

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 25 OCTOBER, 2017, COMMENCING AT 3 PM.

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

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

Moment of Silence

A moment of silence was observed following the passing of former Councillor, Harold Castledine.

Cultural/Recreational Grants

The Mayor presented cheques of up to \$2,000 to the following community groups under its annual Recreation/Cultural Grants program for Villages and Rural Areas:

- Ashford Golf Club – install television and create family friendly area in clubhouse for social events - \$1,700;
- Elsmore Soldiers Hall – install concrete footpaths between hall and amenities block - \$2,000;
- Gwydir Group of CWA (Delungra) – purchase seating and trestle tables - \$2,000; and
- Staggy Creek Tennis Club – replace and paint wooden entrance and fence at Staggy Creek Tennis Courts - \$1,500.

The Mayor noted these grants inject valuable funds to volunteer-run organisations in the Shire's smallest villages and localities. Often, these dollars provide a vital source of funds to improve their facilities and sustain their community.

**SECTION A**

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

The General Manager advised that Cr Watts tendered an apology and sought leave of absence for personal reasons.

***103/17 RESOLVED*** (Baker/McCosker) *that the apology from Cr Watts due to personal reasons be accepted, and that leave of absence be granted.*

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

***104/17 RESOLVED*** (Michael/Berryman) *that the Minutes of the Ordinary Meeting of Council held on 27 September, 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 noted that there were no members of the public registered to speak at the public forum.

Council resumed the balance of the Agenda.

**SECTION B  
ADVOCACY REPORTS**

Cr Dight            Urabatta Street

Cr Dight acknowledged the recent work undertaken in Urabatta Street to reseal a small section of road following a water main break.

Cr Dight            Salami Festival

Cr Dight informed Council that the Salami Festival held in Ashford on 14 October, 2017 was a great success. Approximately 1,000 people attended the festival. The fireworks display was well received.

Cr Dight            Yetman Hall

Cr Dight advised that the refurbishment of the Yetman Hall has been completed. The new amenities, meeting room and painting of the facility has been well received in the community.

Cr Harmon        Lions Club Convention

Cr Harmon congratulated the Inverell Lions Club on hosting a very successful convention on 14 – 15 October, 2017. The Town Hall was well utilised for the event and many positive comments were received in respect of the presentation of the town. It was noted that events such as this are a great opportunity to showcase what Inverell has to offer.

Cr Harmon        Salami Festival

Cr Harmon noted the success of the 2017 Festival and congratulated the organisers and exhibitors for their efforts.

Cr Harmon        Gone Fishing Day

Cr Harmon noted a very successful 'Gone Fishing Day' was conducted in Campbell Park on Sunday 15 October, 2017 by the Department Primary Industries, with the assistance of local Fishing Clubs and Inverell Shire Council.

Cr Harmon        Regional Australia Bank Sapphire City Festival

Cr Harmon noted that the Regional Australia Bank Inverell Sapphire City Festival runs from Friday 20 October to Sunday 29 October, 2017. The finale of the festival on Saturday 28 October, 2017 starts with the Festival Parade and continues into the evening with carnival rides, food, the great duck race, entertainment for the whole family and the Festival Queen and Princess crowning ceremony, concluding with a fireworks spectacular.

Cr Harmon congratulated Allison Lane on being named Communicator of the Year at the Toastmasters dinner held on 20 October, 2017.

C Harmon        Inverell Swimming Club

Cr Harmon noted that the Inverell Swimming Club celebrated their 100

Year Anniversary at a Gala Dinner held on Saturday 21 October, 2017.

Cr Harmon congratulated the organisers for their efforts in arranging the special event.

### **SECTION C COMMITTEE REPORTS**

- CSOP-A      1.      CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES –  
11 OCTOBER 2017                      S4.11.16/09

**105/17 RESOLVED** (Baker/Dight) that:

- i)      *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 11 October, 2017, be received and noted; and*
- ii)      *the following recommendations of the Civil & Environmental Services Committee be adopted by Council:*

1.      BRUXNER WAY - PROPOSAL FOR FORMATION OF JOINT  
COMMITTEE                      S28.10.MR 462

*That:*

- i)      *Tenterfield Shire Council be advised of Inverell Shire Council's in-principle support for the formation of the Bruxner Way Alliance; and*
- ii)      *Cr Dight be nominated as Council's delegate on the Committee.*

2.      INVERELL HIGH SCHOOL TRAFFIC MANAGEMENT                      S30.11.3

*That:*

- i)      *The two proposed short term measures be endorsed in principle;*
- ii)      *Inverell High School be consulted regarding the two proposed options;*
- iii)      *Discussions with the School and the Department of Education include the prospect of establishing a staff carpark across the road from the school with the entry point to the carpark being located in George Street; and*
- iv)      *The outcome of the consultations be reported back to the Committee.*

3.      INSURER'S REPORT – ROAD NETWORK                      S30.9.11

*That Council maintain its current risk management approach of limiting access to Council's road network.*

4.      RESIDENTIAL LAND REVIEW REVIEW                      S18.6.51

*That:*

- i)      *Council continue in a facilitating role monitoring the situation and allow normal market forces to dictate the outcome. A further evaluation of residential land supply and take up could be completed in 12 months time;*
- ii)      *Council to investigate a partnership with a Community Housing Provider*

*to possibly facilitate the release of new social housing stock options in Inverell;*

- iii) A report be brought back to the Committee for consideration on the options available in respect of possibly reducing water contributions for developers;*
- iv) A report be brought back to the Committee on a proposal to call for Expressions of Interest for the identified Vernon Street land; and*
- v) The support for Structure Plans to be prepared for new residential areas be acknowledged.*

5. PERFORMANCE REPORTING ON ROAD MAINTENANCE COUNCIL CONTRACTS S1.2.3/09

*That the information be received and noted.*

CSOP-A 2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES - 11 OCTOBER 2017 S4.11.17/09

**106/17 RESOLVED** (Michael/King) *that:*

- i) the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 11 October, 2017, be received and noted; and*
- ii) the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. BOUNDARY ADJUSTMENT ARMIDALE REGIONAL COUNCIL S13.1.1

*That Council offer assistance to the Tingha Progress Association in garnering the views of the residents affected by the proposed boundary adjustment which may result in the Progress Association preparing a submission to Armidale Regional Council.*

2. EXPIRING LICENCE AGREEMENT – MR D PRIEST & MS K NICHOLSON S5.10.95

*That:*

- i) Council renew the agreement with Mr D Priest and Ms K Nicholson for Part Lot 112, DP 753277, Rifle Range Road, Inverell;*
- ii) Council grant permission to graze a portion of the lot,*
- iii) The licence agreement be for a five (5) year period with a five (5) year option;*
- iv) The Licence fee be \$140.55 per annum (GST Inclusive) with a 3% increase per annum; and*
- v) The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

3. PROPOSED 'COD CASH' PROMOTION S8.12.12

*That:*

- i) Council develop the concept to capitalise on conducting an amateur 'Cod Cash' Promotion which considers, but is not limited to, proposed entry fee, sponsors still contributing if fish is not caught; registrations for the event only available through local business houses; and*
- ii) A report is brought back to the Committee for consideration.*

4. REQUEST TO LICENCE LAND – O'CASS S5.10.54

*That:*

- i) Council enter into a Licence Agreement with Mr Nathan O'Cass for Lot 89, DP 754847, Little Plain Recreation Reserve, for a two (2) year period with a further two (2) year option;*
- ii) the Licence fee be \$403.14 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.*

5. DONATION REQUEST – INVERELL SHOW SOCIETY 150 YEAR ANNIVERSARY S15.8.7/09

*That:*

- i) Council enter into discussions with the Inverell Show Society regarding the possibility of sponsoring a particular event on program; and*
- ii) A report be brought back to the Committee for consideration.*

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

*That:*

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

7. REQUEST FOR REDUCTION ON WATER ACCOUNT – RAINE & HORNE S32.10.1/10

*That:*

- i) The report be received and noted; and*
- ii) Council issue an amended account of \$155.03 for the last quarter based on the average consumption of accounts prior to the leak, and write off \$1338.82.*

8. REQUEST FOR REDUCTION ON WATER ACCOUNT – DEVLIN S32.10.1/10

*That:*

- i) *The report be received and noted; and*
- ii) *Council issue an amended account of \$184.26 for the last quarter based on the average consumption of accounts prior to the leak and write off \$681.39.*

CSOP-A 3. ABORIGINAL CONSULTATIVE COMMITTEE MEETING – 4 OCTOBER 2017  
S2.17.8

**107/17 RESOLVED** (King/Baker) that:

- i) *the Minutes of the Aboriginal Consultative Committee Meeting held on Wednesday, 4 October, 2017, be received and noted; and*
- ii) *the following recommendations of the Aboriginal Consultative Committee be adopted by Council:*

1. MYALL CREEK – 180 YEAR ANNIVERSARY S26.3.2

*That Council be requested to discuss matters with the Myall Creek Memorial Committee and that the views of the Memorial Committee be reported back to the next meeting of the Committee.*

*Matters to be discussed include:*

- *Recognition of those persons that reported the massacre, as champions against injustice; and*
- *Installation of permanent seating at key points at the Memorial site.*

**SECTION D**  
**DESTINATION REPORTS**

GM-A 1. INVERELL SHOW SOCIETY – 150 YEAR CELEBRATIONS S12.22.1/10

MOTION (Cr Michael) that Council donate \$500 to the Inverell Show Society to assist with staging of the 150 year celebrations in 2018.

The Motion lapsed for want of a seconder.

**108/17 RESOLVED** (Baker/Berryman) that Council:

- i) *provides funding of \$1,500 for the Inverell Show Society to purchase a reusable Inverell Show Street Banner to display in Otho Street; and*
- ii) *the Inverell Shire Council logo be displayed on the banner to acknowledge Councils support of the annual event.*

2. SALE OF LAND FOR UNPAID RATES (LISTING) S12.8.9./04

**109/17 RESOLVED** (Michael/Berryman) that the matter be referred to Closed Council for consideration as:

- i) *The matters and information concern 'the personal hardship of any resident or ratepayer, (Section 10A(2)(b) of the Local Government Act, 1993);*
- ii) *On balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in*

*Council decision-making by discussing the matter in open meeting; and*

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

CSOP-A 3. LOCAL TRAFFIC COMMITTEE – COUNCIL REPRESENTATIVE S30.8.4  
MCE-A

**110/17 RESOLVED** (Michael/Baker) *that Council endorse the appointment of Justin Pay, Manager Civil Engineering as Council's representative on the Local Traffic Committee.*

CSOP-A 4. APRIL 2018 ORDINARY MEETING OF COUNCIL S13.5.4

**111/17 RESOLVED** (Berryman/Baker) *that the April Ordinary Meeting of Council be held on Thursday 26 April, 2018.*

#### **SUPPLEMENTARY SECTION C COMMITTEE REPORTS**

CSOP-A **112/17 RESOLVED** (Dight/Baker) *that the Supplementary Section C, Committees Report, 'Audit & Risk Committee Meeting Minutes – 25 October 2017' be considered.*

4. AUDIT & RISK COMMITTEE MEETING MINUTES – 25 OCTOBER 2017

**113/17 RESOLVED** (Dight/Baker) *that:*

- i) *the Minutes of the Audit & Risk Committee Meeting held on Wednesday, 25 October, 2017, be received and noted; and*
- ii) *the following recommendations of the Audit & Risk Committee be adopted by Council:*

1. GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2016-2017 S12.11.5

*After considering the information provided by the Auditor General, the Committee recommended that Council adopt the recommendation of the Manager Financial Services as follows:*

*That:*

- i) *Council adopt the General Purpose, Special Purpose Financial Statements and Special Schedules for year ending 30 June, 2017;*
- ii) *Council sign the Statements as prescribed by Section 413(2) of the Local Government Act 1993 for the General Purpose and Special Purpose Financial Statements;*
- iii) *Council authorise the General Manager to forward the Financial Statements to the Office of Local Government upon receipt of the Audit Reports from the NSW Audit Office;*
- iv) *Council present the signed audited Financial Statements to the public at the ordinary Council meeting to be held on 22 November, 2017 in accordance with Section 419 (1) of the Local Government Act 1993; and*
- v) *Council place the audited Financial Statements on public exhibition and provide notice in accordance with Section 418 (3) of the Local Government Act 1993, that Council will consider the Reports of its Auditors for the year ended 30 June, 2017 at its Ordinary Meeting to be held on Wednesday 22 November, 2017.*

2. GOVERNANCE – QUARTERLY INVESTMENT REPORT S12.12.5

*That the information be received and noted.*

**SECTION D  
DESTINATION REPORTS (CONTINUED)**

MFS-A 5. GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2016/2017

**114/17 RESOLVED** (Peters/Baker) that:

- i) *Council adopt the General Purpose, Special Purpose Financial Statements and Special Schedules for year ending 30 June, 2017;*
- ii) *Council sign the Statements as prescribed by Section 413(2) of the Local Government Act 1993 for the General Purpose and Special Purpose Financial Statements;*
- iii) *Council authorise the General Manager to forward the Financial Statements to the Office of Local Government upon receipt of the Audit Reports from the NSW Audit Office;*
- iv) *Council present the signed audited Financial Statements to the public at the ordinary Council meeting to be held on 22 November, 2017 in accordance with Section 419 (1) of the Local Government Act 1993; and*
- v) *Council place the audited Financial Statements on public exhibition and provide notice in accordance with Section 418 (3) of the Local Government Act 1993, that Council will consider the Reports of its Auditors for the year ended 30 June, 2017 at its Ordinary Meeting to be held on Wednesday 22 November, 2017.*

**SECTION E  
INFORMATION REPORTS**

- 1. STAFF MOVEMENTS: 1 JULY 2017 – 30 SEPTEMBER 2017 S22.25.1
- 2. INVESTING IN WOMEN PROGRAM S15.8.74
- 3. STRATEGIC TASKS SIGN-OFF – SEPTEMBER 2017 S4.13.2
- 4. CRICKET NSW COUNTRY CHAMPIONSHIPS S26.1.1
- 5. CULTURAL PLAN – LETTERS OF SUPPORT S4.13.2
- 6. GWYDIR FISH S15.8.7/10
- 7. CONSTRUCTION CERTIFICATES APPROVED FOR SEPTEMBER 2017 S7.2.4/10
- 8. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING SEPTEMBER 2017 S7.2.4/10
- 9. SUMMARY OF BUILDING CONSTRUCTION FOR SEPTEMBER 2017 S7.2.4/10
- 10. DEVELOPMENT CONSENTS AND REFUSALS DURING SEPTEMBER 2017 S18.10.2/10



11. SEPTIC TANK APPROVALS FOR SEPTEMBER 2017 S29.19.1

12. ORDINANCE ACTIVITIES REPORT FOR SEPTEMBER 2017 S18.10.1

GM-A **ARTS NORTH WEST** **S26.5.4**

**115/17 MOTION** (Dight/Berryman) that a representative from Arts North West Incorporated be invited to attend a future Council Meeting to present the benefits and opportunities of being a member of Arts North West.

AMENDMENT (Peters/McCosker) that Council make application for membership of Arts North West Incorporated.

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

**116/17 RESOLVED** (Berryman/Baker) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 25 October, 2017, be received and noted.

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

MT-A **QWN/ORD 26 /17** Events S8.12.3/10  
Cr Baker

Cr Baker asked if there is a procedure in place for Tourism Inverell to actively encourage events which are occurring in nearby centres to also perform in Inverell.

**QWN/ORD 27/17** Mobile Phone Tower Yetman  
Cr Dight

Cr Dight informed Council that Telstra have committed to installing a Telstra 4G Plus Hub in Yetman to boost mobile phone service within the village.

**QWN/ORD 28/17** Cultural Council  
Cr Michael

Cr Michael reported from a Cultural Council Meeting that 80 tickets have been sold to date for the upcoming concert of Mezzo Soprano singer Elizabeth Campbell.

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

At 3.45pm, 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**

**117/17 RESOLVED** (Berryman/McCosker) that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Council at 4.15pm, 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:*

- a)        *Council, in accordance with the Local Government Act 1993, Section 713, sell lands as listed in the report on which rates have been overdue more than five (5) years;*
- b)        *The General Manager prepare the necessary Certificates under Section 713 of the Local Government Act;*
- c)        *The auction will be held at Inverell Shire Council Administrative Centre and the General Manager be authorised to set the auction date;*
- d)        *The General Manager be authorised to appoint a suitable agent to manage the sale of land process;*
- e)        *Council call for quotations from local Real Estate Agents to conduct the auction and the General Manager be authorised to negotiate and appoint a suitable auctioneer;*
- f)        *The General Manager be authorised to appoint a local solicitor to act on Council's behalf;*
- g)        *The General Manager be authorised to apply for an eviction notice, to ensure the properties are sold with vacant possession;*
- h)        *Council authorise the General Manager to consider and approve or reject any request for payment of outstanding rates by instalments;*
- i)        *The General Manager be authorised to set the reserve price for each property after receiving advice from the appointed Real Estate Agent as to the appropriate market value of the property being offered for sale;*
- j)        *The General Manager be authorised to make one, and only one bid on all properties listed, and the value of the bid be determined by Council, following a confidential report by the General Manager after negotiations with local Real Estate Agents; and*
- k)        *The General Manager and Mayor be authorised to sign and seal transfers and all documentations associated with the sale of land for overdue rates.*

**ADOPTION OF RECOMMENDATIONS**

**118/17 RESOLVED** *(Dight/Baker) that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 4.17pm.

CR P J HARMON

CHAIRPERSON