been prepared.

COMMENTARY:

Local Government Act 1993 (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) *Personnel matters concerning particular individuals (other than councillors.)*
- (b) *The personal hardship of any resident or ratepayer.*
- (c) *Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) *Commercial information of a confidential nature that would, if disclosed:*
 - (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the council, or*
 - (iii) *reveal a trade secret.*
- (e) *Information that would, if disclosed, prejudice the maintenance of law.*
- (f) *Matters affecting the security of the council, councillors, council staff or council property.*
- (g) *Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) *Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

Grounds for closing part of meeting to be specified

- (1) *The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) *The grounds must specify the following:*
 - (a) *the relevant provision of section 10A(2),*
 - (b) *the matter that is to be discussed during the closed part of the meeting,*
 - (c) *the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way*

in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

The recommendation that this item of business be considered in Closed Committee is specifically relied on section 10A(2)(g) of the Act as consideration of the matter involves:

- (a) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege; and
- (b) 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.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: E.03 Protect, rehabilitate and manage all impacts on the built and natural environment.

Term Achievement: E.03.01 Industrial and residential estate areas designed constructed and maintained to deliver ecologically sustainable outcomes.

Operational Objective: E.03.01.01 To establish measures and processes to protect the built environment and safety of the residents of the Shire through both direct control and education.

POLICY IMPLICATIONS: Nil

CHIEF FINANCIAL OFFICERS COMMENT:

LEGAL IMPLICATIONS: Nil

RECOMMENDATION:

That the matter be referred to closed Council for consideration as:

- 1 *the report includes 'Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege' (Section 10A(2)(g) of the Local Government Act, 1993); and*
- 2 *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.*

ITEM NO:	2.	FILE NO: S13.6.4/12
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION	
PREPARED BY:	Scott Norman, Director Corporate and Economic Services	

SUMMARY:

The Local Government Remuneration Tribunal (the Tribunal) has determined an increase of 2.5% to mayoral and councillor fees for the 2019/20 financial year, with effect from 1 July 2019. It is recommended that the increase in fees for Mayors and Councillors be applied for the 2019/2020 financial year.

COMMENTARY:

Sections 248 and 249 of the *Local Government Act 1993* require councils to fix and pay an annual fee based on the Tribunal's determination. Council cannot fix a fee higher than the maximum amount determined by the Tribunal, if a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

The Tribunal's report and determination is available at gazette.legislation.nsw.gov.au

Inverell is categorised as a Rural Council, which entitles Councillors under the maximum increase of 2.5% permissible to a maximum annual fee of \$12,160, with the Mayor provided an additional \$26,530. This calculation would entitle each of the Councillors of Inverell Shire Council an annual fee of \$12,160, with the Mayor receiving a total combined Councillor Fee and Mayoral Fee of \$38,690.

It should also be noted that Inverell Shire Council's category rating is the lowest rating, with a further six (6) categories being entitled to more significant increases than awarded to Inverell Shire Councillors, notably ranging from Councillors' Fees at a maximum of \$40,530 as Category 'Principal CBD' through to Category 'Regional Rural' only marginally above Inverell's rating at \$20,280 and Mayoral entitlements ranging from a maximum of \$222,510 (in addition to the Councillor Fee) to Category 'Regional Rural' payments of \$44,250 (in addition to the Councillor Fee).

Pursuant to s.241 of the *Local Government Act 1993*, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July, 2019 are determined as follows:

Category		Councillor/Member Annual Fee		Mayor/Chairperson Additional Fee*	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	27,640	40,530	169,100	222,510
	Major CBD	18,430	34,140	39,160	110,310
	Metropolitan Large	18,430	30,410	39,160	88,600
	Metropolitan Medium	13,820	25,790	29,360	68,530
	Metropolitan Small	9,190	20,280	19,580	44,230
General Purpose Councils - Non-metropolitan	Regional City	18,430	32,040	39,160	99,800
	Regional Strategic Area	18,430	30,410	39,160	88,600
	Regional Rural	9,190	20,280	19,580	44,250
	Rural	9,190	12,160	9,780	26,530
County Councils	Water	1,820	10,140	3,920	16,660
	Other	1,820	6,060	3,920	11,060

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: R.07 Council is recognised for and distinguished by its management, innovation and customer service.

Term Achievement: R.07.01 Council's operating culture is flexible, efficient, integrated and aligned to Council's strategic objectives and program delivery.

Operational Objective: R.07.01.01 Implement a structured program of continuous improvement, based on identifying and adopting leading practice, across the organisation.

POLICY IMPLICATIONS:

The 2019/2020 Schedule of Allowances & Expenses Policy to reflect resolved position of Council.

CHIEF FINANCIAL OFFICERS COMMENT:

Provision made in 2019/2020 Operational Plan.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That an increase of 2.5% in fees for Mayors and Councillors be applied for the 2019/2020 financial year as recommended by the Local Government Remuneration Tribunal.

ITEM NO:	3	FILE NO: S3.6.5
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	INVERELL FRIENDS OF THE LIBRARY	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

The Inverell Friends of the Library have provided a copy of the President's Annual Report and financial position for the organisation. Council is requested to note the President's comment and to endorse the appointment of the new office bearers for this organisation.

COMMENTARY:

Council has consented to the formation of the Inverell Friends of the Library as a Committee of Council. The purpose of this group is to:

- (i) Promote Library services;
- (ii) Develop community support of the Library;
- (iii) Raise funds for specific projects for the Library;
- (iv) Make representations, individually, as a group or with public support to all levels of Government in support of the Library; and
- (v) Enrich the cultural life of the community.

A requirement of the Plan of Management established for this group is the need to provide Council with an Annual Report of the group's activities. This requirement is satisfied by the President of this organisation submitting a copy of the President's Report. A copy of the report is attached as Appendix 1 (D7 – D8) for Council's information.

The Committee is also required to advise Council of the office bearers following the Annual General Meeting.

The recently elected Executives are as follows:

President:	Mrs Bev Parlevliet
Vice President:	Mrs Catherine Hunt
Secretary:	Ms Nancy Wilkins
Assistant Secretary:	Mrs Neroli O'Brien
Treasurer:	Mrs Jill Burtenshaw
Assistant Treasurer:	Mr Bruce Hunt
Publicity Officer:	Mrs Patty Provis
Archive Recorder:	Mrs Anna Moorse

Council is required to endorse the abovementioned persons as office bearers of the Committee and therefore authorising those persons to act on behalf of the Committee in undertaking the activities stated in the Plan of Management.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: C.07 Provide local opportunities for recreation, cultural and social activities.

Term Achievement: C.07.01 Council has locally focused cultural programs and initiatives that facilitate forums, networks and training opportunities that are conducive to strengthening relationships between tourism, arts, heritage, sports and recreational interests.

Operational Objective: C.07.01.01 To provide and assist community groups in the provision of recreational and cultural facilities and services for the enjoyment of all residents and visitors to the Shire.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That:

- (i) the information be received and noted; and*
- (ii) the following persons be authorised as office bearers of the Inverell Friends of the Library Committee:*

<i>President:</i>	<i>Mrs Bev Parlevliet</i>
<i>Vice President:</i>	<i>Mrs Catherine Hunt</i>

<i>Secretary:</i>	<i>Ms Nancy Wilkins</i>
<i>Assistant Secretary:</i>	<i>Mrs Neroli O'Brien</i>
<i>Treasurer:</i>	<i>Mrs Jill Burtenshaw</i>
<i>Assistant Treasurer:</i>	<i>Mr Bruce Hunt</i>
<i>Publicity Officer:</i>	<i>Mrs Patty Provis</i>
<i>Archive Recorder:</i>	<i>Mrs Anna Moorse</i>

APPENDIX 1

Inverell Friends of the Library Associates. Annual General Meeting, 10.4. 2019

Presidents Report, (Bev Parlevwiet) 2018-2019

Another year has passed and a very successful year. We have an increase in membership, 'hurray'!

Unfortunately, one of our new members has serious health problems and has been unable to attend. We have all had our ups and down health wise, but thankfully survived and battled on. Best wishes to those members.

Everyone has worked hard and helped with everything. Our monthly movies have usually been a great success and socially important. Thank you to those members who have helped, and Library staff without whom we wouldn't have them.

Our Cancer Morning Tea Event was again a success, with a very good speaker. Funds being very good, which enabled the purchase of new sofa's and iPods.

We have had several books launches which were very well attended. The History Room is well setup now and is going very well.

I wish to thank everyone for their help.



Signature: Bev Parlevleit

Annual General Meeting, FOLA Inverell Branch 10/4/2019

Annual General Meeting 2018-2019

Inverell Friends of the Library Associates Elections

Date: 10.4.2019

Time: 10 am

Location: Inverell Library, Campbell Street, Inverell.2360

Office Bearers 2019-2020

President: Bev Parlevliet

Secretary: Nancy Wilkins

Treasurer: Jill Burtenshaw

Vice President: Catherine Hunt

Assistant Secretary: Neroli Obrien

Assistant Treasurer: Bruce Hunt

Publicity Officer: Patty Provis

Archives: Anna Moorse

ITEM NO:	3.	FILE NO: DA-26/2019
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY:

At the Civil and Environmental Services Committee on 8 May, 2019, the Committee considered DA-26/2019 for a new colorbond fence at the RSM Clay Target Club on 6375 Gwydir Highway, Inverell. Prior to determining DA-26/2019, the Committee requested additional information be presented to the May Ordinary Meeting of Council.

This report provides further information to the Councillors in relation to a timber fence, in lieu of using colorbond material.

Council are requested to consider this additional information and determine DA-26/2019.

COMMENTARY:

At the Civil and Environmental Services Committee on 8 May 2019, the Committee considered DA-26/2019 for a new colorbond fence at the RSM Clay Target Club on 6375 Gwydir Highway, Inverell. It was resolved:

That the Committee request additional information regarding the proposed fence be presented to the May 2019 Council meeting.

Council's Development Planner discussed a timber fence option with the RSM Clay Target Club and confirmed:

- The RSM Clay Target Club has not purchased any material for a colorbond fence;
- The RSM Clay Target Club is not adverse to a timber fence; however, a number of concerns were raised with this option including:
 - The RSM Clay Target Club has obtained quotes for a colorbond fence and secured grant funding based on these quotes. Any additional expense associated with a timber fence, which exceed the grant funds, would be unable to be covered by the club;
 - A timber fence would require a high level of maintenance (e.g. regular oiling); and
 - The availability of local suppliers of timber fencing materials.

It is the preference of the RSM Clay Target Club to erect a colorbond fence as proposed under DA-26/2019.

In the longer term, the recommended 'hedge-like' landscaping at the front of the fence will screen either style fence. From a planning perspective, both the proposed colorbond fence or an alternative timber fence are acceptable.

Council are requested to note this information and determine DA-26/2019 for the proposed colorbond fence.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: E.03 Protect, rehabilitate and manage all impacts on the built and natural environment.

Term Achievement: E.03.01 Industrial and residential estate areas designed constructed and maintained to deliver ecologically sustainable outcomes.

Operational Objective: E.03.01.01 To establish measures and processes to protect the built environment and safety of the residents of the Shire through both direct control and education.

POLICY IMPLICATIONS: Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS: Nil

RECOMMENDATION:

That the information be noted and Development Application 26/2019 be approved subject to the following conditions of consent:

1. *Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.*

Consent is granted for a colorbond fence within Lot 3 DP 1101540 at the front of the RSM Clay Target Club.

To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plan (and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.

2. *The fence must be setback a minimum 1 metre from the front and eastern boundary of Lot 3 DP 1101540, with landscaping to be provided between the colorbond fence and the boundaries. This landscaping must take the form a hedge (or similar dense planting) with a minimum mature growth height of 4 metres.*

Prior to installation of the fence, a landscaping plan must be submitted to and approved by Council nominating plant species, planting size, size at maturity and location.

3. *Within 6 months of completion of the fence, all landscaping must be completed in accordance with the approved landscaping plan.*
4. *All landscaping is to be maintained in perpetuity in a reasonable manner, with replacement plantings undertaken in the event of any loss of plants.*
5. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*

ITEM NO:	4.	FILE NO: S4.11.21
DESTINATION 1:	A Recognised Leader in the Broader Context	R
SUBJECT:	DRAFT RISK APPETITE STATEMENTS	
PREPARED BY:	Scott Norman, Director Corporate and Economic Services	

SUMMARY:

Council is asked to endorse the draft Risk Appetite Statements developed after the February 2019 Enterprise Risk Management Workshop.

COMMENTARY:

In February 2019 Councillors, members of the Audit Risk and Improvement Committee and Senior Staff participated in a workshop to further develop Council's Enterprise Risk Management Systems.

These systems are integral to Council's operations. They seek to identify and respond to risks and uncertainty that could impact Council's ability to deliver services to our Community. The Enterprise Risk Management Framework is also central to the work of the Audit Risk and Improvement Committee.

The principle objective of the workshop was to gauge the group's appetite for risk across the operations of Council. Risk appetite relates to "the amount and type of risk that an organisation is willing to take in order to meet their strategic objectives". It is a judgement call – or series of judgement calls that is best fleshed out in a workshop type environment.

The key outcome from the workshop are draft Risk Appetite Statements, based on Councillors' feedback. These have been developed by Craig Hutley from JLT Consulting Services who facilitated the workshop. His report is attached, Appendix 2 (D13 – D20) the draft Risk Appetite Statements themselves start on page 3 of the report. If Council is satisfied the Statements reflect the conclusions reached at the workshop it is requested they be adopted and referred to the Audit Risk and Improvement Committee for inclusion in the Enterprise Risk Management Framework.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.01 Sound Local Government Administration, Governance and Financial Management are provided.

Term Achievement: S.01.01 Council has implemented leading practice ethical and corporate governance standards.

POLICY IMPLICATIONS:

The risk appetite statements are a critical part of a mature Enterprise Risk Management Framework.

CHIEF FINANCIAL OFFICERS COMMENT:

The workshop was funded by Statewide Mutual.

LEGAL IMPLICATIONS:

There are no direct legal implications.

RECOMMENDATION:

That Council adopt the draft Risk Appetite Statements and refer them to the Audit, Risk and Improvement Committee for inclusion in the Enterprise Risk Management Framework.

APPENDIX 2



RISK APPETITE STATEMENTS

Inverell Shire Council

19 February 2019



ANALYSE, PLAN AND MITIGATE RISK.

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with specialist risk consultancy.

RISK MANAGEMENT

Jardine Lloyd Thompson is one of the world's leading providers of insurance, reinsurance and employee benefits related advice, brokerage and associated services. JLT's client proposition is built upon its deep specialist knowledge, client advocacy, tailored advice and service excellence.

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DRAFT

EXECUTIVE SUMMARY

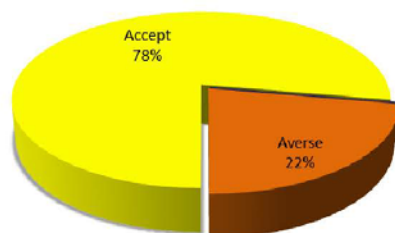
Inverell Shire Council has undertaken to articulate its appetite for taking or retaining risk through the use of qualitative Risk Appetite Statements that are based on its nominated Risk Categories. The Council has seven 'general' Risk Categories and two categories specific to Projects, making for a total of nine Risk Categories.

Through a workshop exercise involving members of the Council's Executive Management Team and its Audit, Risk and Improvement Committee a series of positions have been determined with regard to Council's risk appetite per Risk Category. These positions include a Primary and a Secondary position for each, and are based on an ordinal scale of the four Risk Appetite Levels: **Avoid**, **Averse**, **Accept**, and **Receptive**. In this order, the Risk Appetite Levels provide an indication of an increasing willingness to take on or retain risk.

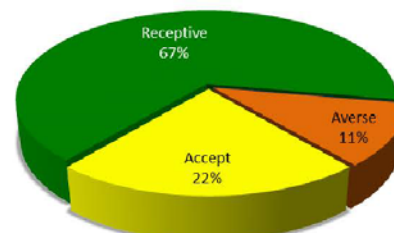
Inverell Shire Council has a progressive Primary Risk Appetite position, with 78% of its Risk Categories in the **Accept** appetite range, which represents seven of the nine Risk Categories. Additionally, six of those categories also hold a **Receptive** Secondary Risk Appetite, with the only exception being Information Technology, which becomes more conservative to cover aspects of cyber security. Most notably, however, is the fact that Council has chosen to not hold an **Avoid** Risk Appetite as a Primary or Secondary position. This is a progressive position that can be indicative of a deepening level of risk management maturity.

The distribution of Primary and Secondary positions on Risk Appetite for Council are illustrated in the two charts below, which provide a percentage distribution of Appetite Levels across all Risk Categories.

Primary Risk Appetite Distribution
(across on 9 Risk Categories)



Secondary Risk Appetite Distribution
(across on 9 Risk Categories)



The caveat to well-articulated qualitative Risk Appetite Statements is that they are, by their nature, not readily measurable. In order to fully operationalise the concept of Risk Appetite, the development of Risk Tolerance metrics for each Risk Category is required. These tolerances will provide an adjustable and ongoing ability measure whether Council continues to operate within its stated Risk Appetite.

RISK APPETITE SUMMARY

The Risk Appetite Statements for Inverell Shire Council are based on the amount of risk that the Council is willing to take or retain in pursuit of its objectives over the life of the current Operational Plan. The Council has a strategic focus on multiple areas and many different and varied operations are carried out to support the Inverell Community. As such appetites for taking risk can vary across these different operations and strategic foci. Therefore, Council's Risk Appetite Statements have been developed against each of Council's Risk Categories. These Statements use a four level ordinal scale to indicate the amount of risk Council is willing to take or retain for each category. Table 1 illustrates the four-level ordinal scale.

Table 1: Risk Appetite levels and their definitions

AVOID	AVERSE	ACCEPT	RECEPTIVE
(little-to-no appetite)	(small appetite)	(medium appetite)	(larger appetite)
Avoidance of adverse exposure to risks even when outcome benefits are higher	A general preference for safer options with only small amounts of adverse exposure	Options selected based on outcome delivery with reasonable a degree of protection	Engagement with risks based more on outcome benefits than potential exposure

Table 2, provides a summary of Inverell Shire Council's risk appetite position across its identified risk categories. Each category has one fully shaded cell, which represents the Primary Appetite position and one partially shaded cell, which represents the Secondary Appetite position. These positions are defined as follows:

Primary Appetite – indicates Council's general appetite for taking or retaining risk for the given risk category.

Secondary Appetite – indicates Council's position (when warranted) for taking or retaining risk in specific circumstances.

Table 2: Summary of Inverell Shire Council Risk Appetites

Category of Risk	Avoid	Averse	Accept	Receptive
Financial			Primary	▲ Secondary
People		Primary	▲ Secondary	
Service Delivery			Primary	▲ Secondary
Compliance		Primary	▲ Secondary	
Environmental			Primary	▲ Secondary
Reputation			Primary	▲ Secondary
Information Technology		▲ Secondary	Primary	
Projects				
Project Budget			Primary	▲ Secondary
Project Timeframe			Primary	▲ Secondary

APPETITE STATEMENTS

The tables below contain the 'long-form' primary and secondary Risk Appetite Statements for each Risk Category of Inverell Shire Council. These statements are qualitative in nature and designed to provide an indication of the Council's general position when deciding to take or retain risk, in pursuit of its objectives. More accurate reckoning of risk appetite can be determined through the development of accurate and effective quantifiable risk tolerances for each risk category.

RISK APPETITE STATEMENT	
Financial	
Accept	<p>As a general position Council is willing to Accept appropriate levels of risk to general financial activity related to the delivery of its Strategic and Operational Plans, in order to ensure Council's long-term financial sustainability.</p> <p>▲ Council is also Receptive of some risk in areas where minor disruption for short periods will provide long-term benefits that outweigh the consequences.</p>
RISK APPETITE STATEMENT	
People	
Averse	<p>In consideration of Council's commitment to its staff, stakeholders and the wider Inverell Community, it maintains an Averse appetite to any risk that would be detrimental to the wellbeing and resilience of these groups.</p> <p>▲ However, in appropriate circumstances Council's appetite could be to Accept risk that would deliver acceptable and beneficial outcomes with a reasonable degree of protection.</p>
RISK APPETITE STATEMENT	
Service Delivery	
Accept	<p>As a general position Council is willing to Accept appropriate levels of risk with regard to the delivery of services in the Inverell Shire as long as the focus remains on outcome delivery and reasonable protections can be maintained.</p> <p>▲ In specific circumstances Council may also be Receptive of some risk in areas where minor disruption for short periods will provide long-term benefits that outweigh the consequences.</p>
RISK APPETITE STATEMENT	
Compliance	
Averse	<p>Council has an Averse appetite for taking on, or retaining, risk relating to compliance with relevant legislation, regulations, codes of conduct, policies and/or standards. Council prefers safer options that limit exposure to compliance risk as much as practicable.</p> <p>▲ However, in appropriate circumstances Council could Accept some compliance risk where beneficial outcomes to Council exist, but with reasonable protections.</p>

RISK APPETITE STATEMENT	
Environmental	
Accept	<p>Council is sensitive and realistic in its approach to its use and stewardship of the natural and built environments in Inverell Shire. As such, Council is willing to Accept risk where the desired outcomes can be delivered with reasonable protections in place.</p> <p>▲ In specific circumstances Council may also be Receptive of some risk in areas where there are significant long-term benefits that readily outweigh the consequences.</p>

RISK APPETITE STATEMENT	
Reputation	
Accept	<p>All decisions by Council carry a degree of risk that segments of the community will disagree with Council's position. Council understands, however, that decisions must be made in order to adequately service the community. Therefore, Council is willing to Accept risk where the options provide adequate outcome delivery with a reasonable degree of protection.</p> <p>▲ In appropriate circumstances Council would be Receptive to some reputation or civic leadership risks where it is confident the potential benefits outweigh the exposure.</p>

RISK APPETITE STATEMENT	
Information Technology	
Accept	<p>As a general position Council is willing to Accept risk relating to the resilience of its ICT infrastructure and support systems. Council will consider all options with regard to risk in this area and choose the most likely for successful delivery with reasonable degree of protection.</p> <p>▲ However, Council is more Averse to information technology risk in relation to cyber security and required software, hardware and infrastructure upgrades related to cyber security.</p>

RISK APPETITE STATEMENT	
Project Budget	
Accept	<p>Council is cognisant of the fact that projects often experience budget impacts that were not foreseeable or fully understandable at the time the project's budget was set. As such, Council is willing to Accept risks to project budgets where the options provide adequate outcome delivery with a reasonable degree of protection.</p> <p>▲ In appropriate circumstances Council would also be Receptive to some risk to project budgets where it is confident the potential benefits outweigh the exposure.</p>

RISK APPETITE STATEMENT	
Project Timeframe	
Accept	<p>Council is cognisant of the fact that projects often experience timeframe impacts that were not foreseeable or fully understandable at the time the project's schedule was set. As such, Council is willing to Accept risks to project timeframes where the options provide adequate outcome delivery with a reasonable degree of protection.</p> <p>▲ In appropriate circumstances Council would also be Receptive to some risk to project timeframes where it is confident the potential benefits outweigh the exposure.</p>

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ITEM NO:	4.	FILE NO: S4.12.1
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	MODEL CODE OF MEETING PRACTICE	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

A revised Model Code of Meeting Practice has been released by the Office of Local Government and will come into effect in June 2019. Council must adopt a Code of Meeting Practice based on this Model Code however Council has some discretion in relation to optional parts of the Code. It is recommended that Council consider the attached Draft Code and resolve it be displayed (as amended) for public comment for the required period.

COMMENTARY:

The Government has enacted legislation that requires Council to revise its current Code of Meeting Practice to comply with the Model Code requirements, as prepared by the Office of Local Government. The Model Code prepared by OLG can be found at <https://www.olg.nsw.gov.au/strengthening-local-government/conduct-and-governance/model-code-of-conduct>.

This Model Code is comprised of mandatory and non-mandatory provisions. Council must amend its Meeting Code to include the mandatory provisions. Council must decide if it wishes to include those matters addressed by the non-mandatory provisions of the Model Code.

1. MODEL CODE

A review of the Model Code, prepared by OLG, has been undertaken. A series of suggestions have been formulated in respect of both the mandatory and non-mandatory provisions. These suggestions have been incorporated into a 'marked-up' version of the code, which is attached to this report (D29 – D68).

This report will now deal with each of these suggestions.

A. Mandatory Provisions (Black Font)

This section will highlight the mandatory provisions that have been added to the Model Code and that also requires Council to make a decision in relation to the application of these provisions.

a) Webcasting at Meetings

Clauses: 5.19 to 5.22

Page Number in Attachment: Page 13

Council must webcast all meetings of council and council committees. However, there are a number of options available to Council to meet this requirement.

The options are:

- i) Audio recordings uploaded to council's website after the meeting
- ii) Live streaming of audio of the meeting, or
- iii) Live streaming of audio/visual of the meeting

The existing recording equipment in the council chambers can be utilised to achieve Option i).

Additional recording equipment would be required to proceed with Option ii) and iii). These costs start at \$18K for Option ii) and \$38K for Option iii).

Clause 5.22 requires Council to determine the length of time that recordings of the meetings are retained on the website.

Suggestion:

- i) That webcasting of meetings be achieved by audio recording the meeting and uploading the data to council's website (Option i)
- ii) That audio recordings of council and committee meetings be retained for 6 weeks.
- b) Timing of Ordinary Meetings

Clause: 3.1 or 3.2

Page Number in Attachment: Page 3

Council may choose the method for determining the timing of ordinary council meetings. Fixing the 'timing' in the Code (cl 3.1) or allowing council to fix the 'timing' by resolution.

Clause 3.1 would require any change to the timing of meetings to be effected only by a change to the Meeting Code ie advertise council's intention for 25 days, allow 42 days for submissions and then council can proceed to resolve to change the timing of a meeting.

Clause 3.2 reflects current council practice.

Suggestion:

That the wording of Clause 3.2 be utilised for determining the timing of meetings.

- c) Giving notice of business to be considered at council meetings

Clauses: 3.10

Page Number in Attachment: Page 5

Clause 3.10 relates to the period of time prior to the meeting of council that a councillor must submit any notice of motion to enable that notice of motion to be considered at that meeting. All staff reports for a particular council or committee meeting are required to be submitted seven (7) 'business days' prior to a meeting to enable those reports to be checked and collated for a business paper.

It is suggest that the same seven (7) day period be applied, particularly when cl 3.12 and 3.13 is considered.

Suggestion:

That clause 3.10 include a seven (7) business day notice period for notices of motion.

- d) Attendance by councillors at meetings

Clause: 5.3

Page Number in Attachment: Page 11

Clause 5.3 relates to joint organisations. Council must remove this clause from its draft code.

Suggestion:

That clause 5.3 be removed from Council's draft code.

e) Participation by non-voting members in JO meetings

Clause: 10.31

Page Number in Attachment: Page 20

Clause 10.31 relates to joint organisations. Council must remove this clause from its draft code.

Suggestion:

That clause 10.31 be removed from Council's draft code.

f) Voting entitlements

Clause: 11.4

Page Number in Attachment: Page 21

Clause 11.4 relates to joint organisations. Council must remove this clause from its draft code.

Suggestion:

That clause 11.4 be removed from Council's draft code.

g) Representations by members of the public

Clause: 14.11, 14.13, 14.16 and 14.17

Page Number in Attachment: Page 25 & 26

The code requires Council to determine notice periods and number of speakers for various clauses in the model code.

Current practices and code of meeting practices indicate that the approach to these matters should be:

- 2 days notice (cl.14.11)
- Maximum of 2 speakers (cl.14.13 and 14.16) and
- 5 minutes duration (cl.14.17)

Suggestion:

That section 14 be amended to reflect current practices (as above).

h) Expulsions from meetings

Clause: 5.14 to 5.16

Page Number in Attachment: Page 29

Council is required to include provisions in the Meeting Code that set out the procedures for expelling councillors from a council or committee meeting. Council has two (2) options:

- i) Grant authority to mayor/chairperson to expel a councillor (cl.5.14)
- ii) The expulsion of a councillor after a resolution of the council or committee (cl.5.15)

If Council wishes to include Option ii) in the code, it is suggested the motion to expel is treated as a procedural motion (i.e. the mayor or chairperson may move the motion without the need for a seconder). The reason being that the motion is a mechanism available to the mayor or chairperson to give effect to their statutory responsibility to keep order at the meeting. Refer to s.10 of the Act.

Suggestion:

- a) That clause 5.15 be included in the code
- b) That a new clause be included to permit the mayor or chairperson to move a motion of expulsion, without requiring a seconder.
- i) Rescinding or altering council decisions

Clause: 17.10

Page Number in Attachment: Page 31

Council is required to specify the time period permitted to submit a rescission motion on a resolution relating to a development application. It is suggested that two (2) business days would be reasonable, also as this is the period taken to advise applicants of council's decision.

Suggestion:

That two (2) business days be included to permit a rescission motion on a resolution relating to a development application.

- j) Procedure in Committee Meetings

Clause: 20.17

Page Number in Attachment: Page 36

This clause relates to joint organisations and must be deleted from Council's code.

Suggestion:

That cl.20.17 be removed from the code.

B. Non-Mandatory Provisions (Red Font)

This section of the report highlights those matters in which Council has discretion to either, include, amend or omit suggested provisions in the Model Code. Council's determination of the following matters is requested.

- a) Giving notice of business

Clause: 3.12 and 3.13

Page Number in Attachment: Page 5

Clause 3.12 reflects current practice at this Council. Clause 3.13 is an extension of cl.3.12 and would have the effect of delaying determination of notices of motion. While this clause seeks to place an onus on the councillor submitting a notice of motion to think of the financial impact of their motion, it is considered that cl.3.12 can operate to achieve the same level of fiscal responsibility.

Suggestion:

- a) That cl.3.12 be included in the code, and
- b) That cl.3.13 be deleted from the code.
- b) Pre-Meeting briefing sessions

Clause: 3.2 to 3.37

Page Number in Attachment: Page 7 and 8

This clause reflects current practice.

Suggestion:

That clause 3.32 to 3.37 be included in the code.

c) Public forums

Clause: 4.1 to 4.23

Page Number in Attachment: Page 8 to 10

The section of the code is a 'new provision' that has not previously been included in the Model of Meeting Code. It should be noted that Council has a long standing policy permitting the holding of a public forum at the start of Council and Civil & Environmental Services Committee meetings. This policy sets out 'the rules' for the conduct of these forums.

Many of the clauses in the model code are consistent with Council's existing policy.

It is important to note that the OLG has stated that public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

The effect of this directive is that if Council wishes to continue with the practice of public forums, the following procedure would apply:

- Mayor/chairperson would conduct a public forum at an appointed time,
- The forum would be conducted in accordance with the provisions of the meeting code adopted by Council,
- At the conclusion of the public forum, the mayor/chairperson would open the meeting and deal with the matters listed on the agenda.

The following matters are suggested in respect of the provisions contained in the Model Code (note: the suggestions reflect current practice or the provision of Council's policy on public forums).

- i) Retain clauses that are consistent with Council's existing public forum policy,
- ii) Application to speak at public forum must be submitted prior to the meeting (refer to clause 4.3),
- iii) No limit be placed on the subject matters a member of the public may speak (delete cl.4.4). Note speaker would be subject to 5 minute limit (refer cl.4.12),
- iv) Include Clause 4.5 and 4.6,
- v) Delete cl.4.7, 4.8 and 4.9 as current policy does not limit the number of speakers that may address Council/Committee.

A matter that requires Council direction is the issue of asking questions of a speaker at public forums. Refer to cl. 4.14 to 4.18.

Council is requested to determine this issue.

Suggestion:

- a) That public forums be held prior to Council and Civil and Environmental Services Committee meetings,
- b) Retain and delete the appropriate clauses in the Model Code to ensure consistency with Council's current policy on 'public forums',
- c) Council determine its position in respect of 'questioning' during public forums.
- d) Attendance by Councillors at meetings

Clause: 5.14 and 5.15

Page Number in Attachment: Page 12

These two (2) clauses are 'new provisions' proposed in the Model Code. The suggested wording in these clauses is a sensible approach.

Suggestion:

That cl.5.14 and 5.15 be included in the Code.

e) Modes of Address

Clause: 7.1 to 7.4

Page Number in Attachment: Page 15

These are new provisions in the Model Code. A similar set of clauses are contained in Council's Code of Conduct, and reflect the requirements for Councillors and staff to show respect to others.

Suggestion:

That clauses 7.1 to 7.4 be included in the Code.

f) Order of Business

Clause: 8.1 or 8.2

Page Number in Attachment: Page 15

Council can include either 8.1 or 8.2 in their Code. Cl.8.2 sets the 'order of business', while a council can determine the order of business 'from time to time' to deal with particular circumstances.

Cl.8.1 reflects current practice.

In respect of this issue, please note that the OLG has on many occasions stated that 'questions without notice' is not to be part of Council's order of business. It will be noted that cl.8.2 makes no mention of 'questions without notice'.

Knowing that the 'questions without notice' may be of importance to Councillors and the recording of questions also having importance, I suggest that the following procedure may be used to avoid conflict with the Model Code and OLG directives:

- a) After closure of the meeting, councillors be invited to ask any 'questions without notice'
- b) These questions be recorded, and
- c) The general manager provides a report to the next meeting of the list of questions that has been recorded from Councillors.

Suggestion:

That cl.8.1 be included in the Code.

g) Mayoral Minutes

Clause: 9.10

Page Number in Attachment: Page 17

The suggested wording in the Code is similar to the wording of cl.3.13. The approach is not current practice and can be dealt with under clause 3.12.

Suggestion:

Delete clause 9.10 from the Code

h) Motions requiring the expenditure of funds

Clause: 10.9

Page Number in Attachment: Page 18

Similar situation to cl.3.13 and 9.10.

Suggestion:

Delete clause 10.9 from Code.

i) Voting at council meetings

Clause: 11.11 and 20.24

Page Number in Attachment: Page 21 and 37

Clause 11.11 and 20.24 provides Council with an option to record all votes at a council meeting. It is mandatory to record voting on planning decisions, however voting on all other matters does not need to be recorded.

Current practice of Council is not to record votes on non-planning matters.

Suggestion:

That cl.11.11 and 20.24 be deleted from the Code.

j) Dealing with items by exception

Clause: 13.1 to 13.7

Page Number in Attachment: Page 22 and 23

The clauses authorising the dealing with business by exception is a new section in the Model Code. Council's Code contains these clauses and is a practice utilised by this Council and many other councils – hence the inclusion of these new provisions in the Model Code.

Suggestion:

That cl.13.1 and 13.7 be included in the Code.

k) Rescinding or altering council decisions

Clause: 17.12 to 17.20

Page Number in Attachment: Page 31 and 32

The provisions of these clauses are new items in the Draft Code. However they are consistent with Council's current practice.

Suggestion:

That clause 17.12 to 17.20 be included in the Code.

l) Time limits on council meetings

Clause: 18.1 to 18.5

Page Number in Attachment: Page 32 and 33

Councils may set a definitive finishing time for meeting of council. This limit has not been imposed in the past however the Model Code also provides for the council to have an adjournment of a meeting if required by circumstances.

Suggestion:

- a) That cl.18.1 to 18.3 be deleted from the Code
- b) That cl.18.4 and 18.5 be retained in the Code.

2. COMMUNITY CONSULTATION

Before adopting the final form of Council's Code of Meeting Practice, Council must:

- i) Prepare a Draft Code (achieved by the decision made at today's meeting),
- ii) Place the Draft Code on public exhibition for 28 days with a submission period of 42 days,
- iii) Consider any public submission on this draft document, and
- iv) Proceed to adopt a final form of the Code of Meeting Practice.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: R.07 Council is recognised for and distinguished by its management, innovation and customer service.

Term Achievement: R.07.01 Council's operating culture is flexible, efficient, integrated and aligned to Council's strategic objectives and program delivery.

Operational Objective: R.07.01.01 Implement a structured program of continuous improvement, based on identifying and adopting leading practice, across the organisation.

POLICY IMPLICATIONS:

It is a legislative requirement that councils revise their current Code of Meeting Practice to comply with the Model Code requirements as prepared by the Office of Local Government.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Legislation has been enacted that requires Council to revise its current Code of Meeting Practice to comply with the Model Code.

RECOMMENDATION:

That Council:

- i) *Consider the Draft Inverell Code of Meeting Practice and amend it as it sees fit,*
- ii) *Adopt the Draft Code (as amended),*
- iii) *Place the Draft Code on public exhibition of a period of not less than 28 days,*
- iv) *Invite public submissions on the Draft Code for a period not less than 42 days commencing from the date which the Draft Code was placed on public exhibition.*

APPENDIX 3



MODEL CODE OF MEETING PRACTICE

Adopted June 2019

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1 INTRODUCTION

This Code reflects the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

Council and a Committee of the council of which all the members are councillors must conduct their meetings in accordance with this code of meeting practice.

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

~~3.1 Ordinary meetings of the council will be held on the following occasions:
[council to specify the frequency, time, date and place of its ordinary meetings]~~

3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Councils must use either clause 3.1 or 3.2

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number

Comment [SLN1]: Reflects current practice

of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted ~~[Seven (7)] council-to-specify-notice-period required~~ business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 ~~If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.~~
- 3.13 ~~A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:~~
- ~~(a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or~~
- ~~(b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.~~

Comment [SLN2]: Reflects current practice

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Comment [SLN3]: Not current practice

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.23 reflects section 9(2) and (4) of the Act.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A)(b) of the Act.

- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.25 reflects section 9(3) of the Act.

- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.

Comment [SLN4]: Reflects current practice

- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council ~~will~~ ~~may~~ hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by ~~[date and time to be specified by the council] before the date on which the public forum is to be held prior to the meeting~~ and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 ~~A person may apply to speak on no more than [number to be specified by the council] items of business on the agenda of the council meeting.~~
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 ~~No more than [number to be specified by the council] speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.~~
- 4.8 ~~If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who~~

Comment [SLN5]: Reflects current practice

Comment [SLN6]: Reflects current practice

Comment [SLN7]: Not currently limited

Comment [SLN8]: Not currently limited

are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.

~~4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.~~

4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs ~~no more than [number to be specified by the council] days before the public forum prior to the meeting.~~ The general manager or their delegate may refuse to allow such material to be presented.

Comment [SLN9]: Reflects current practice

4.11 The general manager or their delegate is to determine the order of speakers at the public forum.

4.12 Each speaker will be allowed ~~[number to be specified by the council]~~ 5 minutes on each item to address the council. This time is to be strictly enforced by the chairperson. An extension of five (5) minutes may be granted by Council.

Comment [SLN10]: Reflects current practice

4.13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

4.14 ~~A councillor (including the chairperson) may, through~~ the chairperson, may ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.

4.15 Speakers are under no obligation to answer a question put under clause 4.14. ~~Answers by the speaker, to each question are to be limited to [number to be specified by the council] minutes.~~

Comment [SLN11]: Not previously limited

4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.

4.17 ~~The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to [number to be specified by the council] minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.~~

4.18 ~~Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the~~

~~council defer consideration of the matter pending the preparation of a further report on the matters.~~

- 4.19 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.

5.3 ~~The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.~~

Comment [SLN12]: Relates to JO's

5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.

5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Comment [SLN13]: Optional but a practical approach

Entitlement of the public to attend council meetings

- 5.16 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.
- Note: Clause 5.16 reflects section 10(1) of the Act.**
- 5.17 Clause 5.16 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.18 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.18 reflects section 10(2) of the Act.

Note: 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. Clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Comment [SLN14]: This assumes adopting 15.5 and not 15.4

Webcasting of meetings

- 5.19 All meetings of the council and committees of the council are to be webcast on the council's website.

Note: Clause 5.19 is effective from 14 December 2019.

- 5.19a Audio Recordings of meetings uploaded on the council's website at a later time. The supplementary provisions must also specify whether the webcast is to comprise of an audio visual recording of the meeting or an audio recording of the meeting.

Comment [SLN15]: This clause has been inserted as required in the model code – other options are live streaming and audio visual files

- 5.20 Clause 5.19 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.

- 5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.

- 5.22 A recording of each meeting of the council and committee of the council is to be retained on the council's website for **6 weeks**. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Comment [SLN16]: Based on a reasonable length of time to give context to the published minutes.

Attendance of the general manager and other staff at meetings

- 5.23 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.23 reflects section 376(1) of the Act.

- 5.24 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.24 reflects section 376(2) of the Act.

- 5.25 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.25 reflects section 376(3) of the Act.

- 5.26 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.

7.3 A councillor is to be addressed as 'Councillor [surname]'.

7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

Comment [SLN17]: Reflects current procedure

7.5 Councillors, with the exception of the Chairperson, shall (except when prevented by bodily infirmity) rise in their place and stand while speaking in council.

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.

Comment [SLN18]: Reflects current practice

8.2 The general order of business for an ordinary meeting of the council shall be: ~~[councils may adapt the following order of business to meet their needs]~~

- 01 Opening meeting
- 02 Acknowledgement of country
- 03 Apologies and applications for a leave of absence by councillors
- 04 Confirmation of minutes
- 05 Disclosures of interests
- 06 Mayoral minute(s)
- 07 Reports of committees
- 08 Reports to council
- 09 Notices of motions/Questions with notice
- 10 Confidential matters
- 11 Conclusion of the meeting

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Note: Councils must use either clause 8.1 or 8.2.

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8.3 The order of business as fixed under clause ~~[8.1/8.2]~~ ~~[delete whichever is not applicable]~~ may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

Comment [SLN19]: Recommend adopt Part 13 as it reflects current practice

- 8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

~~9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.~~

Comment [SLN20]: Not current practice

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a

councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.

10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:

- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
- (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.

10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

~~10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.~~

Comment [SLN21]: Not current practice

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at

any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.
- Note: Clause 11.1 reflects section 370(1) of the Act.**
- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.
- Note: Clause 11.2 reflects section 370(2) of the Act.**
- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

- ~~11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~

Comment [SLN22]: Not current practice

Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.

Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.
- Note: Clause 12.1 reflects section 373 of the Act.**
- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.
- Note: Clauses 10.20–10.30 limit the number and duration of speeches.**
- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

- 12.4 The council must ensure that a report of the proceedings (including any

recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

Comment [SLN23]: Reflects current practice

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by ~~{date and time to be~~

~~specified by the council~~ close of business 2 days before the meeting
before the meeting at which the matter is to be considered.

Comment [SLN24]: This allows time for a written response.

- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

- 14.13 No more than ~~number to be specified by the council~~ 2 speakers are to be permitted to make representations under clause 14.9.

Comment [SLN25]: Judgement call- it seems reasonable that 2 speakers should be able to argue the case in sufficient detail.

- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

- 14.15 The general manager (or their delegate) is to determine the order of speakers.

- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than ~~number to be specified by the council~~ 2 speakers to make representations in such order as determined by the chairperson.

Comment [SLN26]: As per 14.11

- 14.17 Each speaker will be allowed ~~number to be specified by the council~~ 5 minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Comment [SLN27]: Reflects the time limit on public forum presentations.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGSPoints of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.
- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or

- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

- 15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

- ~~15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.~~

Comment [SLN28]: A decision for Council – needs to be 15.14 or 15.15

- 15.15 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.14 or clause 15.15.

~~Note: A motion to expel any person from a meeting is considered a procedural motion to be put by the Chair and as such does not require a seconder.~~

Comment [SLN29]: This is a supplementary note, unique to ISC

- 15.16 Clause ~~15.14/15.15~~ ~~[delete whichever is not applicable]~~, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.21 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.22 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.23 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.24 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than ~~the council to specify the period of time~~ **2 business days** after the meeting at which the resolution was adopted.

Comment [SLN30]: It would be reasonable to assume the resolution would have acted upon after 2 business days – if it has been acted upon it can not be rescinded.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a

resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

~~18.1 Meetings of the council and committees of the council are to conclude no later than [council to specify the time].~~

Comment [SLN31]: Not current practice

~~18.2 If the business of the meeting is unfinished at [council to specify the time], the council or the committee may, by resolution, extend the time of the meeting.~~

Comment [SLN32]: Refers 18.1

~~18.3 If the business of the meeting is unfinished at **(council to specify the time)**, and the council does not resolve to extend the meeting, the chairperson must either:~~

- ~~(a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or~~
- ~~(b) adjourn the meeting to a time, date and place fixed by the chairperson.~~

Comment [SLN33]: Refers 18.1

~~18.4 Clause 18.3 does not limit the ability of the c~~Council or a committee of the council ~~to can~~ resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

~~18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:~~

- ~~(a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and~~
- ~~(b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.~~

19 AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or

- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation

public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) details of each motion moved at a meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

~~20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.~~

Comment [SLN34]: Not current practice

- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance	means an order issued under section 438A of

improvement order	the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

TO ORDINARY MEETING OF COUNCIL 22/05/2019

ITEM NO:	1.	FILE NO: S.3.6.1/13
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	RENEW OUR LIBRARIES PUBLIC LIBRARY FUNDING CAMPAIGN	
PREPARED BY:	Cr Dianna Baker, Sonya Lange, Manager Library Services	

SUMMARY:

The NSW Public Libraries Association has provided a review of the recent “Renew our Libraries” funding campaign to improve State Government funding for public libraries. The campaign focused in obtaining an increase in funding, and a sustainable model for future funding.

COMMENTARY:

The campaign was a joint project between NSW Public Libraries Association and Local Government NSW, with the aims of achieving an increase in public library funding by \$50M over 4 years (later increased to \$94M), developing a sustainable funding model, and increasing community awareness of the value of public libraries.

The report notes that the campaign achieved a commitment from the Coalition to increase funding by \$60M over 4 years, and that significant public and Council engagement was achieved, with 106 Councils joining the campaign, and over 12,000 community members pledging support.

The NSWPLA and LGNSW are now working to ensure the benefits of the campaign are realised by urging the NSW Government to commit to a more sustainable funding model for the long term by indexing the funding, and legislating to protect the funding into the future. Meetings are being sought with key ministers and crossbenchers to help realise the NSW Government’s commitments in the lead-up to the State Budget.

The associations acknowledged that the support and commitment by Councils and libraries across the state was instrumental in achieving the outcomes to date. Cr Baker thanks Councillors for their support of this successful programme.

ITEM NO:	2.	FILE NO: S4.13.2
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	STRATEGIC TASKS – ‘SIGN OFF’ – MAY 2019	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

A part of a successful governance program is a need for administration to indicate to the policy makers that the requirements of the legislation, under which the organisation operates, has been provided. As a result, this information report provides Councillors with a statement of assurance from the General Manager that in accordance with the *Local Government Act, 1993*; the tasks have been complied with.

COMMENTARY:

The May, 2019 tasks required to be undertaken are detailed below. Any of these tasks may be added to as Council becomes familiar with this new initiative.

Date	Compliance Requirement	Achieved/Not Achieved	Comments
1 May 2019	LIRS portal opens for claims, for the month		In progress, due 24 May
16 May 2019	Expected fourth instalment of 2018-19 Financial Assistance Grants.		Payment due week commencing 20 May
31 May 2019	Last day for RAO to submit QBRs review to Council (LGGR cl. 203(1)).	Achieved	

I confirm that the performance criteria as set out in the criteria for scheduled tasks have been met for the month of May, 2019. I confirm the accuracy and completeness of the information provided above, in that to the best of my knowledge and understanding, all material information has been herein disclosed.

P J HENRY PSM

GENERAL MANAGER

ITEM NO:	3.	FILE NO: S13.5.5/12
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	QUESTIONS WITHOUT NOTICE – APRIL 2019	
PREPARED BY:	Kristy Paton, Corporate Support Office - Publishing	

SUMMARY:

The following details the Questions without Notice items raised at the Ordinary Meeting held 24 April, 2019.

Council is requested to note the actions taken to date.

COMMENTARY:

BP/REF: ITEM NO:	SUBJECT and FILE REFERENCE:	COMMENTS:
QWN/ORD Cr Baker	<u>Councillor Briefing Session</u> Cr Baker asked that Adam Marshal MP be thanked for attending the Councillor briefing session prior to the meeting.	Appreciation passed on to Mr Marshall.
QWN/ORD Cr Watts	<u>Delunga Standpipe</u> Cr Watts asked about the operation of the Delunga Standpipe and whether there had been any recent large increase in the amount of water being taken from and if so had there been any impact on the Town supply?	The Director Civil & Environmental Services advised that the standpipe was coin operated, that there had been no significant increase in the amount of water delivered and had been no unreasonable pressure placed on the Delunga water supply.
QWN/ORD Cr Watts	<u>Policy to support victims of domestic violence</u> Cr Watts asked if Council has a Policy to support victims of domestic violence?	The General Manager replied that Council does have such a Policy and he would provide Cr Watts with a copy.
QWN/ORD Cr Dight	<u>2019 Inverell Contemporary Exhibition</u> Cr Dight invited all Councillors to attend the Opening of 2019 Inverell Contemporary Exhibition, 10 May at the Inverell Art Gallery	Noted

ITEM NO:	4.	FILE NO: S5.19.1
DESTINATION 2:	A community that is healthy, educated and sustained	C
SUBJECT:	CHANGES TO CROWN LAND MANAGEMENT	
PREPARED BY:	Dana Vickers, Corporate Support Officer - Governance	

SUMMARY:

The Department of Industry has introduced a number of changes to the management of Crown Land across New South Wales.

The purpose of this report is to provide Council with information in relation to these changes and their implications for Council.

COMMENTARY:

On 1 July, 2018 the Department of Industry (DOI) announced the implementation of new legislation affecting Crown land management. This includes:

- Replacement of past statutory provisions by the *Crown Lands Management Act 2016*;
- Transfer to Council of Crown reserves categorised as Community Land;
- Council to manage reserves as public land under the *Local Government Act 1993*;
- Initial consideration by the Minister for Community land to be vested as Operational.

These changes follow comprehensive consultation and reforms by the NSW Government to streamline governance of Crown reserves whilst continuing to strengthen community involvement.

Discussion on each of the changes is provided below.

Replacement of Past Statutory Provisions by the *Crown Lands Management Act 2016*

Seven Acts applicable to the ownership, use and management of Crown land in NSW, including the *Crown Lands Act 1989*, *Crown Land (Continued Tenures) Act 1989* and the *Western Lands Act 1901* have been consolidated into a single act, the *Crown Lands Management Act 2016 (CLM Act)*.

This new act, the *CLM Act*, benefits the community by:

- facilitating enhanced community engagement in decisions about Crown land;
- recognising and facilitating Aboriginal involvement in the management of Crown land, including recognition of Aboriginal land rights, native title rights and interests and the spiritual, social, cultural and economic importance of Crown land to Aboriginal people;
- boosting compliance and enforcement powers to protect and address issues on Crown land; and
- Improving equity through consistency in tenures and rents and standardising lease and licence arrangements.

The *Crown Lands Management Act 2016* came into effect on the 1 July, 2018.

Transfer to Council of Crown reserves categorised as Community Land

Formerly, management of Crown land consisted of a three-tiered structure of reserves, reserve trusts and reserve trust managers. At the commencement of the *CLM Act* a single incorporated manager, the 'Crown Land Manager' became responsible for each Crown reserve.

Crown Land Managers are categorised as either:

- Category 1 Managers – includes councils, who can grant leases or licences for a term of 10 years or less, make minor changes to leases or licences, and grant easements in connection with respect to leases and licences granted by them without approval of the Minister;
- or
- Category 2 Managers – non-council or non-professional entities, who can grant licences for a term of one year or less or make minor changes to leases or licences without approval of the Minister.

Subsequently, Council is now automatically Crown land manager of all Crown reserves categorised as community land within the shire (see Table 1 for a list of all land categorised as community land in Inverell LGA). Ownership of this land will remain with the State.

A Crown land manager of dedicated or reserved Crown land:

- is responsible for the care, control and management of the land; and
- is to exercise any other functions conferred or imposed on the management by the *CLM Act* or any other Act.

Crown land managers can deal with the reserved land they manage, including to grant a lease, licence, permit, easement or right of way provided it is in the public interest and would not be likely to materially harm its use for the dedicated or reserved purpose it holds.

Council to Manage Reserves as Public Land under the *Local Government Act 1993*

Council, as Crown Land Managers, now manage Crown land under the same provisions that apply to 'community land' under the *LG Act*. These provisions include the requirement that a plan of management be adopted for all community land.

Funding for Council Crown Land Management and Plans of Management development has been provided to Council by the Office of Local Government in the form of a \$46,485 grant, conditional on the delivery of both progress and final reports.

Over the next 12 months, Council will commence the development of plans of management for all community land. The adoption of the plan is subject to Council and the Minister's approval and a period of public exhibition.

Once a plan of management is adopted, Crown land managers must apply it, ensure all activities are in accordance with it, and ensure all lease or licences include a provision requiring compliance with it.

By managing Crown land as 'public land' under the *LG Act* Crown land managers need to also ensure that any authorisation or restriction of use of Crown land under a Plan of Management is consistent with the *Native Title Act (Cth)*. For this reason it is a requirement for each council to employ or engage a trained native title manager for advice on land affected by native title.

Consideration by the Minister for Community land to be vested as Operational.

Under the *CL Act* the default classification for Crown land managed by councils is as community land. Councils must assign an initial category to all Crown land they manage, with the initial category being the one most closely related to the reserve's purpose. Notice of the initial category is to be given as written notice to the Minister via notifying the Department of Industry – Crown Lands.

In certain circumstances the Minister may approve the reclassification of Crown land as operational land, namely when Crown land is manifestly inconsistent with the categories of community land referred to in the *LG Act*. Generally this is land that:

- may not need to be made available for use for any purpose for which community land may be used, either by the public at large or by specific sections of the public;
- is not required to be categorised as a natural area under Section 36A, 36B or 36C of the *LG Act*;
- Does not satisfy the guidelines under clauses 102-105 of the *Local Government General Regulation 2005* for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

Examples of uses that may not fall within 'community land' categories

Cemeteries	Quarries and gravel pits	Sewerage Works
Emergency Services	Urban Services	Sanitary Purposes

Should council consider that particular Crown land does not fall into any category of community land, or that a valid, current use of the land would not be able to continue should the land be managed as community land, it may request ministerial consent to manage the land as if it were operational land under the *LG Act*.

Refer Appendix 1 (E7 – E8) for proposed category and reserve purpose for Crown land under Council control.

Operational land does not require a plan of management be adopted.

Conclusion

Where formerly Council managed Crown reserves under Crown lands legislation and council-owned public land under the *Local Government Act 1993*, Councils will now manage Crown reserves under the *Local Government Act 1993*.

Council managed Crown reserves will generally be classified as community land and categorised under the *Local Government Act 1993*, with the requirement that there is a compliant Plan of Management in place by 30 June 2021. Councils are also required to engage a trained native title manager where appropriate.

Ministerial consent is to be sought for the reclassification of some community land to operational land, foregoing the requirement to prepare a Plan of Management. The target date for when Council would be asked to consider a plan of management is November 2019.

APPENDIX 1

Table 1: Proposed Categorisation of Community Land in Inverell Local Government Area

Reserve No	Reserve Name	PURPOSE SOUGHT	CATEGORY SOUGHT
62561	GILGAI GRAVEL PIT	Gravel Pit	Operational
89328	PINE RIDGE GRAVEL PIT	Gravel Pit	Operational
97649	TEXAS GRAVEL PIT	Gravel Pit	Operational
94038	DELUNGRA HOMES FOR THE AGED	Future Public Requirements	Operational
91574	YETMAN DEPOT	Shire Depot	Operational
50798	DELUNGRA NIGHT SOIL DEPOT	Depot for Night Soil	Operational
110026	INVERELL RURAL FIRE SERVICE	Fire Brigade Station	Operational
59952	LITTLE PLAIN RECREATION RESERVE	General Community Use	Operational
77749	YETMAN RUBBISH DEPOT	Garbage Depot	Operational
78986	GILGAI RUBBISH DEPOT	Garbage Depot	Operational
82901	CHERRY TREE HILL RUBBISH DEPOT	Garbage Depot	Operational
83858	NULLAMANNA RUBBISH DEPOT	Garbage Depot	Operational
84096	ASHFORD RUBBISH DEPOT	Garbage Depot	Operational
95913	BANNOCKBURN RUBBISH TIP	Garbage Depot	Operational
69585	DELUNGRA RUBBISH DEPOT AND SANITARY PURPOSES	Garbage Depot	Operational
1034128	KINGS PLAINS RURAL FIRE SERVICE RESERVE TRUST	Bushfire Brigade	Operational
1002843	DELUNGRA BUSHFIRE BRIGADE RESERVE (RFS)	Bushfire Brigade	Operational
95657	GOLF COURSE	Community and sporting club facilities	General Community Use
54916	INVERELL LIBRARY & CARPARK	Public Library and Community Purposes	General Community Use
560015	YETMAN PUBLIC HALL	Public Hall	General Community Use
97846	ASHFORD PUBLIC HALL	Public Hall	General Community Use
510012	DELUNGRA PUBLIC HALL	Public Hall	General Community Use
48211	SWAMP OAK REST AREA (Billabong Blue fossicking area?)	Community purposes	General Community Use
86020	YETMAN RESERVE	Public Hall	General Community Use
62944	ASHFORD PUBLIC RECREATION RESERVE (Frasers Creek Riverflat)	Community Purposes	General Community Use
79485	BUKKULLA SPORTSGROUND	Community and sporting club facilities	General Community Use
88647	DELUNGRA PARK	Community Purposes	General Community Use
89165	GILGAI PUBLIC RECREATION AREA (Area east of Bundarra Rd)	Urban Development	General Community Use

51381	GRAMAN SPORTS GROUND (Sapphire Motor Sports Club)	Racecourse and recreation facilities	General Community Use
86743	PARK ACROSS FROM GRAMAN HOTEL	Resting Place	General Community Use
80771	ASHFORD PUBLIC RESERVE (Riverbend south of Appletree Flat)	Camping; Travelling Stock and Access to Water	General Community Use
77772	INVERELL PARK (Behind houses on Eucalypt Drive)	Access	General Community Use
53425	LITTLE PLAIN MONUMENT SITE	Resting Place	General Community Use
110114	MCILVEEN STREET RESERVE (Cameron)	Community and sporting club facilities	General Community Use
110116	CAMERON PARK EXTENSION	Community and sporting club facilities	General Community Use
1013171	PART VICTORIA PARK RESERVE (where amenities are only)	Public Purposes	General Community Use
37818	MYALL CREEK MEMORIAL TRUST RESERVE	Community Purposes	General Community Use
1571	RUGBY PARK & PART INVERELL TENNIS COURTS	Tennis Courts; Cricket ground; Community and sporting club facilities	Sportsground; General Community Use
35730	YETMAN TENNIS COURTS AND CRICKET FIELD	Tennis Courts; Community and sporting club facilities	Sportsground; General Community Use
84922	SWAN VALE REST AREA	Rest Park	Park
88894	PINDARI DAM	Public Recreation	Park
91661	COPETON NORTHERN FORESHORES RESERVE	Public Recreation	Park
84090	YETMAN RECREATION RESERVE (Behind SES)	General Community Use	Park
91501	JOSEPH WILLS PARK	Public Recreation	Park

DESTINATION 5:	The communities are served by sustainable services and infrastructure		S
ITEM NO:	5.	FILE NO: S22.25.1	
SUBJECT:	STAFF MOVEMENTS: - 01 OCTOBER 2018 TO 31 DECEMBER 2018		
PREPARED BY:	Melissa Daskey, Human Resources Officer		

SUMMARY:

For the information of the Council.

To inform Council of all terminations, appointments and internal transfers for the above three (3) month period.

COMMENTARY:**TERMINATIONS**

<u>Date:</u>	<u>Name:</u>	<u>Position:</u>	<u>Reason:</u>
05 October 2018	Michael COOPER-LLEWELYN	Carpenter/ Concretor	Resigned
11 October 2018	Matthew WILLIAMS	Trainee Accountant	Resigned
19 October 2018	Mark BRYANT	Environmental Engineering Technical Officer	Retired
02 November 2018	Talira ROMER	Payroll/ Cost Clerk	Resigned
15 November 2018	William KRAUSS	Truck Driver	Retired
14 December 2018	Philip McILWAIN	Excavator Operator	Retired
21 December 2018	David STRUGNELL	Asset Management Coordinator	Resigned

APPOINTMENTS

<u>Date:</u>	<u>Name:</u>	<u>Position:</u>	<u>Reason:</u>
22 October 2018	Douglas NEWTON	Bitumen Patching Ganger/ Driver	Transfer of Scott Moylan
12 November 2018	Naomi RADFORD	Information Services Librarian	Relief required whilst Maria Mutimer is absent on Parental Leave
26 November 2018	Mathew	Tractor Operator	Transfer of Laurence

	HAYWOOD		Burdekin
24 December 2018	Tayla DAWSON	Customer Service Officer	Transfer of Simonette Halloran

INTERNAL TRANSFERS

<u>Date:</u>	<u>Name:</u>	<u>Position:</u>	<u>Reason:</u>
22 October 2018	Jamie KLIENDIENST	General Assistant	Transfer of Dean Moffitt
19 November 2018	Simonette HALLORAN	Payroll/ Cost Clerk	Resignation of Talira Romer
27 November 2018	Evan ANDERSON	Supervisor Workshop	Retirement of Gregory Schuman
10 December 2018	Marcus WOODBURY	Pulvi Mixer Operator	New position

DESTINATION 5:	The communities are served by sustainable services and infrastructure		S
ITEM NO:	6.	FILE NO: S22.25.1	
SUBJECT:	STAFF MOVEMENTS: - 01 JANUARY 2019 TO 31 MARCH 2019		
PREPARED BY:	Melissa Daskey, Human Resources Officer		

SUMMARY:

For the information of the Council.

To inform Council of all terminations, appointments and internal transfers for the above three (3) month period.

COMMENTARY:

TERMINATIONS

<u>Date:</u>	<u>Name:</u>	<u>Position:</u>	<u>Reason:</u>
04 January 2019	Timothy WILLIAMS	Engineering Officer	Resigned
08 February 2019	David MORGAN	Water Tanker Operator	Retired
13 February 2019	Mathew DE WITT	Risk Coordinator	Resigned
15 February 2019	Phillip WYNDHAM	Low Loader Driver	Retired
15 March 2019	Larry TURNER	Water Tanker Operator	Retired

APPOINTMENTS

<u>Date:</u>	<u>Name:</u>	<u>Position:</u>	<u>Reason:</u>
07 January 2019	Sally WILLIAMS	Temporary Corporate Support Officer – Telephonist (Parental Leave Relief)	Relief required whilst Alice Holton is absent on Parental Leave
21 January 2019	Bradley McCARTHY	Carpenter/ Concretor	Resignation of Michael Cooper-Llewelyn
04 February 2019	Mikaela BENNION	Trainee Accountant	Resignation of Matthew Williams
19 February 2019	Mia CLAYTON	Temporary Part Time School Based Trainee Library Assistant	New position
04 March 2019	Harley DWYER	Trainee General Assistant	Transfer of Jamie Kliendienst

INTERNAL TRANSFERS

<u>Date:</u>	<u>Name:</u>	<u>Position:</u>	<u>Reason:</u>
07 January 2019	Richard BARNES	Truck Driver	Retirement of William Krauss
21 January 2019	Justin IRWIN	Relieving Operator	Employment ceasing of Michael Clyde Halloran due to incapacity
18 February 2019	Thomas LYNN	Excavator Operator	Retirement of Philip McIlwain
18 March 2019	Trevor BRIEN	Water Tanker Operator	Retirement of Larry Turner
18 March 2019	Douglas NEWTON	Water Tanker Operator	Retirement of David Morgan

ITEM NO:	7.	FILE NO: S7.2.4/12
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	CONSTRUCTION	CERTIFICATES
	APRIL 2019	APPROVED
PREPARED BY:	Elaine Kenny, Administration Officer	

SUMMARY:

The following details the Construction Certificates approved by Council for April 2019.

INFORMATION:

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-20/2019	Mr Phillip John Paton	12 Addison Road, INVERELL	Carport Addition to Existing Shed	7,000
CC-21/2019	Mr Dallas John Baldwin	44 Warialda Road, INVERELL	New Shed	8,000
Monthly estimated value of Approvals: April 2019			2	15,000

SUMMARY:

The following details the Amended Construction Certificates approved by Council for April 2019.

INFORMATION:

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-97/2017/A	Mr Mark Partrick Anthony Hargreaves	13/47 Mulligan Street, INVERELL	Dwelling	Nil
Monthly estimated value of Approvals: April 2019			1	NIL

SUMMARY:

The following details the Construction Certificates approved by Private Certifier for April 2019.

INFORMATION:

Nil

AMENDED CONSTRUCTION CERTIFICATES**SUMMARY:**

The following details the Amended Construction Certificates approved by Private Certifier for April 2019.

INFORMATION:

Nil

ITEM NO:	8.	FILE NO: S7.2.4/12
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING APRIL 2019	
PREPARED BY:	Elaine Kenny, Administration Officer	

SUMMARY:

The following details the Complying Development Certificates approved by Council during April 2019.

INFORMATION:

<u>Complying Development Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CD-10/2019	Mr Scott Graham	20 High Street, INVERELL	Construct Deck	19,500
CD-11/2019	Decon Building and Mr Brian Walter King	36 Bennett Street, INVERELL	New Shed	10,527
CD-12/2019	Mrs Sandra Grace Mooney	7068 Gywdir Highway, INVERELL	Construction of Carport	10,000
CD-13/2019	Mr Craig Stewart Scott	45 Lauder Street, INVERELL	Detached Shade Structure	2,200
CD-14/2019	Mr William Benjamin Nicholas Swan and Mrs Sandra Michelle Swan	130 Henderson Street, INVERELL	Alterations and Additions to Dwelling	160,000
Monthly estimated value of Approvals: April 2019			5	202,227

AMENDED COMPLYING DEVELOPMENT CERTIFICATES**SUMMARY:**

The following details the Amended Complying Development Certificates approved by Council for April 2019.

INFORMATION:

Nil

SUMMARY:

The following details the Complying Development Certificates approved by Private Certifier for April 2019.

INFORMATION:

Nil

SUMMARY:

The following details the Amended Complying Development Certificates approved by Private Certifier for April 2019.

INFORMATION:

Nil

ITEM NO:	9.	FILE NO: S7.2.4/12
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	SUMMARY OF BUILDING CONSTRUCTION FOR APRIL 2019	
PREPARED BY:	Elaine Kenny, Administration Officer	

SUMMARY:

The following report summarises the Building Construction for the Inverell Shire in April 2019.

INFORMATION:**Total Building Construction for Inverell Shire for April 2019:**

<u>Type of Consent</u>	<u>Number</u>	<u>\$ Amount</u>
Construction Certificates – Council Approved	2	15,000
Construction Certificates – Private Certifier	0	NIL
Complying Development – Council Approved	5	202,227
Complying Development – Private Certifier	0	NIL
Totals	7	217,227

Estimated Value of Approvals issued in the financial ytd in:	2018/2019 (130)	\$14,967,049
	2017/2018 (141)	\$18,392,399

ITEM NO:	10.	FILE NO: S18.10.2/12
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DEVELOPMENT CONSENTS AND REFUSALS DURING APRIL 2019	
PREPARED BY:	Elaine Kenny, Administration Officer	

SUMMARY:

The following details the Development Consents and Refusals during April 2019.

INFORMATION:**APPROVALS**

<u>Development Application Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Development</u>	<u>\$ Amount</u>
DA-22/2019	Optus Mobile Pty Ltd	77 Inverness Road, SWAN VALE	Telecommunication Facility	250,000
DA-25/2019	Mr Phillip John Paton	12 Addison Road, INVERELL	Carport Addition To Existing Shed	7,000
DA-27/2019	Mr Dallas John Baldwin	44 Warialda Road, INVERELL	New Shed	8,000
DA-28/2019	Mr Noel James Watts	140 Byron Street, INVERELL	Install Accessible Toilet	10,000
DA-30/2019	Mr Luke Charles Holder	365 Fernhill Road, INVERELL	Construct New Dwelling	320,000
DA-31/2019	Ms Amber-Joy Case	39 Bolands Lane, INVERELL	Install In-Ground Pool	38,500
Monthly estimated value of Approvals: April 2019			6	633,500

DEVELOPMENT AMENDMENTS

<u>Development Application Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Development</u>	<u>\$ Amount</u>
DA-49/2018/A	Ms Casey Rebecca Grills	43 Otho Street, INVERELL	Additional Use of Building for Takeaway Food and Drink, Signage, Shopfront Alterations, Removal of Rear Sheds and Installation of Rear Fence - amendment to conditions to use kitchen on site for food preparation (take away only)	Nil
Monthly estimated value of Amendments: April 2019			1	NIL

REFUSALS

Nil

ITEM NO:	11.	FILE NO: S18.10.2/12
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING APRIL 2019	
PREPARED BY:	Anthony Alliston, Manager Development Services	

SUMMARY:

As part of the monitoring and reporting requirements established by the NSW Department of Planning, a report of all variations approved under delegation in accordance with Clause 4.6 of *the Inverell Local Environmental Plan 2012* must be provided to a full council meeting.

The following details the variations to development standards approved during April 2019.

INFORMATION:

Nil

ITEM NO:	12.	FILE NO: S29.19.1
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	SEPTIC TANK APPROVALS FOR APRIL 2019	
PREPARED BY:	Elaine Kenny, Administration Officer	

SUMMARY:

The following details the Septic Tank approvals for April 2019.

INFORMATION:

Nil

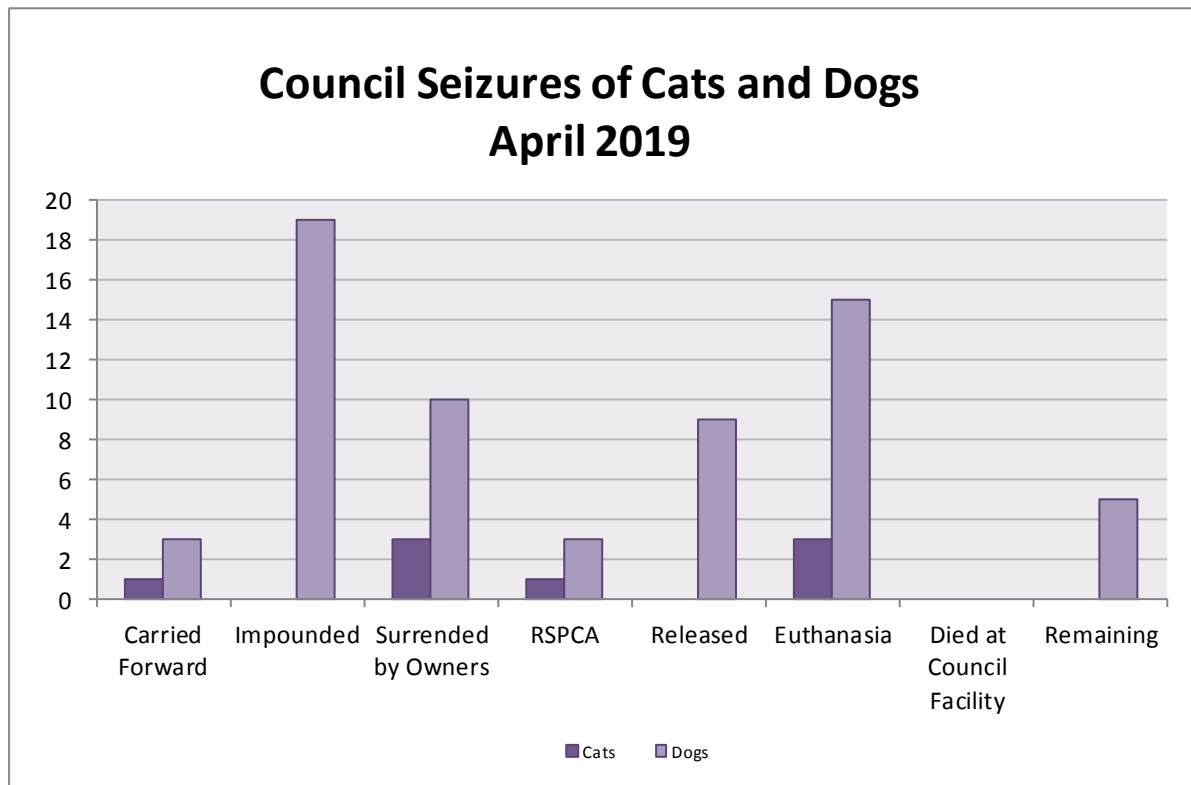
ITEM NO:	13.	FILE NO: S18.10.1
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	ORDINANCE ACTIVITIES REPORT FOR APRIL 2019	
PREPARED BY:	Elaine Kenny, Administration Officer	

SUMMARY:

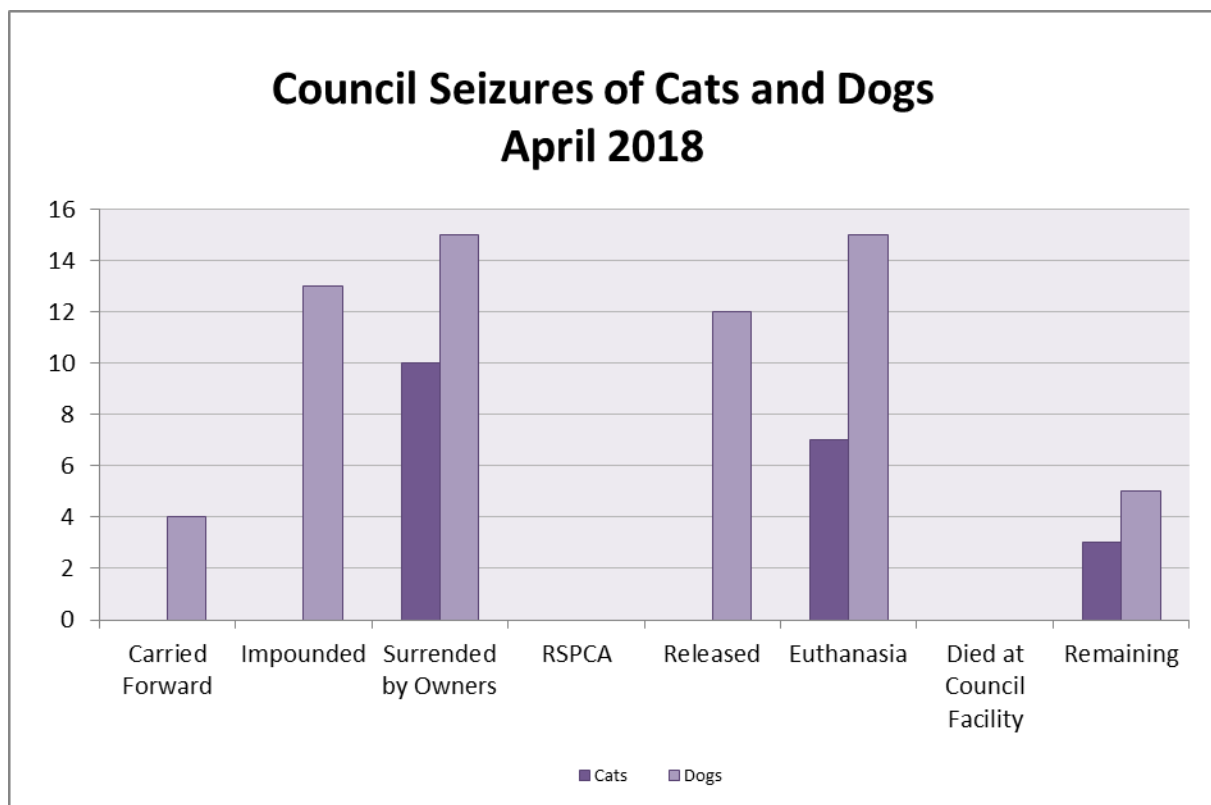
The following details the number of various Ordinance activities carried out during April 2019, in comparison to the same month in 2018.

INFORMATION:**COMPLIANCE**

Inverell Shire Council Pound Monthly Report April 2019



Inverell Shire Council Pound Monthly Report April 2018



ITEM NO:	14.	FILE NO: S15.8.92
DESTINATION 2 :	A community that is healthy, educated and sustainable	C
SUBJECT:	PROJECT UPDATE - YOUTH OPPORTUNITIES PROGRAM	
PREPARED BY:	Christy Galbraith, Corporate Support Coordinator	

SUMMARY:

This report is intended to keep Council updated on the progress of Council's year-long youth program funded by NSW Government's Youth Opportunities Program which funds activities to improve young people's involvement in community initiatives and opportunities to equip youth to be volunteer and job ready.

COMMENTARY:

As a recipient of a \$41,172 Youth Opportunities grant, Council launched a 12-month calendar of events in January, 2019. The project will engage youth across Inverell LGA in an array of free educational and inclusive programs, including:

1. Indoor Sports

The first of four (4) "come and try" events were held at the Indoor Sports Centre on Friday, 28 January, 2019 for ages 8 – 12 years. The program allows youth to connect with their local sporting organisation and have a taste test of sports available. Youth participated in volleyball, netball and soccer.

The come and try events allow youth to strengthen skills in team work, communication and develop awareness of opportunities in the Inverell Shire.

Total participants: 33

2. Cooking Classes

Youth Cooking Classes were held on Wednesday, 23 January, 2019 and Saturday, 6 April, 2019 with accredited chef, Karen Whitton at the Town Hall. The workshop provided 24 youth, aged 14-20 years, with an opportunity to learn about health and safety in the kitchen and gain skills to confidently follow a recipe and turn their ingredients into delicious meals.

Total participants: 24

3. 2D Computer Aided Drafting

Andrew Blake, qualified engineer and robotics technician, led the first of five (5) tech/STEM workshops on 15 and 16 January, 2019. The 2D CAD workshop covered an introduction to AutoCAD and 2D detail drafting. Following the workshop youth were able to draw 2 dimensional shapes and add dimensions and text to a drawing.

Total participants: 10

4. Radio Youth Program

In partnership with StaFM 91.9, the first of two (2) radio youth programs was held in the StaFM studio every Tuesday in March, commencing 5 March, 2019. Four youth (maximum number permitted in studio), aged 14 – 20 years, were provided with an opportunity to gain skills in microphone technique, voice training and coaching, music selection, marketing and recording & production techniques.

Total participants: 4

5. Fizzics Education

Plenty of fun and learning took place in the April school holidays with Sydney based scientist, Quill from Fizzics Education. Youth participated in a number of workshops including;

- Slime, Sherbert & Bubbles (5 – 12 years);
- Liquid Nitrogen Show + Liquid Nitrogen Ice-cream (12 – 20 years);
- Telescope (8+ years);
- Digging Dinosaurs (5 – 12 years); and
- Gross Science (12 – 20 years).

These workshops provided youth with a unique opportunity to access hands on STEM based learning.

Total participants: 236

6. Obiwan Light Saber Academy

Council hosted a Star Wars Day on Saturday, May 4 which included a Lightsaber Theatre Combat Academy workshop with Sons of Obiwan. Participants were treated to a real life Jedi training ground where they were taught the proper way to handle the lightsaber and how to take responsibility for the mock weapons.

Total participants: 250

To date, activities have attracted widespread positive feedback from parents, youth, service providers and project partners. Events have also received significant exposure from local media outlets.

ITEM NO:	15.	FILE NO: S15.8.90
DESTINATION 2:	A community that healthy, educated and sustained.	C
SUBJECT:	PROJECT UPDATE – DROUGHT COMMUNITIES PROGRAMME	
PREPARED BY:	Fiona Adams, Manager Integrated Planning and Reporting	

SUMMARY:

This report is intended to keep Council updated on the progress of Council's \$1M Drought Communities Programme project, which is funding infrastructure works and community events across Inverell LGA.

COMMENTARY:

Councillors will be aware that the \$1M Drought Communities Programme in Inverell LGA encompasses upgrades to public facilities across the shire as well as construction of new infrastructure and free community events.

To date, the below projects have directly involved 52 businesses based in Inverell LGA, including suppliers and tradespeople. All projects are on track to meet the Australian Government's deadline of 30 June, 2019 completion. A summary of project progress is provided below and photos of projects in Appendix 2 (E23 - E25).

Location	Summary	Project status
Ashford Bowling Club	Upgrade accessibility to club through wheelchair accessible entrance ramp and doorways. Repairs to roof.	Project 80% complete.
Ashford Medical Centre	Construction of concrete access ramp.	Project ready to commence April 2019.
Ashford Skate Park	Construction of skate park at Walter McRae Park.	Plans drafted. Contractor to be appointed.
Bonshaw Hall	Construct internal public amenities at hall to support emergency evacuation accommodation during natural disasters.	Plans drafted. Contractor to be appointed.
Delungra CWA Rooms	Upgrade kitchen at Gwydir CWA's facility in Delungra	In progress
Delungra Bowling Club	Installation of solar electricity panels, upgrade of public amenities, upgrade of lighting and WHS improvements.	85% complete
Elsmore Hall	Installation of solar electricity panels and playground equipment.	Complete
Graman Hall	Replacement of windows.	Complete
Inverell Equestrian Centre	Construction of new stables facility.	90% complete. Opening 2 June, 2019.
Mount Russell Hall	Roof replacement, installation of new lining in kitchen and upgrade of electrical wiring.	Complete
Nullamanna Hall	Upgrade water infrastructure for hall and stock yards. Install new hot water system.	90% complete.
Inverell (various locations)	Extension of Inverell footpath and cycleway network.	75% complete
Tingha Cricket Ground	Upgrade and widen synthetic cricket pitch.	In progress
Tingha Caravan Park	Install solar lighting and improve safety at Tingha Caravan Park.	In progress

Community Events

Upcoming events will be held across Inverell LGA, offering residents free entertainment and family friendly activities. To date, 8 events have been funded by Drought Communities Programme with an estimated engagement of 2050 people in addition to the thousands of participants who attended the Inverell Show. Future events include:

- Gum Flat Family Picnic Day
Saturday 25 May, 2pm - 6pm at Gum Flat Hall.
- Elsmore Hall Family Fun Day
Saturday 1 June, 2pm – 7.30pm.
- Yetman Yes We Can featuring the band Lonesome Train and comedian Peter Denahy.
Saturday 8th and Sunday 9th June, Yetman Hall.

- Mount Russell Hall Community Event
Saturday 29 June (details to be advised).
- Bonshaw Memorial Hall Centenary Celebration – with entertainment by Katy Haselwood Quintet.
Saturday 29 June.

APPENDIX 2**Nullamanna Hall Land Managers:**

Installation of 3 rainwater tanks to support horse sports events and new hot water system for hall.

**Inverell Equestrian Stables:**

Construction of 30-stable complex, to be officially opened Sunday 2 June, 2019.



Equestrian Centre
stables.

Delungra Memorial Bowling Club:



Installation of solar panels
and repairs /
improvements to public
amenities.



Graman Memorial Hall:

Installation of new windows

Elsmore Memorial Hall

Installation of solar panels and new playground with picnic table.



Elsmore Memorial Hall playground will be officially opened 1 June, 2019.

RECOMMENDATION:

That the items contained in the Information Report to the Ordinary Meeting of Council held on Wednesday, 22 May 2019 be received and noted.