

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN  
THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL ON WEDNESDAY, 20 DECEMBER, 2017, COMMENCING AT 3 PM.

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

The General Manager (Paul Henry), Director Civil & Environmental Services (Brett McInnes), Manager Development Services (Anthony Alliston) and Executive Assistant (Sharon Stafford)

**SECTION A**

**APOLOGIES**                      **S13.6.9/10**

The General Manager advised that Crs Dight, King, McCosker and King tendered their apologies and sought leave of absence for personal reasons.

***139/17 RESOLVED** (Baker/Berryman) that the apologies from Crs Dight, King, McCosker and King due to their absence for personal reasons be accepted, and that leave of absence be granted.*

**MINUTE OF SILENCE**

Council observed a moments silence in memory of Jack Newnham, Shire President, Macintyre Shire Council 1971-76.

**CONFIRMATION OF MINUTES**                      **S13.5.2/10**

***140/17 RESOLVED** (Berryman/Michael) that the Minutes of the Ordinary Meeting of Council held on 22 November, 2017, as circulated to members, be confirmed as a true and correct record of that meeting.*

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

There were no interests declared.

**PUBLIC FORUM**                      **S13.5.6/10**

At this juncture, the time being 3.04pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Warwick Barnes                      Byron Street Lighting

Mr Barnes requested that Council consider upgrading the lighting along Byron Street particularly in the vicinity of intersecting streets to improve safety for pedestrians.

Caroline Wilson                      Inverell Public Open Space Strategy

Ms Wilson expressed concern about the omission of Kamilaroi Park from the Public Open Space Strategy and requested that Council reconsider the recommendation in respect of this item at today's meeting.

Lyn Hill

Rating System

Ms Hill expressed concern with the structure of Council's current rating system. Ms Hill advised that she had devised an alternative rating structure and requested that Council consider changing its current system.

At this juncture, the time being 3.20pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

Suspension of Standing Orders

At this juncture, the time being 3.21pm, the Mayor sought agreement to suspend Standing Orders to welcome Mr Ed Mounsey and Ms Kelly Foran.

Ed Mounsey – Sapphire Solar Farm

Mr Mounsey provided Council with an update on progress to establish a Solar Farm adjacent to the existing Wind Farm. Mr Mounsey confirmed that having both forms of renewable energy located together is unique to the area and both forms of energy correlate well. Mr Mounsey also confirmed that with the addition of battery storage, they will be able to provide an even firmer energy product to the market. Mr Mounsey advised that the EIS for the Solar Farm will be on display from mid-January.

Kelly Foran – Friendly Faces Helping Hands Foundation

Ms Foran introduced Council to her Foundation which was launched in 2011 and helps people that are struggling to find services in unfamiliar surroundings during health related situations. Ms Foran indicated that her aim is to make long stints in hospital for rural people as stress free as possible.

Ms Foran advised that the foundation makes available kits to hospitals and donations towards these resources are always appreciated.

Ms Foran indicated that a Ball is being organised for 2018 to raise greater awareness of the Foundation.

Cr Harmon commended Ms Foran on her efforts and offered to assist by promoting the Foundation and their events through Council's social media channels.

Resumption of Standing Orders

At this juncture, the time being 4.25pm, Standing Orders resumed and Council considered the balance of the Agenda.

**SECTION C  
COMMITTEE REPORTS**

EXA-A 1. INVERELL LIQUOR CONSULTATIVE COMMITTEE MEETING –  
28 NOVEMBER 2017 S19.9.1

**141/17 RESOLVED** (Michael/Baker) that:

- i) *the Minutes of the Inverell Liquor Consultative Committee Meeting held on Tuesday, 28 November, 2017, be received and noted; and*
- ii) *the Code of Conduct be amended to reflect that the law now stipulates that an 11pm restriction on takeaway liquor sales now applies across NSW.*

BS-A 1. FIRE AND RESCUE NSW – FIRE SAFETY REPORTS S7.11.2/11

- i) Council note the fire safety inspection reports from Fire and Rescue NSW tabled at the December 2017 Ordinary Meeting of Council;
- ii) Council defer its decision on whether to exercise its powers to issue Order No 6 or 8 under section 121B of the EP&A Act until the February 2018 Ordinary Meeting of Council; and
- iii) A more detailed report on this matter be prepared for consideration at the February 2018 Civil and Environmental Services Committee.

**143/17 RESOLVED** (Michael/Berryman) that:

- The Committee will consist of:*

- One (1) Councillor (excluding the Mayor)
- Two (2) independent external members (one member shall be appointed as chairperson of the Committee by Council).

- General Manager (if the officer wishes to exercise that right)
- Director of Corporate and Economic Services
- Manager of Financial Services

- Representative of the External Auditor
- Other staff members by invitation of the Committee

3. *The level of remuneration for the Independent Members of the Committee be \$350 per meeting for the Independent Member of the Committee and \$400 per meeting for the Chairperson.*
4. *Council advertise (locally) the vacant independent members positions on the Committee; and*
5. *Cr Dight be Council's voting member on the Committee.*

**144/17 RESOLVED** (Watts/Baker) that the matter be referred to Closed Council

- i) *the report includes information concerning 'the personal hardship of any resident or ratepayer', (Section 10A(2)(b) of the Local Government Act, 1993),*
- ii) *all reports are correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act. 1993.*

- 145/17 RESOLVED** (Baker/Watts) *that the matter be referred to Closed Council for consideration as:*

- 146/17 RESOLVED** (Baker/Berryman) that Council approve B-Double access for Oliver Street, between Mansfield and Wood Streets and this section of road be gazetted as a B-Double route.

- 147/17 RESOLVED** (Baker/Berryman) that the report be noted, and that the section of 100mm diameter water main scheduled for renewal in Warialda Street between Dight Street and River Street be replaced with a 150mm diameter main to improve flow and residual pressure.

- 148/17 RESOLVED** (Baker/Watts) that Council:

- a) *Endorse the Inverell Public Open Space Strategy subject to the identified amendments and that the implementation of any initiatives contained within the Strategy be the subject of future budget considerations; and*
- b) *Utilise the adopted Inverell Public Open Space Strategy as a guidance document for pursuing future grant funding opportunities.*

- 149/17 RESOLVED** (Berryman/Watts) that:

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- b) Councillors further consider the report and provide feedback at the February 2018 Ordinary Meeting.

GM-A 9. ESTABLISHMENT OF JOINT ORGANISATIONS OF COUNCILS  
S14.11.2

**150/17 RESOLVED** (Michael/Baker) that:

A That Council in accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Inverell Shire Council (Council) resolves:

(1) That the Council inform the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (Joint Organisation) in accordance with this resolution.

(2) To approve the inclusion of the Council's area in the Joint Organisation's area.

(3) That the Joint Organisation be established to cover the Council's area and any two or more of the following Council areas:

a) Armidale Regional Council, Glen Innes Severn Council, Gwydir Shire Council, Moree Plains Shire Council, Tenterfield Shire Council and Uralla Shire Council.

(4) That before 28 February 2018, the General Manager provide the Minister with a copy of this resolution including the date on which Council made this resolution.

(5) That, on the expiry of a period of 28 days from the making of this resolution, the General Manager inform the Minister that this resolution has not been rescinded.

B That the preferred name for the Organisation is "New England Joint Organisation", and

C. That the State Government be request to provide ongoing financial support towards the operational costs of the Joint Organisation as the Government has established this governance mechanism to facilitate consultation and co-ordination between State Agencies and Local Government.

GM-A 10. DRAFT MEETING CODE OF PRACTICE S14.18.6/09

**151/17 RESOLVED** (Berryman/Watts) that:

a) The report be received and noted; and

b) Councillors further consider the report and provide feedback at the February 2018 Ordinary Meeting.

GM-A 11. NAMING OF OVAL - CAMERON PARK S21.8.9

**152/17 RESOLVED** (Michael/Watts) that the Oval (furthest from the racecourse) at Cameron Park be named the 'Bert Lowrey Oval'.

MCE-A      12.      CONSIDERATION OF THE LOCAL TRAFFIC COMMITTEE  
RECOMMENDATIONS S30.8.1

**153/17 RESOLVED** (Watts/Baker) that:

1.      NO PARKING RESTRICTIONS – RING STREET INVERELL

*The “no parking” restrictions adjacent to the party hire business premises located at 76 Ring Street, Inverell be removed.*

2.      NO STOPPING RESTRICTIONS – CAPTAIN COOK DRIVE, INVERELL

*A “no stopping” area be created along the eastern edge of Captain Cook Drive, Inverell between Big W and Woolworths.*

3.      CREATE ONE WAY LANE – ROSSLYN LANE

*Rossllyn Lane be converted to a One Way Street, with access from Urabatta Street and egress onto Gwydir Highway.*

4.      ADDITIONAL DISABLED PARKING SPACE – INVERELL PUBLIC SCHOOL

*An additional disabled parking space be provided in Henderson Street adjacent to Inverell Public School.*

5.      PROVISION OF LOADING ZONES INVERELL CBD

- i.      That Loading Zones operational from 10 am to 3 pm, Monday to Friday be established in the four locations nominated in the Inverell CBD.*
- ii.     That a one direction north-west traffic flow be established over the unnamed lane off Byron Street situated between the Premier Store and the General Merchant.*
- iii.    That a No Parking restriction be placed outside the designated loading zone in the unnamed lane referred to in point ii) above.*

AMENDMENT (Baker/Michael) that:

1.      NO PARKING RESTRICTIONS – RING STREET INVERELL

*The “no parking” restrictions adjacent to the party hire business premises located at 76 Ring Street, Inverell be removed.*

2.      NO STOPPING RESTRICTIONS – CAPTAIN COOK DRIVE, INVERELL

*A “no stopping” area be created along the eastern edge of Captain Cook Drive, Inverell between Big W and Woolworths.*

3.      CREATE ONE WAY LANE – ROSSLYN LANE

*Rossllyn Lane be converted to a One Way Street, with access from Urabatta Street and egress onto Gwydir Highway.*

4.      ADDITIONAL DISABLED PARKING SPACE – INVERELL PUBLIC SCHOOL

*An additional disabled parking space be provided in Henderson Street adjacent to Inverell Public School.*

5. PROVISION OF LOADING ZONES INVERELL CBD

That Council not establish the Loading Zones in the Inverell CBD until such time as a reassessment of the loading zone proposed adjacent to the Telstra Store is undertaken.

The Amendment on being put to the meeting was LOST. The Motion on being put to the meeting was CARRIED.

CSOP-A 13. EXPIRING LICENCE AGREEMENT – MR ROBIN PONTON, RIFLE RANGE ROAD S5. 10.13

**154/17 RESOLVED** (Berryman/Baker) that:

- i) Council renew the agreement with Mr Ponton for Part Lots 4, 5 & 6, DP1101540 Lake Inverell Reserve, Rifle Range Road;
- ii) The licence agreement be for a further three (3) year term with a three (3) option under the same terms and conditions;
- iii) The licence Agreement fee amount of \$705.87 including GST per annum be applied and be subject to 3% increases; and
- iv) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

CSOP-A 14. REQUEST TO LICENCE LAND – MR DAVID JERRARD, WYNDHAM STREET S5.10.33

**155/17 RESOLVED** (Baker/Watts) that:

- i) Council enter into a licence agreement with Mr David Jerrard for Part Lot 1, DP 124236, Wyndham Street Inverell;
- ii) The licence agreement be for a three (3) year term, with a further three (3) year option;
- iii) The licence Agreement fee amount of \$344.44 including GST per annum be applied and be subject to 3% increases; and
- iv) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

CSOP-A 15. EXPIRING LICENCE AGREEMENT – MR IAN FARNSWORTH AND MRS DELMA FARNSWORTH, TAYLOR AVENUE S5. 10.113

**156/17 RESOLVED** (Baker/Watts) that:

- i) Council renew the agreement with Mr I Farnsworth and Mrs D Farnsworth for Lot 2, DP 1040205, Taylor Avenue, Inverell;
- ii) The licence agreement be for a further (2) year term with a further two (2) year option under the same terms and conditions;
- iii) The Licence fee amount of \$30.00 including GST per annum be applied and be subject to 3% increases; and
- iv) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

- CSOP-A      16.      REQUEST TO LICENCE PREMISES – MR GEORGE HUNT, YETMAN  
GENERAL STORE - SUPPLY AND SALE OF FUEL      S5.4.7

**157/17 RESOLVED** (Baker/Watts) that:

- i) Council enter into a licence agreement with Mr George Hunt for the supply and sale of fuel at the Yetman General Store located at 40 Warialda Street, Yetman (Lot 1, DP335538);
- ii) The Licence Agreement be for a (5) year term with a further five (5) year option under the same terms and conditions;
- iii) The Licence fee be a peppercorn rental;
- iv) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.

#### **SECTION E INFORMATION REPORTS**

- 1.      FRIENDLY FACES HELPING HANDS FOUNDATION      S13.5.6/10
- 2.      WORKS UPDATE      S28.21.1/10
- 3.      STRATEGIC TASKS – 'SIGN OFF' – DECEMBER 2017 S4.13.2
- 4.      QUESTIONS WITHOUT NOTICE – NOVEMBER 2017      S13.5.5/10
- 5.      CONSTRUCTION CERTIFICATES APPROVED FOR NOVEMBER 2017  
S7.2.4/10
- 6.      COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING  
NOVEMBER 2017      S7.2.4/10
- 7.      SUMMARY OF BUILDING CONSTRUCTION FOR NOVEMBER 2017  
S7.2.4/10
- 8.      DEVELOPMENT CONSENTS AND REFUSALS DURING NOVEMBER 2017  
S18.10.2/10
- 9.      SEPTIC TANK APPROVALS FOR NOVEMBER 2017      S29.19.1
- 10.      ORDINANCE ACTIVITIES REPORT FOR NOVEMBER 2017      S18.10.1
- 11.      TINGHA ROAD DRAINAGE – VICINITY OF PIONEER VILLAGE AND  
RACECOURSE      S28.10.IN198

**158/17 RESOLVED** (Michael/Berryman) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 20 December, 2017, be received and noted.

#### **SECTION F QUESTIONS WITHOUT NOTICE**

- MCE-A      **QWN/ORD      34/17**      Footpath – Inverell RSM Club  
Cr Watts

Cr Watts requested that a slight depression in the footpath adjacent to the garden located in Evans Street be investigated.



- DCES-N      **QWN/ORD 35/17**      Old Bundarra Road  
Cr Watts
- Cr Watts sought an update in respect of possibly extending the sewer main further along Old Bundarra Road.
- The Director Civil and Environmental Services provided Council with an update on this matter.
- EXA-A      **QWN/ORD 36/17**      Leave of Absence  
Cr Watts
- Cr Watts advised that she would be an apology for the February Committee Meetings and sought a leave of absence for personal reasons.
- QWN/ORD 37/17**      Regional Discussions  
Cr Michael
- Cr Michael advised Council that he, along with the General Manager, recently attended a meeting of Councils held in Bingara to discuss issues of Regional importance.
- PE-A      **QWN/ORD 38/17**      Road Safety Sign  
Cr Watts
- Cr Watts requested that Council approach the RMS regarding the state of their Road Safety Sign located at the Copeton Dam turn off.

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

At 5.05pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

**CLOSED COUNCIL REPORTS**

**159/17 RESOLVED** (Watts/Michael) that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Council at 5.13pm, the Chair verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

- RC-A      1.      SALE OF LAND FOR UNPAID RATES S12.8.9/04

That the report be received and noted.

- GM-A      2.      RECOGNITION OF LOCAL CITIZEN S3.15.16

That the report be received and noted.

**ADOPTION OF RECOMMENDATIONS**

**160/17 RESOLVED** (Michael/Baker) that the recommendations of Closed Council be adopted.

**SECTION H  
GOVERNANCE REPORTS**

MFS-A      1.      GOVERNANCE – MONTHLY INVESTMENT REPORT

**161/17 RESOLVED** (*Baker/Michael*) *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.*

There being no further business, the meeting closed at 5.15pm.

CR P J HARMON

CHAIRPERSON