

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 23 AUGUST, 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, J A Watts and M J Peters.

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

SECTION A

APOLOGIES **S13.6.9/10**

Nil.

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

***77/17 RESOLVED** (Baker/Watts) that the Minutes of the Ordinary Meeting of Council held on 26 July, 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 3.02pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Mr Bob Bensley Inverell Hospital Redevelopment Project

Mr Bensley spoke in respect of this matter as well as the inadequacy of information provided to the community throughout the planning process.

Mr Bensley proceeded to read to Council a letter he had sent to the Minister, highlighting the downsizing of Inverell's Hospital facilities, including the Maternity and Children's Wards. Mr Bensley noted that there had been little, to no community consultation in regards to this matter since March 2016.

Mr Bensley requested to know how Inverell's Hospital facilities can be downsized given Inverell's significant population growth.

As this matter has been a significant community issue for almost 50 years, the approach taken, and withholding of information by Hunter New England Health is of serious concern.

Mr Bensley concluded stating that Inverell has a one-off opportunity to get this right for the community's future.

CWP Asset
Management

Sapphire Wind Farm

Ms Sandy McNaughton and Andrew Houston addressed Council with two Power Point presentations in regards to the Sapphire Wind Farm Project. The Project is progressing well and the first turbines should be operational by the end of December 2017.

At this juncture, the time being 3.50pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

**SECTION B
ADVOCACY REPORTS**

Cr King

Town Hall Events

Cr King noted the strong success of the two major events recently held at the Town Hall and the level of local talent displayed.

Cr Baker

Town Hall Events

Cr Baker supported Cr King's comments.

Cr Dight

Yetman Public School – 150th Birthday Celebration

Cr Dight noted that the 150th birthday event is to be held in Yetman on Saturday 2 September, 2017, commencing at 10am. She invited all Councillors to attend.

GM-N 1. NOTICE OF BUSINESS - ASHFORD MULTI-SERVICE CENTRE S13.5.3

Matter deferred pending the provision of further information from Cr Peters.

**SECTION C
COMMITTEE REPORTS**

CSOP-A 1. CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 9 AUGUST 2017 S4.11.16/09

78/17 RESOLVED (Baker/Berryman) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 9 August, 2017, be received and noted; and*
- ii) *the following recommendations of the Civil & Environmental Services Committee be adopted by Council:*

1. NOTICE OF BUSINESS – REGIONAL GROWTH FUND S13.8.25/10

That the information be received and noted.

2. REQUEST FOR PLANNING PROPOSAL - AMENDMENT TO INVERELL LOCAL ENVIRONMENTAL PLAN 2012 - WATER BOTTLING FACILITY S7.2.7/10

That:

- i) *Council not support the Planning Proposal by Kellie Shapland Town Planning to permit the extraction of groundwater from 'Lochiel' for commercial bottling purposes;*
- ii) *Council advise Kellie Shapland Town Planning that Council is willing to consider a general Planning Proposal to permit the extraction of groundwater for commercial bottling purposes within the RU1 Primary Production zone;*
- iii) *The applicant be responsible for the costs, in accordance with Council's Fees and Charges, associated with a general Planning Proposal to permit the extraction of groundwater for commercial bottling purposes within the RU1 Primary Production zone.*

3. MEETING WITH TWIN RIVERS AREA RESIDENTS S28.10.SR16

That:

- i) *The response to the issues raised by Twin Rivers residents as outlined in the report be endorsed; and*
- ii) *The residents be formally thanked for the opportunity to meet with them and advised of the outcome of their requests.*

4. APPLICATION FOR RESTRICTED ACCESS VEHICLE ROUTE – SPRING MOUNTAIN ROAD S30.9.11

That Spring Mountain Road not be approved for B-Double access and the applicants be advised the outcome of the assessment and provided the opportunity to fund required upgrade works.

5. FIXING COUNTRY ROADS PROGRAM – ROUND THREE S15.8.48

That the following projects be nominated for funding under round three of the Fixing Country Roads Program:

- *Rehabilitation and Widening MR187 Yetman Road*
- *Replacement of Mather's Bridge on Nullamanna Road*
- *Clearing of overhanging vegetation, multiple roads*
- *New truck wash facilities at Inverell Saleyards*
- *HML assessment – Regional Road network*

6. RESIDENTIAL LAND REVIEW S18.6.51

That a further report be presented to the October 2017 Civil and Environmental Services Committee Meeting, following a committee tour of available residential land and provision of this report to industry participants.

7. GOVERNANCE - PERFORMANCE REPORTING ON ROAD MAINTENANCE COUNCIL CONTRACTS S1.2.3/10

That the information be received and noted.

GM-N 8. PLANE TREES S21.7.8/10

MOTION (Peters/McCosker) that no further Plane Trees be removed.

79/17 RESOLVED (Baker/Michael) *as considerable discussion has occurred on this Motion that the Motion be put.*

Cr Peters then exercised his right of reply.

The Mayor then put the Motion. The Motion on being put to the meeting was lost.

Crs Peters and McCosker requested that their votes for the Motion be recorded.

CSOP-A 2. ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 9 AUGUST 2017 S4.11.17/09

80/17 RESOLVED (Watts/Dight) *that:*

- i) the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 9 August, 2017, be received and noted; and*
- ii) the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. EXPIRING LICENCE AGREEMENT – STEVE ARENTZ S5.10.136

That:

- i) Council renew the agreement with Steven Arentz for Part Unformed Road Adjoining Lot 4, DP 1093451, Rifle Range Road, Inverell;*
- ii) The Licence agreement be for a two (2) year period;*
- iii) The Licence fee be \$95.50 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.*

2. 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.*

**SECTION D
DESTINATION REPORTS**

1. AWARD TENDER AGGREGATE SUPPLY – 2017 RESEAL PROGRAM (LISTING) S28.28.2/06

81/17 RESOLVED (Michael/Baker) *that the matter be referred to a Closed Council for consideration as:*

- i) the report includes 'Commercial information of a confidential nature that would, if, disclosed prejudice the commercial position of the person who supplied it, (Section 10A(2)(d)(i) of the Local Government Act, 1993);*

- ii) *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council's decision-making by discussing the matter in open meeting, and*
- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

2. PROCUREMENT OF SUPPLY AND SPRAY BITUMEN AND FULL SERVICE BITUMEN RESURFACING - 2017 RESEAL PROGRAM (LISTING) S28.28.5/01

82/17 RESOLVED (Michael/Baker) that the matter be referred to Closed Council for consideration as:

- i) *the matters and information are 'commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.' (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- ii) *on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and*
- iii) *all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.*

GM-A 3. APPOINTMENT OF STATE EMERGENCY SERVICE (SES) CONTROLLERS S9.1.2

83/17 RESOLVED (Baker/Dight) that the Regional SES Controller, North West Region be advised that Council concurs with the following recommended appointments:

- Ms Marie Crompton - Yetman Unit Controller
- Ms Leanne Vickers - Ashford Unit Controller
- Ms Victoria Walton - Inverell Unit Acting Controller

**SECTION E
INFORMATION REPORTS**

- 1. CONSTRUCTION CERTIFICATES APPROVED FOR JULY 2017 S7.2.4/10
- 2. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING JULY 2017 S7.2.4/10
- 3. SUMMARY OF BUILDING CONSTRUCTION FOR JULY 2017 S7.2.4/10
- 4. DEVELOPMENT CONSENTS AND REFUSALS DURING JULY 2017 S18.10.2/10
- 5. SEPTIC TANK APPROVALS FOR JULY 2017 S29.19.1
- 6. ORDINANCE ACTIVITIES REPORT S18.10.1
- 7. QUESTIONS WITHOUT NOTICE S13.5.5/09
- 8. LOCAL GOVERNMENT NSW CONFERENCE S14.3.13

9. INVERELL HOSPITAL REDEVELOPMENT - INFORMATION SESSIONS
S24.20.6

84/17 RESOLVED (Berryman/King) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 23 August, 2017, be received and noted.

SECTION F
QUESTIONS WITHOUT NOTICE

CSOP-A **QWN/ORD 24/17** Council Calendar S13.5.4
Cr Dight

Can a Council Calendar be included in the next Ordinary Meeting Business Paper.

QWN/ORD 25/17 Town Hall
Cr Dight

Cr Dight received positive feedback on the new Town Hall stage floor.

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

At 4.25pm, 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

85/17 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 4.26pm, 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:

MCE-A 1. REVIEW TENDER FOR AGGREGATE SUPPLY – 2017 RESEAL PROGRAM
S28.28.4/01

MOTION:

That in accordance with Clause 178 of the Local Government (General) Regulation 2005, Council decline to accept any tenders for the Manufacture and Delivery of Precoated Aggregate and the proposal for the subject contract be cancelled.

AMENDMENT:

That an additional report be provided to the September 2017 Civil and Environmental Services Committee Meeting, in these two matters including additional costing information.

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

MCE-A 2. PROCUREMENT OF SUPPLY AND SPRAY BITUMEN AND FULL SERVICE BITUMEN RESURFACING - 2017 RESEAL PROGRAM S28.28.5/01

That;

- i) Council opt for the full service option for bitumen resurfacing works for the 2017-2018 Resurfacing Program, and*
- ii) Council award the full service contract to NSW Spray Seal Pty Ltd for bitumen resurfacing works for the 2017-2018 Resurfacing Program.*

ADOPTION OF RECOMMENDATIONS

86/17 RESOLVED *(Michael/Baker) that the recommendations of Closed Council be adopted.*

Crs Peters and McCosker requested that their votes against the motions of Items #1 'Review Tender for Aggregate Supply – 2017 Reseal Program' and Item #2 'Procurement of Supply and Spray Bitumen and Full Service Bitumen Resurfacing – 2017 Reseal Program, be recorded.

There being no further business, the meeting closed at 4.43pm.

CR P J HARMON

CHAIRPERSON