



*Merry
Christmas*

Inverell Shire Council
Business Paper
Ordinary Meeting of Council
21 December, 2016

INVERELL SHIRE COUNCIL

NOTICE OF ORDINARY MEETING OF COUNCIL

16 December, 2016

An Ordinary Meeting of Council will be held in the Council Chambers, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 21 December, 2016, 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

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SECTION B	ADVOCACY REPORTS
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SECTION E	INFORMATION REPORTS
SECTION F	QUESTIONS WITHOUT NOTICE
SECTION H	GOVERNANCE REPORTS
SECTION G	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
- Inverell Shire Council Management Plan.






<i>Destinations</i>	<i>Icon</i>	<i>Code</i>
<p>1. A recognised leader in a broader context.</p> <p>Giving priority to the recognition of the Shire as a vital component of the New England North West Region through Regional Leadership.</p>		R
<p>2. A community that is healthy, educated and sustained.</p> <p>Giving priority to the Shire as a sustainable and equitable place that promotes health, well being, life long learning and lifestyle diversity.</p>		C
<p>3. An environment that is protected and sustained.</p> <p>Giving priority to sustainable agriculture, the protection and conservation of rivers, waterways bio diversity and the built environment.</p>		E
<p>4. A strong local economy.</p> <p>Giving priority to economic and employment growth and the attraction of visitors.</p>		B
<p>5. The Communities are served by sustainable services and infrastructure.</p> <p>Giving priority to the provision of community focused services and the maintenance, enhancement and upgrade of infrastructure.</p>		S

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MEETING CALENDAR

October 2016 – September 2017

	TIME	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPT
		Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
Ordinary Meetings	3:00 pm	26	23	21	No Meeting	22	22	26	24	^28	26	23	*27
Major Committees		Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed	Wed
Civil and Environmental Services	8:30 am	12	9	No Meetings	No Meetings	8	8	12	10	14	12	9	13
Economic and Community Sustainability	10:30 am												

^ Meeting at which the Management Plan for 2017/2018 is adopted. *Mayoral Election, to be conducted. (September)

- 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.

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 23 NOVEMBER, 2016, COMMENCING AT 3 PM.

PRESENT: Cr P J Harmon (Mayor) [Chairperson], Crs 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 **S13.6.9/09**

The General Manager advised that Cr Baker tendered her apology and sought leave of absence for business reasons.

128/16 RESOLVED (Michael/Dight) *that the apology from Cr Baker due to her absence for business reasons be accepted, and that leave of absence be granted.*

CONFIRMATION OF MINUTES **S13.5.2/09**

129/16 RESOLVED (Berryman/King) *that the Minutes of the Ordinary Meeting of Council held on 26 October, 2016, 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

At this juncture, the time being 3.03pm, the following interests were declared:

- Cr King declared a non-pecuniary interest in Section C, Committee Reports, Item #2, "Economic & Community Sustainability Committee Meeting Minutes - 9 November 2016 - #1 Expiring Agreements". The nature of the interest relates to the Lessee being the son of Cr King.

Suspension of Standing Orders

At this juncture, the time being 3.04pm, the Mayor sought agreement to suspend Standing Orders to facilitate the presentation of the 2016/2017 Recreational/Cultural Village Grants. The Mayor presented representatives of the following Groups with their cheques;

- Ashford Golf Club - \$1,829;
- Delungra Memorial Bowling Club - \$1,000;
- Gwydir Group of CWA (Delungra) - \$1,000;
- Gilgai Public Hall and Recreation Reserve Trust - \$816;
- Yetman Hall and Progress Association - \$2,000;
- Mount Russell Community Hall - \$1,500;
- Ashford Pony Club - \$1,599;
- Graman Memorial Hall - \$1,000;
- Gum Flat Hall - \$2,000; and
- Inverell Theatre Company - \$2,000.

The Mayor acknowledged the continued work and efforts of these Groups and the valuable contribution they make to the quality of community life.

COUNCIL'S AUDITOR PRESENTATION

A representative of Forsyths, Mr Paul Cornell, made a presentation to Council on the 2016 Audit Report. Mr Cornell answered questions from Councillors during the presentation. A copy of the presentation slide used by the Auditor is shown on Council's website.

Resumption of Standing Orders

At this juncture, the time being 3.30pm, Standing Orders resumed and Council considered the balance of the Agenda.

PUBLIC FORUM **S13.5.6/09**

No members of the public sought to speak.

SECTION B ADVOCACY REPORTS

Cr Watts White Ribbon Anti-Violence March

Cr Watts noted the White Ribbon Anti-Violence March being held on Thursday, 24 March, commencing at 10am.

Cr Michael Appreciation

Cr Michael thanked Council staff for providing timely feedback to Councillors on issues raised by community members.

Cr Harmon RDANI Northern Inland Innovation Awards

Cr Harmon noted the Innovation Awards held on Friday, 18 November. The Awards were well attended by visitors from the region. Local winners were:

- BEST Food Gardens
- Tourism Inverell, and
- Macintyre High School.

SECTION C COMMITTEE REPORTS

1. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 9 NOVEMBER 2016 S4.11.16/08

130/16 RESOLVED (Michael/Watts) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 9 November, 2016, be received and noted; and*
- ii) *the following recommendations of the Civil & Environmental Services Committee be adopted by Council:*

1. DA-122/2016 – NEW DWELLING (DUAL OCCUPANCY – DETACHED) AND SUBDIVISION – 30 KING STREET, INVERELL 2360 DA-122/2016

That Development Application 122/2016 be approved subject to the following conditions of consent:

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 dual occupancy (detached), comprising:

- Construction of a new dwelling at the rear of 30 King Street; and
- Subdivision.

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).
3. The dwellings shall be numbered as follows:
 - 30A King Street – new dwelling; and
 - 30B King Street – existing dwelling.
4. Electricity and telecommunication services to the new dwelling must be underground.
5. King Lane is to be upgraded with the extension of the bitumen seal from the end of the current seal to the common boundary between 28 and 30 King Street, Inverell, and drainage improvements where necessary.
6. The existing trees in King Lane are to be maintained and measures installed during construction to protect the trees from damage.

Prior to Construction

7. Prior to the commencement of any building works 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, made to Council or an Accredited Certifier, must include plans and specifications demonstrating full compliance with the *Building Code of Australia* and associated standards.
8. Prior to the issue of a Construction Certificate, detailed engineering plans and specifications are to be submitted to and approved by Council for:
 - Access crossings;
 - The access handle driveway for the new dwelling in consideration of the underground stormwater pipe;
 - Stormwater drainage for the entire site, including dwelling, hard stand and retaining walls; and
 - Inter-allotment drainage between the new dwelling and existing dwelling.
9. Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for:
 - Water Supply;
 - Sewerage Work; and
 - Stormwater Drainage Work

10. Prior to issue of a Construction Certificate, approval under Section 138 of the *Roads Act 1993* is to be obtained for the construction of access crossings and upgrade of King Lane.
11. Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for the new dwelling for water supply and water connection. This will require payment to Council of:
 - A Contribution under Council's Development Servicing Plan; and
 - A water connection fee in accordance with Council's fees and charges.
12. Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for the new dwelling for sewer supply and sewer connections. This will require payment to Council of:
 - A Contribution under Council's Development Servicing Plan No. 1; and
 - A sewer junction fee in accordance with Council's fees and charges.
13. Prior to the issue of a Construction Certificate, a contribution towards Community Services must be paid to Council pursuant to Section 94 of the *Environmental Planning and Assessment Act 1979*, for the new dwelling.

During Construction

14. 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.
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 Lands Titles Office.

16. Vehicles associated with construction of the new dwelling, including delivery vehicles and worker vehicles, must use King Street. In extenuating circumstances if construction traffic needs to use King Lane the prior written approval from Council must be obtained and an agreement in place that any damage caused to King Lane must be repaired immediately, at the applicant's expense.
17. Any required fill material must be Virgin Excavated Natural Material as defined under Schedule 1 of the *Protection of the Environment Operations Act 1997*.

Prior to Occupation

18. Prior to occupation of the new dwelling, 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.
19. 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.
 - 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.
 - Any unused layback in the kerb and gutter is to be capped to Council's satisfaction.
 - Sediment and erosion control measures, which are no longer required, are to be removed including any silt/sediment in gutters and/or drains.
 20. Prior to issue of an Occupation Certificate, all access crossings and the access handle driveway for the new dwelling, are to be constructed in accordance with the approved engineering design.
 21. Prior to issue of an Occupation Certificate, the upgrade of King Lane being the extension of the bitumen seal from the end of the current seal to the common boundary between 28 and 30 King Street and drainage improvements (where necessary), is to be completed at the applicant's expense.

22. Prior to issue of an Occupation Certificate, all stormwater drainage is to be completed in accordance with the approved engineering design.
23. Prior to issue of an Occupation Certificate all landscaping, fencing and privacy screen are to be completed as per the approved plan(s).

The privacy screen must have:

- A minimum height 1.5m above floor level;
 - No individual opening more than 30mm wide; and
 - A total area of all openings no greater than 30% of the screen area
24. Prior to issue of an Occupation Certificate, the carport for the existing dwelling is to be constructed in accordance with the approved plan(s).
 25. Prior to issue of an Occupation Certificate, each dwelling is to be individually numbered and the number displayed in 100mm numerals on each dwelling and associated mailbox. The street number is to be displayed in 150mm numerals adjacent to the mailboxes.
 26. Prior to issue of an Occupation Certificate, all new external lighting must be mounted, screened and directed in a way that it does not create a nuisance or light spill on to buildings on adjoining lots or public places.

Prior to Issue of a Subdivision Certificate

27. 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.
28. Prior to the issue of a Subdivision Certificate, the new dwelling is to be constructed and issued with an Occupation Certificate.
29. A 3m easement over the stormwater pipe is to be shown on the plan of subdivision and dedicated in favour of Council.
30. Where applicable, the plan of subdivision is to clearly show any private easements for services (e.g. electricity, telephone, etc.).
31. Any other condition deemed appropriate by the Director Civil and Environmental Services.

S375A Record of Voting	Councillors For:	Councillors Against:
Cr P J Harmon	✓	
Cr C M Dight	✓	
Cr P A King		✓
Cr S J Berryman	✓	
Cr J N McCosker		✓
Cr A A Michael	✓	
Cr M J Peters	✓	
Cr J A Watts	✓	

2. APPLICATION FOR RESTRICTED ACCESS VEHICLE ROUTE –
BURTENSHAW ROAD, INVERELL S30.9.11

That 750m of Burtenshaw Road, from MR137 Ashford Road to the Inverell Landfill be approved and gazetted as B-Double Route.

3. ROAD CLOSURE - VENETIAN CARNIVAL S28.23.1/09

That:

- i) *Council grant a permit for the Venetian Carnival and permission for the closure of Captain Cook Drive between the Byron Street Roundabout and the entrance of Pasterfield car park between the hours of 5pm and 10pm on Saturday, 3 December, 2016;*
- ii) *Council provide a donation of \$200.00 towards the cost of the road closure for the carnival.*

4. RE-APPOINTMENT OF COUNCIL REPRESENTATIVES TO THE NORTHERN
NSW JOINT REGIONAL PLANNING PANEL S18.6.11

That Council nominate Councillor Dianna Baker and Mr Brett McInnes, Director Civil and Environmental Services as Council representatives to the Northern NSW Joint Regional Planning Panel.

5. TENDER T2/2017 DESIGN & RECONSTRUCTION TINTOT BRIDGE GRAMAN
ROAD S4.19.14

That:

- i) *Council accept the tender from Ozwide Bridge Rail & Civil Pty Ltd, Option 2 comprising a new bridge deck level constructed one metre higher than the existing bridge deck, for the price of \$460,250 GST exclusive; and*
- ii) *the Common Seal of Council be affixed to the Contract documents.*

2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING
MINUTES – 9 NOVEMBER 2016 S4.11.17/08

131/16 RESOLVED (Michael/Watts) *that:*

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 9 November, 2016, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

At this juncture, the time being 3.40pm, having previously declared a non-pecuniary interest in Section C, Committee Reports, Item #2, "Economic & Community Sustainability Committee Meeting Minutes - 9 November 2016 - #1 Expiring Agreements", Cr King left the meeting and did not participate in the vote in this matter.

1. EXPIRING AGREEMENTS S5.10.43 & S5.10.84

- 1. Lease Agreement, Mr Nick King – Building at Inverell Pool, known as the "Gym", Evans Street, Inverell.

That:

- i) Council renew the agreement with Mr Nick King for the Building at Inverell Pool, known as the "Gym", Evans Street, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;
 - ii) the lease fee be \$27.96 per day (GST Inclusive) subject to annual CPI adjustments; and
 - iii) the Lease Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.
2. Licence Agreement, Mr Owen Lewis – Part Lot 7313, DP 1135965 and Part Unformed Road, Ross Street, Inverell.

That the agreement be renewed, under the same terms and conditions, on a month-to-month basis.

At this juncture, the time being 3.43pm, Cr King returned to the meeting.

2. SPONSORSHIP REQUEST – 2017 INVERELL TOUGHEN UP CHALLENGE S12.22.1/10

That:

- i) Council provide the same sponsorship as in previous years, being the Silver Sponsorship Package valued at \$500 plus GST; and
 - ii) Council invite the Inverell Toughen Up Committee to provide a presentation to Council on the success and ongoing growth of the event.
3. ADDITIONAL CARPARKING - CATHERINE CAMPBELL CENTRE S5.10.10

That Council accede to the request to assist with the extension and resealing of the Catherine Campbell Centre carpark, which is located on Council owned land.

4. REQUEST FOR ASSISTANCE – INVERELL GIRL GUIDES S12.22.1/09

That Council contribute \$700 towards making the Inverell Girl Guide Hall compliant.

5. 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.
6. QUARTERLY BUDGET AND OPERATIONAL PLAN REVIEW 2016/2017 S12.5.1/09

That:

- i) Council's Quarterly Operational Plan and Budget Review for 30 September, 2016 be adopted; and
- ii) the proposed variations to budget votes for the 2016/2017 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2017 from operations of \$2,723.

**SECTION D
DESTINATION REPORTS**

**1. PRESENTATION OF COUNCIL'S 2015/2016 FINANCIAL REPORTS
S12.11.1**

The Councillors acknowledged the presentation by Mr Cornell earlier in the meeting.

DCS-N **132/16 RESOLVED** (Michael/Berryman) that:

- i) *the information be received and noted; and*
- ii) *the Audit Report for the 2015/2016 Financial Year be adopted.*

2. FIT FOR THE FUTURE ROADMAP - ACTION PLAN S25.11.3

GM-A **133/16 MOTION** (Watts/Berryman) that:

- i) *Council note that an application for a Special Rate Variation is a strategy from its Fit for the Future 'Roadmap' endorsed in June 2015, and subsequently approved by IPART in October 2015;*
- ii) *Council adopt the 14.25% SRV (phased in over three (3) years) as its preferred scenario and lodge a notice of intention to IPART that Council will be submitting a Special Rate Variation Application at the nominated time as a permanent variation under Section 508A of the Local Government Act, 1993;*
- iii) *the Integrated Planning & Reporting Documents be updated to reflect the impacts of the 14.25% SRV, and the amended documents be included in the Community Engagement process;*
- iv) *a Community Engagement process be implemented to seek feedback on Council's position regarding a Special Rate Variation; and*
- v) *UTS be engaged to complete the SRV Community Engagement process utilising the methodology proposed in the UTS response to Council's brief.*

AMENDMENT (Peters/McCosker) that:

- i) *Council not advise IPART of a proposed SRV at this time;*
- ii) *Council undertake community consultation prior to advising IPART of any proposed SRV; and*
- iii) *a further briefing be conducted for Council on the Fit for the Future Roadmap, Long Term Financial Plan, Asset Plans and Operational Plans.*

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

3. NAMING OF YETMAN OVAL S21.8.16

GM-A **134/16 RESOLVED** (Dight/McCosker) that the Yetman Oval be named "Terry Barnes Oval".

**SECTION E
INFORMATION REPORTS**

1. STAFF MOVEMENTS: 1 JULY 2016 TO 30 SEPTEMBER 2016 S22.25.1

2. STRATEGIC TASKS – ‘SIGN OFF’ – OCTOBER 2016 S4.13.2
3. CONSTRUCTION CERTIFICATES APPROVED FOR OCTOBER 2016 S7.2.4/09
4. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING OCTOBER 2016 S7.2.4/09
5. SUMMARY OF BUILDING CONSTRUCTION FOR OCTOBER 2016 S7.2.4/09
6. DEVELOPMENT CONSENTS AND REFUSALS DURING OCTOBER 2016 S18.10.2/09
7. SEPTIC TANK APPROVALS FOR OCTOBER 2016 S29.19.1
8. ORDINANCE ACTIVITIES REPORT FOR OCTOBER 2016 S18.10.1
9. NEW PUBLIC LANE INVERELL TOWN CENTRE DA-154/2012
10. MANAGEMENT TEAM MEETING MINUTES S4.11.5/09

135/16 RESOLVED (Watts/Berryman) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 23 November, 2016, be received and noted.

SECTION F QUESTIONS WITHOUT NOTICE

- | | |
|---|---|
| <p>QWN/ORD 45/16
Cr McCosker</p> | <p><u>Trees – Tingha Road</u></p> <p>Cr McCosker noted the avenue of trees on the Tingha Road and asked if there is a plan to remove and replace the dead and dying trees in the avenue.</p> <p>The Director Civil & Environmental Services noted this matter is currently being investigated with an Arborist.</p> |
| <p>QWN/ORD 46/16
Cr McCosker</p> | <p><u>Tree Management Plan</u></p> <p>Cr McCosker asked when the Tree Management Plan would be finalised.</p> <p>The Director Civil & Environmental Services advised Council that the draft Plan is currently being reviewed for compliance with the new Native Vegetation Legislation.</p> |
| <p>QWN/ORD 47/16
Cr Michael</p> | <p><u>Local Events</u></p> <p>Cr Michael asked for a report to be provided to Council on local events and the funding available for the conduct of these and new events.</p> <p>The General Manager noted that a new Tourism and Marketing Plan is being prepared and will be brought to Council in the new year. This matter will be incorporated into the report.</p> |

There being no further business, the meeting closed at 4.46pm.

CR P J HARMON

CHAIRPERSON

TO ORDINARY MEETING OF COUNCIL 21/12/2016

ITEM NO:	1.	FILE NO: S22.19.1
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	MAYORAL MINUTE: ANNUAL PERFORMANCE REVIEW – GENERAL MANAGER	
PREPARED BY:	Cr Paul Harmon, Mayor	

SUMMARY:

The General Manager's Annual Performance Review for the year ending 30 June, 2016 was conducted by the Performance Review Committee on Wednesday, 30 November, 2016. Council is asked to consider a confidential report in respect of this matter.

COMMENTARY:

The *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.

Having regard for the requirements stated in s.10D of the Act, Councillors should note that the matter listed for discussion in closed Council provides Council with information concerning the outcome of the General Manager's Performance Review conducted on 30 November, 2016.

The recommendation that this item of business be considered in closed Council specifically relies upon section 10A(2)(a):

- a) Personnel matters concerning particular individuals (other than Councillors); and
- b) 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.

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:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

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

- i) the report includes 'Personnel matters concerning particular individuals (other than Councillors)' (Section 10A(2)(a) 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.*

TO ORDINARY MEETING OF COUNCIL 21/12/2016

ITEM NO:	1.	FILE NO: S4.11.21
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	AUDIT & RISK COMMITTEE MEETING MINUTES – 23 NOVEMBER 2016	
PREPARED BY:	Hayley Nichols, Corporate Support Officer - Publishing	

SUMMARY:

Meeting held on Wednesday, 23 November, 2016.

For the consideration of Council.

COMMENTARY:

MINUTES OF THE AUDIT & RISK COMMITTEE MEETING HELD IN THE BOARD ROOM, INVERELL SHIRE COUNCIL, 144 OTHO STREET, INVERELL ON WEDNESDAY, 23 NOVEMBER, 2016, COMMENCING AT 1.00 PM.

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

Also in attendance: Crs S J Berryman and A A Michael.

Ken Beddie (Director Corporate and Economic Services) and Sharon Stafford (Executive Assistant).

SECTION A**APOLOGIES:**

There were no apologies received.

1. CONFIRMATION OF MINUTES

RESOLVED (Watts/Michael) that the Minutes of the Audit and Risk Meeting held on 25 May, 2016 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

The following interests were declared:

- Cr Dight declared a non-pecuniary interest in Section D, Destination Reports, Item #4, "Yetman Community Bus". The nature of the interest relates to Cr Dight being a member of the Yetman Hall Committee.

3. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

SECTION D
DESTINATION REPORTS

1. GOVERNANCE – QUARTERLY INVESTMENT REPORT (LISTING) S12.12.5/09

RESOLVED (Watts/Michael) that the matter be referred to Closed Committee 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.*

2. ECONOMIC FORECASTS - NSW TREASURY CORPORATION (LISTING)
S12.20.3

RESOLVED (Watts/Michael) that the matter be referred to Closed Committee 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.*

3. 2015/2016 AUDITOR REPORT AND MANAGEMENT LETTER S12.2.1/09

The 2015/2016 Audit Report & Financial Reports were reviewed by the Committee. It was noted that the Auditor has raised no issues for consideration. The Audit Management letter was also reviewed noting that no issues were raised for 2015/2016.

It was noted that the one outstanding issue from previous Audit Management letters, being excessive leave balances, is the subject of ongoing action by management. Generally, the staff holding excessive leave balances are in key positions, and it is difficult to reduce these balances at this time due to the substantial additional requirements of the Fit for the Future Program and Council’s expanded Works Program.

RESOLVED (Watts/Michael) that the Committee recommend to Council that the Audit Report and Management letter be received and noted.

4. YETMAN COMMUNITY BUS S23.7.18

Having previously declared a non-pecuniary interest in Section D, Destination Reports, Item #4, “Yetman Community Bus”, Cr Dight did not participate in the vote on this matter.

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

- i) the registration of the Yetman Community Bus be transferred to Inverell Shire Council;*

- ii) *funds remain in the Yetman Hall Committee trust account for ongoing maintenance, expenses and eventual replacement of the bus;*
- iii) *the replacement cost for the bus remain the responsibility of the Yetman Hall Committee;*
- iv) *Council advocate for funding at the appropriate time to cover any shortfall for replacement of the bus;*
- v) *WHS Operating Policies and Procedures be prepared by Council for the Yetman Hall Committee to arrange induction of operators.*

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

At 1.45pm, 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 (Dight/Michael) that the Committee proceed into Closed Committee to discuss the matters referred to it, for the reasons stated in the motions of referral.

Upon resuming Open Committee, at 1.55pm, the Chair verbally reported that the Committee, with the Press and Public excluded, having considered the matters referred to it, recommends as follows:

1. GOVERNANCE – QUARTERLY INVESTMENT REPORT S12.12.5/09

That the information be received and noted.

2. ECONOMIC FORECASTS - NSW TREASURY CORPORATION S12.20.3

That the information be received and noted.

ADOPTION OF RECOMMENDATION

RESOLVED (Watts/Dight) that the recommendation from Closed Committee be adopted.

There being no further business, the meeting closed at 1.57pm.

RECOMMENDATION:

That:

- i) *the Minutes of the Audit & Risk Committee Meeting held on Wednesday, 23 November, 2016, be received and noted; and*
- ii) *the following recommendations of the Audit & Risk Committee be considered by Council:*

1. 2015/2016 AUDITOR REPORT AND MANAGEMENT LETTER S12.2.1/09

That the Audit Report and Management letter be received and noted.

2. YETMAN COMMUNITY BUS S23.7.18

That:

- i) *the registration of the Yetman Community Bus be transferred to Inverell Shire Council;*
- ii) *funds remain in the Yetman Hall Committee trust account for ongoing maintenance, expenses and eventual replacement of the bus;*
- iii) *the replacement cost for the bus remain the responsibility of the Yetman Hall Committee;*
- iv) *Council advocate for funding at the appropriate time to cover any shortfall for replacement of the bus;*
- v) *WHS Operating Policies and Procedures be prepared by Council for the Yetman Hall Committee to arrange induction of operators.*

3. GOVERNANCE – QUARTERLY INVESTMENT REPORT S12.12.5/09

That the information be received and noted.

4. ECONOMIC FORECASTS - NSW TREASURY CORPORATION S12.20.3

That the information be received and noted.

TO ORDINARY MEETING OF COUNCIL 21/12/2016

ITEM NO:	1.	FILE NO: S25.11.3
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	FIT FOR THE FUTURE ROADMAP - ACTION PLAN	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

Council at its November, 2016 meeting resolved to advise IPART of Council's intention to prepare a Special Rate Variation (SRV) application in accordance with its IPART approved FFF Roadmap Action Plan. For Council to be able to meet the deadlines set by IPART for a 2017/2018 SRV Application, a Special Meeting of Council will need to be held prior to 14 February, 2017. Further ongoing discussions are to be undertaken in respect of the Tingha Community proposed boundary adjustment. Council is asked to set a date in early February, 2017 for the conduct of a Special Meeting of Council to consider these matters.

COMMENTARY:1. **FFF ROADMAP – SPECIAL RATE VARIATION:**

Council will be aware that the timetable for Special Rate Variations is set by IPART and that Council has no control over the IPART SRV process or deadlines, including the tight deadlines around the Community Engagement.

To this point, IPART have been advising Councils who are considering submitting a SRV Application for 2017/2018 to use the 2016/2017 timetable as a guide. IPART have now provided the following further advice in respect of the Special Rate Variation Timetable for 2017/2018.

Special Variations & Minimum Rates 2017-18

"Councils should aim to notify IPART of their intention to apply for a 2017-18 Special Rate Variation or Minimum Rate Increase application by 9 December 2016. Notification letters and applications should be lodged via IPART's Council Portal. The Guidelines for 2017-18 applications are yet to be released by the Office of Local Government. Application Forms will be available following the release of the Guidelines. A similar timeline to last year's process is expected as outlined in the indicative timeline below.

Milestones

16 December, 2016 - Notification Letters Due

January, 2017 - Application Form Part A issued by IPART

January, 2017 - Application Form Part B issued by IPART

January, 2017 - Forms & Guidelines issued by IPART

13 February, 2017 - Application Forms due to be lodged by Council

May, 2017 - Determinations announced by IPART

Discussions have been held with IPART who have advised, subject to final confirmation, that the Application Forms and Final Guidelines should be available around 15 January, 2017 with the SRV Applications being due on 13 February, 2017. Again IPART have advised Council to use the 2016/2017 dates, Application Forms and Guidelines as a guide for the 2017 Applications until the 2017/2018 final information is available.

Given this timetable, it will be necessary for a Special Meeting of Council to be conducted prior to 13 February, 2017 for Council to consider the completed SRV Application and the outcomes of the Community Engagement which is currently underway. It is suggested that this meeting be scheduled for Wednesday, 8 February, 2017 at the conclusion of the Major Committee Meetings. This will ensure staff have adequate time available to address any issues raised at the Special Meeting prior to the SRV Application deadline of 13 February, 2017.

The appropriate advice of Council's intention to consider the submission of an SRV Application was submitted to IPART on 2 December, 2016.

Community Consultation

The engagement of the community in the preparation of an application is a key component. The following activities will be implemented during the consultation period:

- a) Newsletter
- b) Kiosk – Library and Council Chambers
- c) Website and 'Have your Say' Portal
- d) UTS Phone Survey
- e) UTS Focus Group
- f) Media Releases

In respect of these activities, it is advised that UTS have commenced their work. Council has also provided a wide range of information and Fact Sheets on its Website and undertaken a mail-out to all Shire Ratepayers.

2. TINGHA COMMUNITY – BOUNDARY ADJUSTMENT PROPOSAL:

An associated issue of the FFF Roadmap was the request from the Tingha Community to be part of Inverell Shire. Discussions were held between representatives of Council and Armidale Regional Council on 8 December, 2016 regarding this proposal. These discussions were promising and further discussions will be held over December and January with the view to the Administrator and Mayor agreeing to take a final position to both Councils in February, 2017 and then to place the proposal on public exhibition prior to it being lodged with the Minister.

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.01.02 A sound long term financial position is maintained.

Operational Objective: S.01.02.01 To manage Council Finances with the view to ensuring Council's ongoing financial health and stability, the discharge of statutory and fiduciary responsibilities, proper accounting systems and standards and an efficient and equitable revenue base.

POLICY IMPLICATIONS:

Council endorsed its FFF Roadmap in June, 2015 following Community consultation and a significant media campaign. Council's FFF Roadmap was subsequently approved by IPART and Council was declared FFF in October, 2015.

The 14.25% SRV (14.94% cumulative) Application and its success was identified in the FFF Action Plan as being a necessary activity to be undertaken in 2016/2017 for Council to be able to meet the FFF Program requirements and Benchmarks by the required 30 June, 2020 deadline.

CHIEF FINANCIAL OFFICERS COMMENT:

SRV Application:

As detailed in the SRV Briefing Document, a minimum 14.25% SRV phased in at 4.75% p.a. plus Rate Peg over the three (3) years commencing in 2017/2018 is required for Council to be able to meet the FFF Program requirements and for Council to be sustainable in the short, medium and long term. The expected cumulative General Rate Increase of the period will be 22.20%.

Council has not previously sought or received a SRV since the inception of Rate Pegging in 1978, despite Local Government cost increases substantially outstripping the annual Rate Peg by an average of 4.35% p.a. year on year over the last 20 years. The average SRV received by Councils in the region since 2011 is 27.09%.

Noting the FFF Program requirement for Councils to be "independently financially sustainable" and the wide range of actions taken by Council to date as detailed in the SRV Briefing Paper, the only remaining option available for Council to be able to fund its ongoing maintenance, service delivery and asset renewal/upgrade needs at existing Service Levels is to apply for and gain the indicated 14.25% SRV. Failure to do so will result in an accumulated Budget deficit of \$13.66M for the period ended 30 June, 2026.

Tingha Boundary Adjustment Proposal:

Preliminary discussions have been held with Armidale Regional Council in respect of the financial matters associated with this proposal. Details of these matters will be provided to the Special Meeting of Council.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That a Special Meeting of Council be held on Wednesday, 8 February, 2017 to consider:

- i) the final adoption of the proposed FFF Roadmap 14.25% Special Rate Variation Application for submission to IPART; and*
- ii) a Report on progress of the Tingha Boundary Adjustment Proposal and required actions.*

ITEM NO:	2.	FILE NO: S2.14.1
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	POETRY BOOK LAUNCH	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

Councillors will recall that Esther Gardiner's Poetry Book was launched on 27 October, 2016. Council may wish to consider purchasing a number of copies of her book.

COMMENTARY:

Esther Gardiner's Poetry Book was launched at a special function held at the Library on Thursday, 27 October, 2016.

The book entitled 'Koala Dreaming' is a collection of 27 poems written by Esther.

Esther was born in Tingha. Esther attended Tingha Public School and then continued her schooling at Macintyre High School in Inverell.

Today Esther reads dreamtime stories to pre-school, infants and primary school students and is often invited to talk to High School students about Aboriginal culture.

The books are for sale for \$20 per copy. Council may wish to consider purchasing a number of copies of Esther's book. It is suggested that they may be gifted during Citizenship ceremonies as a memento of the special occasion.

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:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That Council purchase 20 copies of 'Koala Dreaming', a collection of Poems written by Esther Gardiner.

ITEM NO:	3.	FILE NO: S31.2.8
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	SCAVENGING RIGHTS - INVERELL WASTE FACILITY	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

In November 2015 Council granted scavenging rights to certain elements of the waste stream. The rights to E-waste and 'Revolve Store' items were awarded to Warra-Li, a social enterprise organisation. This organisation is now not in a position to fulfil its undertakings and therefore Council is requested to rescind the granted rights.

COMMENTARY:

When Council determined that management of the Inverell Waste Facility would be undertaken by 'in-house' resources, one of the issues that needed to be reviewed was the granting of scavenging rights to any or all of the materials placed in the waste stream. When the waste facility was managed by contractors, the scavenging rights to all material lodged at the Waste Facility was retained by the contractor.

The review resulted in Council retaining scavenging rights to those aspects of the waste stream that can be on-sold with no on-site processing required. Those elements of the waste stream that required processing to win saleable materials were deemed suitable for being made available to third parties through the granting of scavenging rights.

Following public advertising and assessment of expressions of interest, Council granted scavenging rights for E-waste and 'Revolve Store' items to a not-for-profit organisation – Warra-Li. This organisation was a business unit of the Regional Aboriginal Land Council, which was established to identify and establish business opportunities to the eight (8) individual Land Councils that make up the Northern Region.

The proposal submitted by Warra-Li was:

- a) The organisation would construct by 1 August, 2016, a 30m x 90m shed to provide a retail outlet for salvaged items and a processing facility for E-waste,
- b) Two (2) full time employees would manage the facility and use four (4) Aboriginal trainees to carry out all aspects of the retail and processing tasks,
- c) The facility would be a regional resource as e-waste would be transported to Inverell from the Shires of Moree, Gwydir, Tenterfield and Glen Innes,
- d) The entity would provide all equipment necessary for receiving, processing and shipping e-waste.

During 2016, Warra-Li advised of the difficulties they were experiencing in sourcing the required funding to provide the capital infrastructure, and on 5 December, 2016 the former manager of Warra-Li advised that they had exhausted all avenues of financial assistance. The organisation is now being 'wound up'.

The treatment of e-waste and rescuing of useable goods from the waste stream is still an issue that needs to be addressed. Also, formalising the rescinding of any previous decisions regarding these elements of the waste stream needs to occur.

It is suggested that Council:

1. Resolve that the previous resolution (Res 115/15) which granted scavenging rights to Warra-Li is now null and void, due to the non-performance of the proposal submitted by that organisation,
2. That Expressions of Interest for the Scavenging Rights for E-waste and 'Revolve Store' items be readvertised,
3. The timing of the invitation of Expressions of Interest for scavenging rights for E-waste and 'Revolve Store' items be considered by the Waste Strategy Sunset Committee, and
4. The issue of scavenging rights is merely one of a number of waste matters that are currently before Council. The approved waste strategy, the Container Deposit Scheme and Scavenging Rights need a co-ordinated approach due to the elements of these matters being co-joined. Therefore, the scavenging rights issue is suggested for consideration by the Waste Strategy Sunset Committee.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: E.07 Inverell Shire conducts itself as a responsible Environmental practitioner through prudent consumption of resources and recycling initiatives.

Term Achievement: E.07.01 Council leads the Shire by advocacy, example and partnerships for sustainable waste management initiatives.

Operational Objective: E.07.01.01 Develop and enhance collaborative partnerships for sustainability with the Shire's communities, organisations and business groups.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That:

- i) Resolution 115/15 which granted scavenging rights to Warra-Li, is now null and void, due to the non-performance of the proposal submitted by that organisation;*
- ii) Expressions of Interest for the Scavenging Rights for E-waste and 'Revolve Store' items be readvertised;*
- iii) The timing of the invitation of Expressions of Interest for Scavenging Rights for E-waste and 'Revolve Store' items be considered by the Waste Strategy Sunset Committee; and*
- iv) The issue of scavenging rights is merely one of a number of waste matters that are currently before Council. The approved waste strategy, the Container Deposit Scheme and Scavenging Rights need a co-ordinated approach due to the elements of these matters being co-joined. Therefore, the scavenging rights issue is suggested for consideration by the Waste Strategy Sunset Committee.*

ITEM NO:	4.	FILE NO: S3.15.13
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	DELUNGRA DISTRICT DEVELOPMENT COUNCIL	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

An invitation has been extended by the Delungra District Development Council (DDDC) to attend an inspection of the Village in the New Year. Council is being asked to consider the request.

COMMENTARY:

At the last meeting of the Delungra District Development Council a motion was passed to request that Councillors and Senior Staff along with representatives of the DDDC meet to inspect the village and then discuss their observations.

The date proposed for the meeting is Thursday, 2 February, 2017. It is proposed that vehicles will depart the Administration Centre at 10.00am sharp and return prior to noon.

The DDDC would welcome the opportunity to meet with any available Councillors.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.05 Attractive and vibrant town centres, local centres and community meeting places are provided.

Term Achievement: S.05.01 Local centres, community facilities and prominent meeting places are increasingly valued and recognised by the community as a focus of their village and feature of the Shire.

Operational Objective: S.05.01.01 Engage the Shire's communities in identifying and creating community places that are valued and used.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That Councillors indicate who would be available to attend an inspection of Delungra on Thursday, 2 February, 2017 departing the Administration Centre at 10am.

ITEM NO:	5.	FILE NO: S15.8.25/09
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	'HERITAGE NEAR ME' - HERITAGE ACTIVATION GRANTS	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

Council assisted a local property owner secure significant State Government funding to assist with the restoration of a heritage listed building. The information is reported for Council's notation and acknowledgment of the State Government support for local heritage.

COMMENTARY:

In May, 2016 the State Government introduced a new funding initiative entitled 'Heritage Near Me' incentive program. Heritage Near Me was developed to address the gap between existing funding resources for local heritage by providing support and funding directly to private owners and managers of items of local heritage significance. This Program runs from 2016 to 2019 with a total of \$16M available over the life of the program.

Council's Heritage Advisor, Mr Mitch McKay, believed that this program could be used to advance Council's stated objective of supporting the preservation of historical structures in the Shire. To enhance the chances of success of any application submitted by a local property owner, the 'Expert Panel' established by the State Government to assess applications to the program was invited to visit Inverell. This visit occurred on 8 March, 2016 and the opportunity was taken to showcase the list of heritage listed properties, the many activities undertaken by Council to preserve historical items and to gain an insight into the 'mindset' of panel members.

Council staff identified that proposed works to refurbish the 'Farmhouse' Byron Street, Inverell, could be a project that could receive support from the 'Heritage Near Me' incentive program. The owner was contacted and alerted to the existence of the program and offered the assistance of staff to prepare the necessary application.

An application was submitted that sought funding of:

- a) \$91,690 for construction works and reinstatement of the verandah,
- b) \$20,016 for painting the interior and exterior of the building,
- c) \$3,012 for design and installation of educational material (a resource for the local Family History Group on the historical buildings in Inverell).

On Monday, 12 December, 2016 Council was advised that this application had been approved to receive \$100,000 (the maximum amount available per application under the program).

This was a great outcome for the local property owner, the Local Family History Group and the listed heritage item (the 'Farmhouse').

The State Government should be thanked for establishing this fund and supporting the local streetscape by providing the funding.

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.03.03 The Shire's built and natural heritage is being promoted, protected and conserved.

Operational Objective: E.03.03.01 To facilitate the protection and rehabilitation of significant examples of the built environment.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That:

- i) the information be noted; and*
- ii) the Member for Northern Tablelands, Mr Adam Marshall MP be requested to express Council's appreciation to the Minister for Planning, the Hon Rob Stokes MP for establishing the 'Heritage Near Me' incentive program and supporting the preservation of local heritage items.*

ITEM NO:	6.	FILE NO: S16.7.31/03
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	REQUEST FOR SACRIFICIAL BITUMEN SEAL - SAPPHIRE WIND FARM	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

Council is in receipt of a request from a contractor involved in the construction of the Sapphire Wind Farm for the provision of a 'dust seal' on the construction route. Council is requested to make a determination regarding the request.

COMMENTARY:

Construction of civil works associated with the Sapphire Wind Farm (SWF) is proposed to commence early in 2017. In order to comply with the conditions of development approval, the principal wind farm contractors, a company known as Zenviron, must ensure that impacts to the community and environment are limited or mitigated against.

The construction transport route for the Wind Farm has been determined by the contractor in consultation with Council. All transport associated with construction of the wind farm must utilise this route in order to comply with the conditions of consent for the project. The only Council controlled roads that are included in the construction transport route are Waterloo Road, from the Glen Severn Shire Boundary to "Kings Hill" and the entire length of Western Feeder Road.

The property 1595 Waterloo Road is situated on the construction transport route and the residence is in close proximity to the road. Accordingly, it has the potential to be significantly impacted by dust during transport activities for the SWF project. A condition of consent is that the developer must control dust on Waterloo Road for 300m either side of this residence, during the construction phase of the project. This provision will require the 600m section of road to be watered no less than 4 times per day during construction of the wind farm. SWF developers have determined that it would be more cost effective to them to construct an isolated sacrificial bitumen 'dust seal' on this section of road. This option would also provide a better overall outcome for the land owner. It is the intention of SWF that this section of bitumen seal would be returned to a gravel surface, at their cost, upon completion of wind farm construction. The wind farm developers would be directly responsible for construction and maintenance cost associated with the bitumen seal for the life of the construction project and the seal would be constructed in accordance with the minimum requirements proposed by Council.

Typically bitumen 'dust seals' are an application of bitumen seal on an unsealed pavement with the sole purpose of mitigating dust impacts. They are usually not constructed to the same standard of a normal section of sealed road and are often sacrificial. Meaning that they are placed to overcome a specific problem, such as significantly increased traffic during construction of an infrastructure project, and then removed when the development is completed. These types of treatments are generally a high maintenance burden due to the lower construction standard and their isolated nature.

Council has previously considered the issue of 'dust seals' in 2005. Based on the information considered at the time, the following policy position (RES 105/05) was adopted.

Rural Residences – In Close Proximity to Rural Gravel Roads have a bitumen seal section constructed subject to the following criteria:

- 1. That any sealing works undertaken for rural residences in close proximity to rural gravel roads only be undertaken when the 300 metres directly in front of the residence is to be gravel resheeted as part of Council's Gravel Resheet Program, or there is a minimum of 200 millimetres of gravel on the road.*
- 2. That the residence, where the sealing is to be undertaken, be occupied and have been continuously occupied for the last five years.*
- 3. That only the residences within 100 metres of the gravel road on Arterial and Collector Roads and within 50 metres of the gravel road on Minor and Local Roads be applicable.*
- 4. That the property owner contribute 75 per cent of the cost of a two coat bitumen seal 8.0 metres wide and 300 metres long for Arterial and Collector Roads, and a two coat bitumen seal 6.0 metres wide and 300 metres long for Local and Minor Roads, to be paid before works commence.*
- 5. That the program be on a first in first served basis and the limit of residences to be sealed be determined by the annual budget for this program.*
- 6. That Council allocate \$15,000.00 per year for this program to fund the extra compactive effort required and the 25 per cent of the cost of a two coat seal as per Item 4.*

Council has not provided a funding allocation for provision of this policy since 2007. Also there is no evidence to suggest that any isolated bitumen seals were constructed as a result of this policy. Anecdotal evidence would suggest that property owners are unwilling to fund these types of works.

Also, it seems impractical for this type of treatment to be coordinated in conjunction with Council's gravel resheeting program.

One critical issue that the policy fails to address is the maintenance burden on Council associated with maintaining isolated sections of bitumen seal. These types of treatments require a maintenance regime that is far more expensive than that of a gravel surface.

The report from 2005 that lead to the above resolution stated that 255 residences are located within 100m of an unsealed Council road. If an isolated bitumen seal were constructed at each of these locations, the increased financial burden on Council, including maintenance and increased replacement costs would be approximately \$300,000 per annum. In addition, this figure does not reflect the impractical and inefficient nature of sending crews out to maintain isolated sections of bitumen seal.

Approving the request from the wind farm contractor would not be inconsistent with the 2005 policy position and would provide the best engineering outcome for the residents at 1595 Waterloo Road. Issues that may however arise from approving this request include:

- Expectation from the community that the section of bitumen seal should remain in place, rather than being removed at the end of the SWF construction period. Whilst the community could perceive a reasonable section of bitumen is being removed for no reason, this needs to be balanced against maintenance issues discussed above and safety. If the section of bitumen seal were to remain in place after completion of the project and not be properly maintained, significant road safety issues would arise due to defects in the deteriorating surface.
- The community may consider this action to create a reasonable precedent for dealing with dust nuisances on gravel roads. Accordingly Council may receive increased requests for such treatments.

Conclusion

To minimise the impact associated with 'dust seals' on gravel roads Council incorporated a number of safe guards in its 2005 policy statement. These safe guards have in reality discouraged the construction of dust seals in the Shire. Given the long term implications associated with this treatment, this has generally been to Council's benefit. On this basis, it would be appropriate to review Council's current policy position to reflect Council's long term asset management approach. The situation in relation to this request is relatively unique however. The sacrificial 'dust seal' will be fully funded by a third party and is seen as a suitable engineering solution to mitigate the impacts of peak construction traffic. Considering the merits of the individual case this is not likely to create any long term precedents for Council.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.08 Civil infrastructure is secured, maintained and used to optimum benefit.

Term Achievement: S.08.01 An asset management strategy is in operation for civil infrastructure that optimises its use and maintains it to agreed standards fit for its contemporary purpose.

Operational Objective: S.08.01.01 An Asset Management Strategy for Civil assets is developed, maintained and implemented.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That:

- i) *Council concur with the construction of a 600 metre sacrificial 'dust seal' adjacent to 1595 Waterloo Road, to facilitate compliance with the Sapphire Wind Farm Development Consent;*
- ii) *the construction, maintenance and decommissioning of the dust seal be at the full cost of the contractor and to the minimum requirements of Council; and*
- iii) *Council be presented with a further report in relation to the suitability of isolated seals as a means of mitigating dust nuisance on Council's gravel road network.*

ITEM NO:	7.	FILE NO: S22.2.1
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	DELEGATIONS OF AUTHORITY	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

The *Local Government Act 1993* requires Council to review the delegations granted to the Mayor, Council Committees and General Manager within 12 months of the commencement of the term of a new Council.

COMMENTARY:

Sections 377 – 381 of the *Local Government Act* regulate the delegation by a Council of its functions to a third person or entity. In summary, the Act permits Council to:

- a) Delegate to the General Manager or any other person or body (not including another employee of Council) any function of Council other than a listed set of functions (s. 377),
- b) The General Manager may delegate any of the functions of the general manager (s. 378), and
- c) A regulatory function may be delegated to a Committee of Council, a person other than an employee of Council or a County Council (s. 379).

Section 380 of the Act requires any delegations by Council to be reviewed by Council during the first 12 months of each term of Council.

The previous Council resolved to delegate certain functions to the Mayor, Performance Review Committee and the General Manager. These delegations are attached as Appendix 1 (D22 – D29).

Council is requested to determine its position in respect of these delegations.

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:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

A matter for Council.

ITEM NO:	8.	FILE NO: S31.3.6
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	NSW CONTAINER DEPOSIT SCHEME	
PREPARED BY:	Graham Bendeich, Manager Environmental Engineering	

SUMMARY:

The introduction of the Container Deposit Scheme (CDS) to operate across NSW is progressing towards the implementation date of July 2017. This report provides an update on progress since the report to the Civil and Environmental Services Committee on 9 November, 2016.

COMMENTARY:

On the 29 November, 2016, a public consultation draft "Waste Avoidance and Resource Recovery (Container Deposit Scheme) Regulation 2016" was issued for comment until 23 December, 2016.

There have been discussions on the CDS at the recent Northern Inland Regional Waste (NIRW) Group meeting and Local Government New South Wales (LGNSW) has facilitated teleconferences to discuss the effects and concerns of Councils regarding the operation of the scheme.

The discussion paper prepared by LGNSW for the teleconference presented the following aspects of the scheme for consideration and comment:

Timeline of CDS Implementation

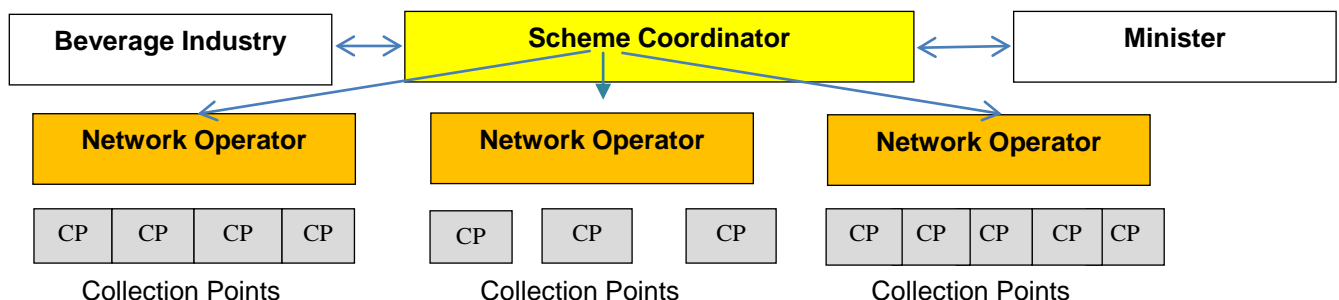
Early to late December	EPA will accept commentary on the draft Regulations. There is not a statutory requirement for consultation.
Mid-December	Short list of Scheme Coordinator/Network Operators
Late December	Selective Tender release for Scheme Coordinator/Network Operators
February 2017	Close of selective Tender
April 2017	Selection of successful Scheme Coordinator and Network Operators
1 July 2017	Start of Container Deposit Scheme

There seems to be some doubt as to whether the scheme will be fully operational across the whole state on the 1 July, 2017.

It is highly anticipated that there will effectively be an “amnesty” period of a few months whereby any container can be returned for refund to a collection point without bearing a legible refund mark. This will allow for scavenging of existing litter in the environment to enhance the scheme impact.

CDS Operational and Administrative Structure

The structure of the Scheme is illustrated by the following diagram:



It should be clearly noted that the CDS is an industry scheme and it is the responsibility of the beverage industry to drive it. There is no obligation on Councils to be part of the operations.

The NSW Government will soon tender for a **Scheme Coordinator** contracted by the Minister for Environment with responsibility to:

- Operate the scheme across the state,
- Ensure industry are contributing financially,
- Engage Network Operators, set their handling fees and reimburse refunds,
- Educate the community on the scheme,
- Carry out auditing/verification,
- Report on targets to Minister.

Pre-qualification Expression of Interests are under way for companies to participate as **Network Operators**, who will be contracted by the Minister and required to:

- Operate in one or more of **7 designated regions** (metro and rural) identified across NSW – Inverell is in the region generally covered by NIRW which includes Tenterfield, Glen Innes Severn, Gwydir, Moree, Armidale Regional, Tamworth Regional, Walcha, Uralla, Narrabri, Gunnedah and Liverpool Plains Councils,
- Set up Collection Points and pay operators,
- Carry out logistics for collection,
- Send material collected for recycling,

Note: there may be more than one Network Operator in a designated region.

Expressions of interest are also open for any organisation wishing to participate as a **Collection Point**. This is designed to allow Network Operators to have a pool of interested parties to draw from in setting up the scheme coverage.

Council has submitted an expression of interest to participate as a Collection Point. This is not a commitment but may provide an opportunity to make an informed decision on providing this facility. Obviously, the logistics and commercial viability of undertaking this role would need to be considered.

As the Network Operators are not expected to be selected until April 2017, Collection Points would not be determined until after that date.

There is general consensus from NIRW members and LGNSW that the scheme has not been adequately promoted as an industry scheme with a resultant perception in the community that Councils are major stakeholders with significant responsibilities, which is not the case.

Redemption of Container Value

There are two (2) ways in which the refund value of containers can be redeemed. Containers will only be eligible if they are within scope and sent for recycling.

- 1) Redemption of value at a Collection Point by individuals or organisations (such as environmental clean-up groups or charities). Collection Points must by law pay the 10-cents refund on eligible containers to anyone returning a container this way (subject to very limited refusal conditions),
- 2) Containers still remaining in kerbside collection are eligible for refund. There are two (2) proposed methods to access refunds for kerbside collected containers:
 - (a) Material Recovery Facilities (MRF's) such as that operated by Northaven can use an EPA-gazetted protocol for determining the number of eligible containers in mixed recycling materials (such as loads of PET). MRF's will apply to the Scheme Coordinator directly for the 10-cents refund value only, and not receive a handling charge. Under this mechanism, the MRF retains the material value of the recycling, and can sell baled loads to a recycler as is currently done.
 - (b) MRF's can physically separate eligible containers and redeem the value by delivering them to a Collection Point run by a Network Operator. The material value of the recycling then belongs to the Network Operator.

Northaven is Council's current MRF operator and it would appear that they will be able to collect the refunds by either of these methods. The potential for Northaven to become a Collection Point is a matter for them to negotiate with the Network Operator when appointed.

Northaven would have to meet the Network Operator's requirements and service levels, the same as any other potential Collection Point operator.

As advised in the previous report, the main effects on Council's operations are in the delivery and ownership of the recycling collection which is delivered to Northaven for processing.

Councils and MRFs do not require direct over-arching recycling contracts or agreements to set up a value sharing agreement. The Regulations allow for refunds only on containers collected in a council area when a value sharing agreement is reached or council agrees not to take any share of value.

MRFs will be the initial recipient of any refund value if they use the protocol method (a). Reconciliation and payment will be quarterly and expires 28 days after the reconciliation quarter.

The draft Regulations currently allow MRFs to claim all of the first 12 months supply of containers without any agreement being settled. After that period, the EPA must have received notice of an agreement with the supplying council to share this refund value or a waiver of value sharing by the council or those affected containers are no longer eligible for refunds under the scheme.

At this stage, there is no indication as to what the refunds might be as a proportion of total comingled recycling delivered to an MRF.

The precise calculation and audits to be used by EPA for the protocol method are not yet available.

Impact on Kerbside

The reduction of eligible containers in kerbside will, over time, reduce the amount and the value of recycling in kerbside. Councils may be concerned that this will impact negatively on recycling contracts, leading to higher gate fees for processing or in other cases reduced payments for material delivered from kerbside to MRF.

Given the implementation time frame envisaged for the CDS, it is unlikely that a broad network of Collection Points will be available to the public at the commencement of the scheme in July 2017. This could mean that levels in kerbside recycling may take some time to begin to reduce. The impact of a CDS will reduce the weight within the garbage bins as containers are given a positive value.

In order to ensure fair sharing of the redemption of container refund value, LGNSW has made a submission to EPA to have support provided for councils to conduct negotiations over value sharing. The proposed support may include:

- Legal, contractual or technical advice via a panel available for a certain amount of time,
- Financial assistance to engage advice on contract negotiations,
- Information transparency on throughput of eligible containers from MRFs, so councils know the value emerging from their kerbside contributions,
- A Guidance Document on refund sharing negotiations,
- Model clauses for use in varying contracts or setting up new agreements,
- A report on the value mechanisms relied on by MRFs to determine processing costs.

This submission will be considered by the EPA along with any others received up to the 23 December, 2016.

Operation of a CDS Collection Point

The obligation to set up Collection Points is on the future Network Operator for any particular region. The EPA will hold the power to approve a collection point arrangement.

- A Collection Point would accept containers, pay out refunds, securely store containers, and compile data.
- A Collection Point applicant is to be a fit and proper person as defined in Act and in Regulations.
- A Collection Point will receive handling fees (per container) and reimbursements of refunds under agreement with the scheme's Network Operator for the relevant region.

The amount of the handling fee will be known only after the Scheme Coordinator is contracted and establishes the regional Network Operators.

Collection Points are allowed to refuse refund payments under certain limited conditions, including:

- No refund marking is on the container,
- A reasonable belief the container was not acquired in NSW,
- The refund amount has previously been paid on that container,
- There is contamination that will affect recycling, WHS, or operations,

- Damage affecting the refund marking or recycling.

Collection Points must accept bulk deliveries provided that a refund declaration is made and proof of ID is shown. The refund declaration includes identification, and declares the containers were acquired only in NSW and have not been previously claimed elsewhere.

Payments may be made in cash or coupons redeemable for cash, or by electronic funds transfer. This may reduce any security concerns over holding cash at more isolated Collection Points.

The Network Operator will pay for any collection and transport of containers for recycling from a Collection Point.

A CDS is intended also to reduce demand on councils for litter clean up, gross pollutant trap management, and kerbside recycling collection increases. There is also an opportunity for some councils to consider setting up a collection point, or providing location on council lands for setting up of collection points. This may provide for partnership opportunities with community organisations and charities.

There have been suggestions from the EPA that Community Recycling Centres (CRC's) could be utilised as Collection Points. The indication from Councils in the NIRW region is that CRC's are not suitable for adaption to this function and there is no support for this concept.

Issues identified include:

- Inadequate space,
- Traffic flow,
- Landfill operations,
- Weighbridge movements,
- Secure storage given value of material,
- Receipting/cash handling,
- Staffing requirements,
- More people in vicinity of CRC drop off materials – creating workplace health and safety issues,
- Some sites don't have power.

As mentioned earlier, Council has registered an expression of interest as a Collection Point operator. This was purely done on the basis of being able to adequately explore this option and Council is not committed past the point of expression of interest.

Coverage Targets

The EPA is considering setting geographic coverage requirements based on remote, regional or metro targets.

Inverell Shire is in the regional area and the proposed minimum coverage is:

- One (1) collection point for each town of 1000 people i.e. one (1) collection point for the Shire in Inverell,
- An additional collection point for every additional 20,000 people in a town,
- One (1) collection point can service multiple towns within a 30km radius,
- Opening Hours: each collection point open at least 24 hours every week between 7am-8pm. At least four (4) hours per week to be a weekend day.

Recovery Target

This target will start in year two (2) of the scheme (2018-19). The level is to be set by EPA, likely around 80-85% of eligible containers.

Comments on Draft Regulations

As stated in the initial commentary, the EPA is accepting commentary on the draft Regulations up to 23 December, 2016. There is not a statutory requirement for consultation.

LGNSW and NIRW are submitting a response to the EPA on general aspects of the scheme on behalf of their members and the responses are supported by Inverell Council representatives. There are no specific issues related to the operation of the Scheme in Inverell Shire that warrant the submission of a separate response from Council.

General Comments

While Council may not be directly involved with the provision of Collection Points, it may be involved with site selection and development approvals. The receipt of eligible containers is classified as "Resource Recovery" which is only permitted within certain planning zones.

At this stage, it would appear that Council will have two (2) decisions to make before the scheme commences:

1. Does it wish to provide a collection point function?

This cannot be considered until the Network Operator is appointed and requirements and conditions are known. The commercial viability of any arrangement would obviously be a significant factor in any determination.

2. What value sharing arrangements should be entered into with Northaven?

At this stage there are considerable uncertainties around the parameters of any value sharing arrangement. This issue will require further investigation and provision of information from the EPA and LGNSW.

Suggested Course of Action

When the Waste Management Strategy was considered, Council established a Sunset Committee (Mayor plus two (2) Councillors) to work with staff to prepare a draft document. Once Council considered the document and adopted the Strategy, the Sunset Committee was disbanded as its task had been completed.

It is suggested that:

- (a) The Waste Management Sunset Committee be reconvened,
- (b) The Committee comprise three (3) members; being the Mayor and two (2) other Councillors,
- (c) The task of the Sunset Committee be:
 - i) Review the approved Waste Management Strategy and recommend any appropriate amendments to Council for consideration, and
 - ii) The issues of CDC and scavenging rights be referred to the Sunset Committee for consideration.

Whilst the CDS is scheduled to commence operation on 1 July, 2017, there are significant implementation logistics to be addressed between now and then. As the scheme evolves, Council will need to consider what actions it proposes to take. It is considered advantageous if the Waste Management Sunset Committee was reconvened to facilitate dealing with this issue.

Given other waste management matters Council would be aware of, such as future scavenging rights, Transfer Station Management and the need to review aspects of our Waste Management Strategy, a reconvened Sunset Committee would have a comprehensive agenda.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND OPERATIONAL PLAN:

Strategy: S.15 Promote the effective integration of waste management and recycling services.

Term Achievement: S.15.01 Council has an integrated waste management plan that not only meets statutory recycling levels but also meets environmental and community demands.

Operational Objective: S.15.01.01 To establish and maintain effective partnerships that deliver an innovative approach that takes advantage of the most practical and sustainable waste management solutions available.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

That:

- i) the information be received and noted; and*
- ii) the Waste Management Sunset Committee be reconvened,*
- iii) the Committee comprise three (3) members; being the Mayor and two (2) other Councillors,*
- iv) the task of the Sunset Committee be:*
 - a. Review the approved Waste Management Strategy and recommend any appropriate amendments to Council for consideration, and*
 - b. The issues of CDC and scavenging rights be referred to the Sunset Committee for consideration.*

ITEM NO:	9.	FILE NO: S5.9.23
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	INVERELL SPORTING COMPLEX AMENITIES BUILDING REDEVELOPMENT TENDER (LISTING)	
PREPARED BY:	Anthony Alliston, Manager Development Services	

SUMMARY:

Tenders for the construction of the Inverell Sporting Complex Amenities Building Redevelopment Project closed on 12 December, 2016. Council is requested to consider a confidential report in this respect.

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.*

Having regard for the requirements stated in s.10D of the Act Councillors should note that the matter listed for discussion in Closed Committee includes information provided which is considered to be commercially sensitive.

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

- a) Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and
- b) On balance, the public interest in preserving the confidentiality of the matter 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 MANAGEMENT PLAN:

Strategy: S.07 Provide accessible and usable recreation facilities and services meet the needs of the community.

Term Achievement: S.07.01 Recreational and leisure facilities and services that meet community needs and are maintained to promote optimal utilisation.

Operational Objective: S.07.01.01 Facilitate joint use of the Shire's recreation and leisure facilities, sporting and open space facilities including co-location of programs.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

Nil.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

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.*

APPENDIX 1

**DELEGATION OF AUTHORITY**

EMPLOYEE	PAUL HENRY
DIVISION	MANAGEMENT
POSITION	GENERAL MANAGER
NO	2763 & 22.2.1
DELEGATION	See Attached
EFFECTIVE FROM	20 November 2012
APPROVED BY	<div style="text-align: center;"> <div style="display: flex; justify-content: space-between; width: 100%;"> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between; width: 100%;"> <div>CR P J HARMON MAYOR</div> <div>DATE: _____</div> </div> </div>
TO BE EXERCISED	As required
REVIEW	This shall be reviewed on any reclassification or position review.
TERM	This delegation shall be valid for a period of five years, subject to review.
ACCEPTANCE:	"I accept this Delegation of Authority and the responsibilities and the financial obligations attached thereto."
EMPLOYEE SIGNATURE	<div style="text-align: center;"> <div style="display: flex; justify-content: space-between; width: 100%;"> <div>PAUL HENRY _____</div> <div>DATE: _____</div> </div> </div>
AMENDED	28/11/94, 26/9/95, 6/2/96, 11/2/97, 1/3/2008, 25/09/12, 20/11/2012

Subject to compliance with Statutes and any policy of Council, authority to:

UNDER SECTION 377 OF THE LOCAL GOVERNMENT ACT 1993

Exercise or perform on behalf of Council any powers, authority, duty or function of the Council other than a power, authority, duty of function relating to:

- The making of a rate
- A determination under Section 549 as to the levying of a rate
- The making of a charge
- The fixing of a fee
- The borrowing of money
- The voting of money for expenditure on its works, services or operations
- The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property
- The acceptance of tenders which are required under this act to be invited by Council
- The adoption of a management plan
- The adoption of a financial statement included in an annual financial report
- A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6
- The fixing of an amount or rate for the carrying out by the Council of work on private land
- The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the Council for the carrying out of any such work
- The review of a determination of an application for approval
- The powers of the Council to authorise the use of reasonable force for the purpose of gaining entry to premises under Section 194
- A decision under Section 356 to contribute money or otherwise grant financial assistance to persons
- The making of an application, or giving of a notice, to the Governor or Minister
- This power of delegation

FINANCIAL

Area of Authority: All Council Matters
Monetary Limit: \$150K

- To write out and authorise Requisitions,
- Create/Authorise Signature on Purchase Orders,
- Authorise to pay Creditors Claim Forms,
- Receive & Authorise to pay Purchase Orders for goods or services for which funds are available, subject to the requirements of the Local Government Act and Council policies
- Sign & Check Weekly Cheque Run,
- Authorise/Issue code for EFT Payments.

RATE PAYMENTS & INTEREST CHARGES (Resolution 363/94 dated 28/11/94)

Authority to either write-off or reduce interest accrued on rates or charges if a ratepayer has agreed to a satisfactory arrangement to pay off outstanding rates, and that the agreement is complied with.

Further that the Mayor be informed on the various requests considered by the General Manager with a summary report to be presented to Council.

POWERS OF CONCURRENCE FOR DETERMINATION OF OBJECTIONS UNDER SECTION 82(3)
(Resolution 261/95 dated 26/9/95)

Authority in respect of the power of concurrence to variation of Local Approvals Policy as set out in the instrument of delegation dated 10th August 1995 issued by the Director General of the Department of Local Government.

FOOD ACT 20003

Authority to act as an Enforcement Agency under the *Food Act 2003* s.111(1).

RATES – WRITE OFFS (Resolutions 189/87 & 531/90)

- a) that the General Manager or persons authorised in writing be given authority to write off rates and debts up to the value of \$500 in any one instance where an error has occurred, the debt is not recoverable at law or in his opinion, it would not be economical to take proceedings for the recovery of such rates or debts.
- b) Where extra charges are incurred due to mitigating circumstances and a ratepayer has a clear record for the past 3 years, the General Manager be authorised to write off amounts up to \$500.00
- c) That rates or debts exceeding the value of \$500.00 shall not be written off except by resolution of Council.

FIXING OF LEVELS (Roadworks) (11 February 1997 - Res 9/97)

Authority to execute any plans for fixing of levels, which have been exhibited and against which there are no objections.

Note: Administrative procedure required under the Roads Act.

LOCAL ENVIRONMENTAL PLANS (Resolution 172/12 – 20 November 2012)

1. The report on the changes introduced by the Minister for Planning and Infrastructure in relation to Council delegations and independent reviews for Local Environmental Plan (LEP) making decisions be noted;
2. Council accepts the Minister's delegation for making LEP amendments, subject to the necessary 'gateway determinations' by the Department in each individual case; and
3. Pursuant to Part 3 of Chapter 12 of the Local Government Act 1993, the Minister's delegations be extended to the General Manager and, with the General Manager's approval, the Director Civil & Environmental Services, other than in relation to any proposal involving reclassification of public land; and subject to:
 - a) the necessary 'gateway determinations' by the Department in each individual case;
 - b) Council's specific resolution to support a proposal prior to any LEP amendment being submitted for a 'gateway determination' and also following public exhibition; and
 - c) prior to submission of any draft planning instrument to Parliamentary Council.

PLUMBING AND DRAINAGE ACT 2011 (Resolution 175/12 – 20 November 2012)

- i) Council accepts the delegation of functions under the Plumbing and Drainage Act 2011,
- ii) Council sub delegate the functions under the Plumbing and Drainage Act 2011 to Council's General Manager.

Instrument of delegation
under section 21 of the *Plumbing and Drainage Act 2011*

Section 21 of the *Plumbing and Drainage Act 2011* (Plumbing and Drainage Act) provides that:

- (1) The plumbing regulator may delegate any of the plumbing regulator's functions under this Act, other than this power of delegation, to:
 - (a) a local council, or
 - (b) any other person whom the regulator considers has the necessary skills, knowledge or experience to exercise the function.
- (2) A local council may sub-delegate any function delegated to it by the plumbing regulator to:
 - (a) the general manager of the council, or
 - (b) a person engaged as a contractor by the local council whom the council considers has the necessary skills, knowledge or experience to exercise the function.

In accordance with this provision, I, Andrew Gavrielatos, Acting Commissioner for Fair Trading, the plumbing regulator for the purposes of the Plumbing and Drainage Act, hereby delegate the exercise of the following functions to the Inverell Shire Council in the council's area of operations. These functions are to be undertaken by an officer or employee of council holding the necessary skills, knowledge or experience to exercise the functions.

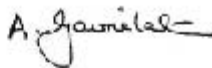
Function	Conditions
To monitor compliance with the Plumbing and Drainage Act (s19 (a))	This function is to be exercised in accordance with the requirements of the Plumbing and Drainage Act, <i>Plumbing and Drainage Regulation 2012</i> (Plumbing and Drainage Regulation) and guidelines (if any) issued by the plumbing regulator.
To ensure that any plumbing and drainage work carried out does not threaten public health or safety (s19 (b))	This function is to be exercised in accordance with the requirements of the Plumbing and Drainage Act, Plumbing and Drainage Regulation and guidelines (if any) issued by the plumbing regulator.
To undertake any other functions conferred or imposed on the plumbing regulator by the Plumbing and Drainage Act (s19 (c)) other than: <ul style="list-style-type: none"> • Receiving notices of work and other documentation required to be submitted to the plumbing regulator concerning proposed 	The exercise of any function by the council as a delegate of the plumbing regulator under the Plumbing and Drainage Act is to be in accordance with the requirements of the Plumbing and Drainage Act, Plumbing and Drainage Regulation and

<p>alternative solutions (s9 (3) of the Plumbing and Drainage Act and clause 10 of the Plumbing and Drainage Regulation),</p> <ul style="list-style-type: none"> • Authorising fittings for use in plumbing and drainage work (s20), and • Initiating criminal or other proceedings as provided for in Part 5 of the Plumbing and Drainage Act. 	<p>guidelines (if any) issued by the plumbing regulator.</p>
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Commencement:

This delegation commences on 1 January 2013 and continues until revoked or replaced by the Commissioner for Fair Trading.

SIGNED:



Andrew Gavrielatos
ACTING COMMISSIONER FOR FAIR TRADING:
Date: 8 November 2012

Acknowledgment of Delegation

The Inverell Shire Council hereby acknowledges the delegated responsibilities and agrees to act in accordance with the delegation.

<p>The Common Seal of the Inverell Shire Council was hereunto affixed on the ...29...day of...NOVEMBER...2012 In pursuance of a resolution made by the Council on the ...20...day of...NOVEMBER...2012</p>	<p>.....(signature) Mayor.....(title of position)(signature) General Manager.....(title of position)</p>
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Resol 75/12



DELEGATION OF AUTHORITY



MAYOR	Cr Paul Harmon
FILE NO.	2708 & S22.2.1
DELEGATION	<p>Pursuant to Section 377 of the <i>Local Government Act 1993</i>, and subject to compliance with all Council policies and lawful directions made by Council or any public authority, Council hereby delegates to the Mayor authority to exercise or perform on behalf of Council all the power, authorities, duties and function of the Council listed hereunder.</p> <p>These delegations are in addition to the various statutory obligations placed on the Mayor by the Local Government Act and other pieces of State Legislation.</p> <p>1 Expulsion From Meetings of Council and Committees</p> <p>Power to expel a person (whether a Councillor or another person) from a Council or Committee meeting who commits an act of disorder or engages in disorderly conduct at the meeting.</p> <p>2 Matters for Investigation</p> <p>To refer to the General Manager matters considered to need investigation and report with referral to Council, as necessary.</p> <p>3 Press Releases</p> <p>To issue press releases that further the objectives and fosters the image of Council.</p> <p>4 Public Statements</p> <p>To make public statements on matters of official Council attitude.</p> <p>5 General Manager's Leave</p> <p>To determine applications for leave for the General Manager.</p> <p>6 Civic Role</p> <p>To sign correspondence associated with civic duties and to authorise the presentation of small gifts to visitors.</p> <p>7 Performance Review Facilitator</p> <p>To engage a facilitator to assist the Performance Review Committee in carrying out the review of the performance of the General Manager.</p>
EFFECTIVE FROM	28 September 2012

APPROVED BY	Council
TO BE EXERCISED	As and when required.
REVIEW	Annually
ACCEPTANCE:	I accept this Delegation of Authority and the responsibilities and the financial obligations attached thereto.
SIGNATURE	<div><div>_____</div><div>CR P HARMON MAYOR</div><div>_____</div><div>DATE</div></div>
AMENDED	
PREPARED BY	Paul Henry, General Manager

DELEGATION OF AUTHORITY

COMMITTEE	PERFORMANCE REVIEW COMMITTEE
MEMBERSHIP	Mayor Deputy Mayor Chairperson, Economic & Community Sustainability Committee Chairperson, Civil & Environmental Services Committee
MEMBERS	Cr P Harmon Cr A Michael Cr J Watts Cr D Baker
FILE NO.	S22.19.1 & S22.2.1
DELEGATION	<div>1. To implement a General Manager Performance Appraisal System that is in accordance with the Guidelines issued by the Office of Local Government,</div> <div>2. To determine the General Manager's Performance Agreement and to undertake the Performance Appraisal in its entirety.</div>
EFFECTIVE FROM	December 2016
APPROVED BY	Council
TO BE EXERCISED	As and when required
REVIEW	Annually
SIGNATURES	<div><div></div><div>Cr P Harmon</div><div></div><div>Cr A Michael</div><div></div><div>Cr J Watts</div><div></div><div>Cr D Baker</div></div> <div><div></div><div>Date</div><div></div><div>Date</div><div></div><div>Date</div><div></div><div>Date</div></div>
AMENDED	
PREPARED BY	Paul Henry, General Manager

TO ORDINARY MEETING OF COUNCIL 21/12/2016

ITEM NO:	1.	FILE NO: S3.16.4
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	DISABILITY INCLUSION ACTION PLAN (DIAP)	
PREPARED BY:	Stephen Golding, Executive Manager Corporate and Community Services	

SUMMARY:

Local Government is required (mandated) by the *NSW Disability Inclusion Act 2014 (DIA)* to undertake disability inclusion action planning by 1 July 2017. Inverell Shire Council's Integrated Planning and Reporting Strategic Plan suite (IP&R) focuses on a "Community for Everyone" that aims at an inclusive community. While Council is not required to prepare a stand alone inclusion action plan to fulfil the requirement, Council is redeveloping its "Inclusion (Disability) Action Plan" that supports Council's IP&R Framework that meets legislation.

COMMENTARY:

The UN Convention on Rights of Person with Disabilities (UNCRPD) was ratified by Australia in 2008 with the National Disability Strategy 2010-2020 being developed in partnership by the Commonwealth, State, Territory and Local Governments to support the commitment made to the UNCRPD. This commitment is to ensure that people with a disability have the same rights as those without a disability.

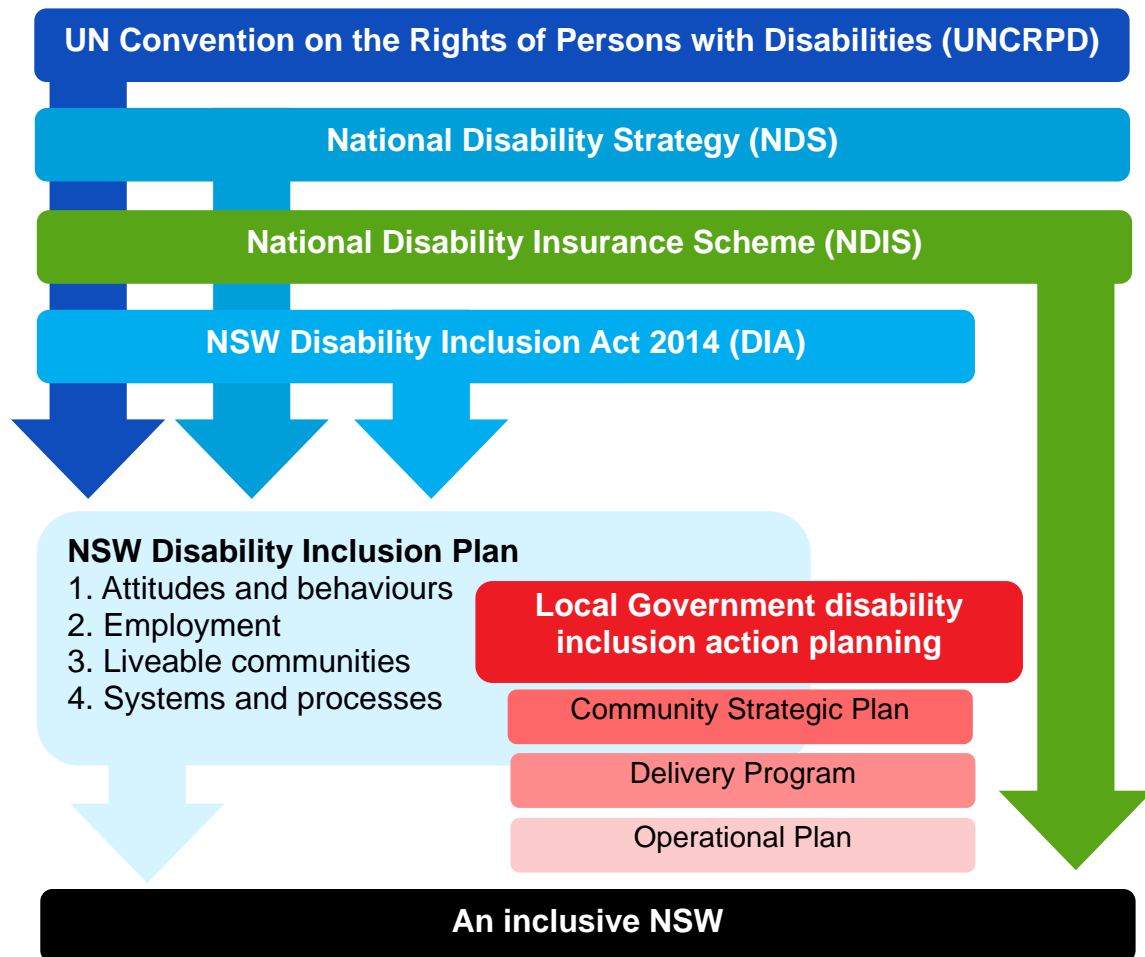
One of the major initiatives introduced to give voice to this Convention is the National Disability Insurance Scheme (NDIS).

The NDIS has prompted a period of major reform in the disability sector through out Australia. In NSW, State Government commitment to improving inclusion of people with disability. This commitment resulted in the passing of the *NSW Disability Inclusion Act 2014 (DIA)*, replacing the *Disability Services Act 1993*. The Act contains provisions relating to the accessibility of mainstream services and facilities, the promotion of community inclusion and the provision of funding, support and services for people with disability. Division 3 of the Act states that '*each public authority must have a plan (a disability inclusion plan) setting out measures it intends to put in place so that people with disability can access general supports and services available in the community and participate fully*'.

The DIA Act does not state a standalone disability inclusion action plan has to be developed as it can be incorporated into the NSW Local Government Integrated Plan and Reporting (IP&R).

Council's IP&R, Community Strategic Plan, Delivery Plan and Operational Plan are aimed at promoting, supporting and encouraging an all inclusive community that upholds the principles underpinning UNCRPD, NDIS and DIA.

The below diagram shows how it all fits together in striving for an inclusive NSW.



The Inverell Shires Community Strategic plan contains five (5) Destinations that align with the six policy areas of the National Disability Strategy (NDS) and the NSW Disability inclusion focus areas that support the DIA.

Destination 1 - A recognised leader in the broader context

- Policy 2 – Rights protection, justice and legislation;
- Policy 6 – Health and wellbeing; and
- Focus Area: Attitudes and Behaviour.

Destination 2 – A community that is healthy, educated and sustained

- Policy 1 - Inclusive and accessible communities;
- Policy 4 - Personal and community support;
- Policy 5 – Learning and skills;
- Policy 6 – Health and wellbeing; and
- Focus Area: Liveable Communities.

Destination 4 – A strong local economy

- Policy 1 - Inclusive and accessible communities; and
- Policy 3 - Economic Security; and
- Focus Area: Employment.

Destination 5 – The communities are supported by sustainable services and infrastructure.

- Policy 4 - Personal and community support;
- Policy 6 – Health and wellbeing; and
- Focus Area: Systems and processes.

Key changes to disability inclusion action planning in the DIA are the four (4) Key Focus areas of the National Disability Strategy, greater consultation with stakeholders, staff and community in all stages of Council's DIAP and new public monitoring and reporting requirements through the Local Government Annual reports and dissemination of reports to the Minister.

To address these requirements, Council is undertaking the development of a DIAP that forms a supportive plan of Council's IP&R.

Consultation has commenced with Key Stakeholders. As part of Council's consultation process an online community survey is being developed (refer Appendix 1, E22 – E26). Once the DIAP has been completed, it will be placed on public exhibition, a part of Council's community engagement practice.

ITEM NO:	2.	FILE NO: S4.11.5/09
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	MANAGEMENT TEAM MEETING MINUTES	
PREPARED BY:	Hayley Nichols, Corporate Support Officer – Publishing	

SUMMARY:

Management Team Meeting held on Thursday, 24 November, 2016.

INFORMATION:

The following items were discussed at the Management Team Meeting:

- i) Workers Compensation
- ii) Rifle Range Road Subdivision – Stage 2
- iii) Performance Management
- iv) Special Rate Variation

ITEM NO:	3.	FILE NO: S6.8.9
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	2015 APEX VENETIAN CARNIVAL	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

Council is in receipt of correspondence from the Inverell Apex Club regarding the 2015 Apex Venetian Carnival. Council is being asked to receive and note the correspondence.

COMMENTARY:

Correspondence has been received from Matthew Verrie, President of the Inverell Apex Club, thanking Council for their valuable contribution to the 2015 event.

A copy of the correspondence is included as Appendix 2 (E27) for the information of Council.

ITEM NO:	4.	FILE NO: S3.16.24
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	WHITE RIBBON AUSTRALIA WORKPLACE ACCREDITATION UPDATE	
PREPARED BY:	Stephen Golding, Executive Manager Corporate and Community Services	

SUMMARY:

Inverell Shire Council is undertaking the White Ribbon Australia Workplace Accreditation Program. An update on progress is provided for the information of Council.

COMMENTARY:

Council recently applied for and was successful in its application to be part of the intake of the September, 2016 cohort for the White Ribbon Australia Workplace Accreditation Program. Council has completed the orientation and step one (1) of the three (3) step program. The full program will take 18 months to complete ie February, 2018.

Council is committed to promoting the violence prevention message, and as such, is taking a leadership role in this area by embarking on the White Ribbon Accreditation Program. The purpose of the program is to educate Council's workforce about respectful relationships between men and woman, and for employees to spread that message in their social circles.

Council has partnered with NSW Family and Community Services, Hunter New England Health, NSW Police and the NSW Department of Education to work with local community organisations and White Ribbon Australia to develop a framework to be acknowledged as a White Ribbon Community.

Becoming a White Ribbon Accredited workplace demonstrates Council's commitment to violence prevention and will assist Council in its role in working with the community to become recognised as a 'White Ribbon community'.

For Council to become a White Ribbon Accredited Workplace it must successfully complete each step of the White Ribbon Australia Workplace Accreditation program. This program contains three (3) steps, being 'Recognition', 'Accreditation' and 'Awards'.

As part of the first step, Council completed an organisational baseline survey to obtain initial levels of awareness and engagement, appointed a Senior manager to the program, signed a Statement of Commitment and attended an orientation session.

The survey undertaken by all Council staff found that attitudes were consistent with the results of national surveys on this issue. The survey showed all staff recognised that physical violence against women is not 'alright' under any circumstance.

Step two (2) of the program is the major part of the accreditation process. This step takes 10 months to complete, inclusive of the implementation of standards and criteria and staff and managerial training. Council's procedures, policies and documentation will be reviewed as part of the process to ensure the promotion of gender equality and underpin Council's commitment to violence prevention.

Council must also gather evidence to demonstrate that the standards and criteria have been met. This evidence must be submitted to a White Ribbon Assessor for auditing to ensure the requirements of the Accreditation in Step two (2) has been met. As part of this step, Council must submit a operational plan signed by Senior Management highlighting work planned following Accreditation.

Step three (3) not only acknowledges that the organisation has met the condition of Step two (2) and will be recognised as a White Ribbon Accredited Workplace, but will take a broad leadership role within the workplace and wider community. The organisation must demonstrate that it will continue to maintain its high level of awareness, engagement and confidence in violence prevention and gender equality. This will be supported with the development of innovative programs that go beyond Step two (2).

The Accreditation will be valid for three (3) years.

ITEM NO:	5.	FILE NO: S12.13.1
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	EMERGENCY SERVICES PROPERTY LEVY AND 2016 LAND VALUES	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

The State Government has determined that an Emergency Services Property Levy will commence from 1 July, 2017.

COMMENTARY:

Council would be aware that the State Government has determined that an Emergency Services Property Levy will commence from 1 July, 2017. The Levy will be imposed on all rateable properties in NSW and that Local Government will be required to collect the Levy through Council's rating system.

To facilitate the implementation of the Levy on a 'consistent basis' throughout the State, the Government required the Office of the Valuer General to issue amended land values to all Councils. Now all Councils in NSW are on a common three (3) year valuation cycle with a commencement date of 1 July, 2016.

The previous Inverell Shire wide revaluation of land values occurred in 2013.

The new valuations for this Shire are expected to be received in the next two (2) weeks and will be required to be applied to the 2017/18 rating year.

The new valuations will not have an impact on the modelling for the Special Rate Variation however there may be some impact on individual rate assessments depending on the changed relativities in Land values across the Shire.

ITEM NO:	6.	FILE NO: S4.13.2
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	STRATEGIC TASKS – ‘SIGN OFF’ – NOVEMBER 2016	
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 November, 2016 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
17 November, 2016	Second instalment of 2016-2017 Financial Assistance Grants.	Achieved	Payment received 17 November, 2016.
17 November, 2016	LIRS claim period open for all projects approved for funding.	Achieved	Claims submitted 16 November, 2016.
28 November, 2016	Last day for notice for presentation of audited Financial Reports (s.418(2)).	Achieved	Audited financial statements presented to Ordinary Meeting of Council, October, 2016.
30 November, 2016	Second quarter rates instalment due (s.562).	Achieved	Rates notices issued and second quarter rates installment due 30 November, 2016.
30 November, 2016	Electronic lodgement of Grants Commission General Data Return.	Achieved	Lodgment completed.
30 November, 2016	Last day for RAO to submit QBRS review to Council (LGGR cl.203(1)).	Achieved	Presented to Ordinary Meeting of Council October, 2016.
30 November, 2016	Last day for adoption of Policy on payment of expenses and provisions of facilities for Mayors & Councillors for 2016/17 to be adopted (s.252). (Policy to be submitted to the OLG within 28 days of adoption).	Achieved	Adopted at June, 2016 Ordinary Meeting of Council.

30 November, 2016	Notify the Minister (via OLG) that Annual Report has been posted on Council's website (s.428) – Must include GIPA and PID annual reporting information.	Achieved	Minister notified.
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I confirm that the performance criteria as set out in the criteria for scheduled tasks have been met for the month of November, 2016. 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:	7.	FILE NO: S11.12.7
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	BIODIVERSITY CONSERVATION BILL AND LOCAL LAND SERVICES AMENDMENT BILL	
PREPARED BY:	Chris Faley, Development Planner	

SUMMARY:

On 17 November, 2016, the NSW Parliament passed the *Biodiversity Conservation Bill* and *Local Land Services Amendment Bill*. Council is requested to note this information.

COMMENTARY:

On 3 May, 2016, the NSW Government released a consultation package for a new *Biodiversity Conservation Act* and an amended *Local Land Services Act*.

The consultation package was considered on 8 June, 2016 by the Civil and Environmental Services Committee. The reforms were not considered to substantially impact Council resources or processes. Laws relating to native vegetation and native animals have historically been administered by the NSW Government and this practice will continue. It was acknowledged that there is frustration within the community regarding native vegetation laws.

Following resolution at the Ordinary Meeting of Council on 22 June, 2016 (Res. 51/16), a submission was made in relation to the following matters:

- Council supports land zoned R5 Large Lot Residential being classified as 'excluded land';
- Once a draft Native Vegetation Regulatory Map has been finalised, it should be subject to a separate consultation process; and
- Council does not support the one-size fits all approach of a State Environmental Planning Policy for tree preservation controls for excluded land, e.g. urban areas.

On 17 November, 2016, the NSW Parliament passed the *Biodiversity Conservation Bill* and *Local Land Services Amendment Bill*. In relation to Council's submission:

- R5 zoned land has remained classified as 'excluded land';

- The Native Vegetation Regulatory Map will be subject to further consultation; and
- Whilst a State Environmental Planning Policy is still proposed for tree preservation, it would appear at this stage that the use of the state policy will be optional for councils.

The NSW Government intends for the new legislation to commence from mid-2017. Further consultation on more detailed components of the reforms will take place before the proposed legislation commences, including:

- Exhibiting the supporting Regulation;
- Consulting on the Native Vegetation Regulatory Map;
- Exhibiting a draft State Environmental Planning Policy for Urban Vegetation in early 2017;
- Exhibiting draft instruments such as the Biodiversity Assessment Method, wildlife management codes of practice and the land management codes of practice from early 2017; and
- Engaging with wildlife rehabilitation providers to design a new accreditation program for wildlife rehabilitation and rescue services to start in early 2018.

As previously advised, a State Environmental Planning Policy for Urban Vegetation is likely to be relevant to Council's completion of a Tree Management Plan for Inverell. The exhibition of the draft Policy in early 2017 should provide greater clarity regarding this matter and enable completion of the Tree Management Plan.

Further information in relation to the reforms can be found at www.landmanagement.nsw.gov.au.

ITEM NO:	8.	FILE NO: S15.8.71
DESTINATION 5 :	The communities are served by sustainable services and infrastructure	S
SUBJECT:	ENTERPRISE ENERGISE FUND 2016 – SMALL BUSINESS WORKSHOPS	
PREPARED BY:	Fiona Adams, Manager Integrated Planning and Reporting	

SUMMARY:

Inverell Shire Council has been awarded a grant for \$15,459 from NSW Department of Industry's, *Enterprise Energise Fund 2016* to improve skills and assist up to 40 small businesses to 'scale up' their operations. The Enterprise Energise Fund provides grants to support the economic base of regional communities in the Murray Darling Basin.

COMMENTARY:

Inverell Shire Council submitted an application to the above grant program in July, 2016. The proposal was supported by Inverell Chamber of Commerce and Industry.

Council's project is based on successful initiatives delivered by local government and business enterprise centres elsewhere in NSW including Wagga Wagga, Lithgow, Mudgee, Gosford, Cowra and Hay.

The project will increase small business capacity to create and maintain a website with e-commerce functions, attract customers in-store through visual merchandising, learn more about coordinating campaigns across the streetscape and presenting a store for a 'boutique' shopping experience.

Under the project, Council will engage two (2) companies, AusVM and I Connect You, to deliver a customised 'Regional Retail Revamp'. This includes delivery of the following:

- Workshops in online marketing and developing a website for small business;
- Website health-check workshop for business owners with an existing online presence;
- Workshop on visual merchandising and successful case studies elsewhere;
- Group training (visual merchandising) and one-on-one in-store mentoring visits.

Small business owners will be required to pay a notional registration fee to participate and this will also ensure 'buy in'. It is expected approximately 40 businesses will benefit from the program. Workshops will be delivered during the March-April period and will be scheduled in conjunction with Inverell Chamber of Commerce and Industry.

ITEM NO:	9.	FILE NO: S3.6.4
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	LIBRARY CONFERENCE AND ASSOCIATION AGM	
PREPARED BY:	Cr Dianna Baker and Sonya Lange, Manager Library Services	

SUMMARY:

Report on the proceedings of the AGM of the New South Wales Public Libraries Association, and the annual NSW Public Libraries conference held in Uladulla on 22-25 November, 2016.

COMMENTARY:

The AGM of the New South Wales Public Libraries Association was held on 22 November, 2016.

Key matters arising from the AGM were:

- Election of the Executive:
 - President - Councillor Dallas Tout
 - Vice President - County Councillor Leslie Lambert
 - Vice President - Metropolitan Councillor Romola Hollywood
 - Secretary/Treasurer - Ms Adele Casey
 - Library Manager - Country Mr Robert Knight
 - Library Manager - Metropolitan Mr Philip Edney
- Changes to the cycle of conference locations and matters related to conference arrangements were adopted, necessitated by the recent local government amalgamations.
- A motion to alter the makeup of the Executive, by opening the position of President to nominations from Library Managers was defeated.
- A new fee structure model was adopted. The new fee structure was necessitated by the recent local government amalgamations.

The annual library conference focused on the themes of literacy, learning and innovation. Key note speaker Deng Adut gave a powerful speech about using his library to teach himself to read, which allowed the former child soldier to gain an education, and become a lawyer, and advocate for social justice. He reminded everyone of the power of literacy and education to transform lives.

Other key messages included; the positive impact of men reading to young children; the emergence of STEM (Science Technology, Engineering & Maths) literacy programs in libraries; and the impacts of local government amalgamations (in New Zealand) on library service delivery. The Manager Library Services and Cr Baker also had the opportunity to view a number of new products and services from Library industry vendors.

ITEM NO:	10.	FILE NO: S3.16.24
DESTINATION 1:	A recognised leader in a broader context	R
SUBJECT:	WHITE RIBBON DAY STREET MARCH 2016	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

Council is in receipt of correspondence from the Community Violence Prevention Team following the White Ribbon March which was held on Thursday, 24 November, 2016. Council is being asked to receive and note the correspondence.

COMMENTARY:

The organising Committee of Inverell's White Ribbon Street March, expressed their 'sincerest thanks' to Council for providing the end point for the March and 'ensuring a wonderful time for discussion and networking'.

The Organising Committee advised that they support Council's initiative to explore what it means to be a 'White Ribbon Community' and it is committed to helping with any project selected to be implemented as part of that initiative.

A copy of the correspondence is attached as Appendix 3 (E28) for the information of Council.

ITEM NO:	11.	FILE NO: S18.6.52/01
DESTINATION 2:	A community that is healthy, educated and sustainable	C
SUBJECT:	SAPPHIRE WIND FARM	
PREPARED BY:	Paul Henry, General Manager	

SUMMARY:

An update in respect of the Sapphire Wind Farm Project is provided for the information of Council.

COMMENTARY:

Advice has been received from the Chief Executive Officer of CWP Renewables, Mr Ed Mounsey, that all necessary preparatory work has been completed for the Sapphire Wind Farm Project. Construction will commence on site early in 2017.

The preparatory work included the completion of the Road Dilapidation Survey of Council's road assets and the Traffic Management Plan. Both activities are nearing finalisation and should be completed to Council's satisfaction early in the new year.

ITEM NO:	12.	FILE NO: S28.21.1/09
DESTINATION 5:	The communities are served by sustainable services and infrastructure.	S
SUBJECT:	WORKS UPDATE	
PREPARED BY:	Justin Pay, Manager Civil Engineering	

SUMMARY:

This report is intended to keep Council updated on the capital works and maintenance programs.

COMMENTARY:**Ashford Road Realignment and Widening – North of Byron Station Lane**

This project, which included road widening, pavement rehabilitation and road realignment, is now complete. A final seal was applied on 23 November, 2016 in conjunction with Council's 2016/17 Bitumen Resealing Program. The line marking was reinstated on 24 November, 2016.

Inverell-Bonshaw Road Rehabilitation – (McPhees) 16km North of Ashford

This project includes road shoulder widening, constructing a stabilised pavement overlay and applying two (2) coats of bitumen seal. The work was completed in mid-November and both lanes are currently opened for traffic. Minor shoulder work to shape the table drain is to be undertaken once the table drain is dry and stable for machinery, which is expected to be completed before this Christmas.

A final seal was applied late November in conjunction with Council's 2016/17 Bitumen Resealing Program and line marking was reinstated on 23 November, 2016.

Swanbrook Road Rehabilitation – Moore Street to Runnymede Drive

This project includes upgrading the existing bitumen sealed pavement on Swanbrook Road between Moore Street and Runnymede Drive and upgrading associated drainage structures. The area is prone to localised flooding impacts during significant rain events and the design allows for construction of a trapezoidal drain that runs parallel to the road, this drain will be lined with a proprietary polymer product called "Megaditch". The design also allows for some of the existing underground pipe culvert drainage to be upgraded; this will accommodate the larger flows experienced in the area.

Minor concrete work that joins the new pipe culvert drainage and the "Megaditch" trapezoidal drain is now completed. A number of dead trees in the road reserve have been removed and will be later reinstated with a suitable native species.

Two (2) large trees at the corner of Runnymede Drive have been cut down and the remaining trunks will be removed by excavator prior to forming the adjacent "Megaditch" trapezoidal drain.

The construction of the trapezoidal drain commenced in early December. The construction has been impacted by recent storms and heavy rains which has caused minor delays.

Chisholm Street, Inverell Road Rehabilitation – Brae Street to Brown Street

This project includes full width road pavement upgrade, tree removal/replacement, installation of new water-main and kerb and gutter drainage improvement. The project is divided into two (2) stages: Stage one (1), between Brae Street and Rose Street has reached the stage of practical completion. The final coat of bitumen seal is to be applied after completion of Stage two (2), between Rose Street and Brown Street which is due to commence in early January, 2017.

Pram ramps are yet to be constructed on Brae Street and Rose Street intersections. This work is expected to be completed before Christmas. Tree replacement is scheduled to be undertaken after all road works is completed, during favourable planting conditions in Autumn of 2017.

Gwydir Highway Haywood Rehabilitation – West of Delungra

Stage one (1) of this project commenced on the 7 November, 2016. The project scope includes the widening and overlay of a 2.2km section of Gwydir Highway immediately west of Delungra. Stage one (1) consisted of a 740 metre length on the western end of the project site and was completed on 28 November, 2016 with a bitumen seal in conjunction with Council's 2016/17 Bitumen Resealing Program. The line marking was reinstated on 1 December, 2016. This project has been temporarily closed down for the Christmas break with the remainder of the project due to re-commence 3 January, 2017. Project completion is planned for March, 2107.

Maintenance Grading

Maintenance grading works were undertaken on the following roads during November 2016:

SR 23 Bedwell Downs Road	6.00km
SR 58 Rocky Creek Road	32.92km
SR 60 Nullamanna Road	36.15km
SR 63 Beaumont Road	2.83km
SR 110 Rob Roy Road	12.70km
SR 127 Yarrabee Road	4.44km
SR 130 Waddells Lane	2.31km
SR 131 Georgesens Lane	1.78km
SR 132 Barina Lane	0.60km
SR 134 Carl Tomes Lane	1.21km
SR 139 Glenburnie Road	2.10km
SR 140 Frost Lane	0.51km
SR 142 Loxton Road	1.86km
SR 143 Mackie Lane	1.00km
SR 149 Palaroo Lane	0.96km
SR 151 Mcfertridge Lane	0.42km
SR 153 Brosnans Lane	1.05km
SR 156 Anderson Lane	0.96km
SR 158 Wynella Road	4.60km
SR 159 Turners Lane	2.03km
SR 214 Old Bundarra Road	2.97km
SR 215 Schwenkes Lane	1.87km
SR 218 Old Stannifer Road	3.27km
SR 246 Elsmore Road	24.62km
SR 263 Rifle Range Road	4.75km
SR 282 Bonvale Lane	1.21km
SR 286 Monterey Road	0.87km
SR 299 Querra Creek Road	5.30km

SR 345 Kellys Road	3.41km
SR 346 Durkins Road	3.08km
SR 368 Gillespies Lane	0.61km
Total	168.39km

Reactive /Spot Grading

Reactive /spot grading works were undertaken on the following roads during November, 2016:

SR 23 Bedwell Downs Road	5.00km
Total	5.00km

Heavy Patching

No Heavy patching works were undertaken during November, 2016:

2016/2017 Gravel Resheeting Program

The 2016/2017 Gravel Resheeting program has been progressed in the southern section of the Shire. Segments of the following roads have been completed:

SR 60 Nullamanna Road
SR 230 Rickeys Lane
SR136 Dintonvale Road
SR 154 Arrawatta Road

Works currently being undertaken on Airlie Brake Road, Goomerah Lane and Halls Lane are expected to be completed by Christmas. The gravel resheeting in the northern section of the Shire is programmed to commence in January, 2017.

2016/2017 Bitumen Resealing Program

The 2016/17 Bitumen Resealing program continued through November, 2016. The weather conditions improved significantly over the month of November and as a result the program was brought back on schedule. The program was completed on 1 December, 2016. All line marking has been reinstated on regional roads and urban streets with the exception of Guyra Road. It will be reinstated late January, 2017. Once costing's are finalised a further report will be presented to the Civil and Environmental Services Committee regarding the outcomes of this program.

Other Maintenance Activities

Council's State, Regional and Local Roads, Urban and Village Street maintenance activities, such as bitumen patching, drainage and shoulder repairs as well as vegetation control, are continuing as required. Town maintenance will continue as programmed.

ITEM NO:	13.	FILE NO: S7.2.4/09
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	CONSTRUCTION	CERTIFICATES
	NOVEMBER 2016	APPROVED
PREPARED BY:	Julie Forrester, Temporary Administration Assistant	FOR

SUMMARY:

The following details the Construction Certificates approved by Council for November, 2016.

INFORMATION:

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-112/2016	McMahon Structural	124 Thomas Lane, Gum Flat 2360	New Dwelling	368,000
CC-121/2016	Boss Engineering	10 Taylor Avenue, Inverell 2360	Earthworks Only for the Construction of Two New Industrial Buildings for Storage and Assembly	1,300,000
CC-123/2016	Mr John Buchan	21 Karinda Drive, Inverell 2360	Construct Shed	37,000
CC-124/2016	Mrs Catherine Jennifer Schroder and Mr Richard James Schroder	15328 Guyra Road, Gilgai 2360	Install Relocated Dwelling on Lot 267 DP 753271	43,000
CC-127/2016	Service Stream Mobile Communications	8 Campbells Road, Bonshaw 2361	Telecommunications Facility	300,000
CC-129/2016	Ms Rebecca Naomi Moffitt	18 Brownleigh Vale Drive, Inverell 2360	New Swimming Pool, Spa and Deck	16,500
CC-130/2016	Mr Heath William Cox	55 Clive Street, Inverell 2360	New Shed	20,000
CC-131/2016	Mr David Purvis-Smith	54 Tamboura Close, Inverell 2360	Second Dwelling	433,755
CC-134/2016	Mr Douglas John Taylor	44 Prince Street, Inverell 2360	New Shed	7,000
Monthly estimated value of Approvals: November 2016			9	\$2,525,255

SUMMARY:

The following details the Construction Certificates approved by Private Certifier for November, 2016.

INFORMATION:

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-128/2016	New England North West Planning Services	49 Kookaburra Lane, Inverell 2360	Second Dwelling	70,000
CC-137/2016	Mr Barry Robert Ehsman	53 Auburn Vale Road, Inverell 2360	New Shed	16,000

CC-142/2016	Mr Barry Robert Ehsman	Yetman Road, Inverell 2360	New Shed	18,000
Monthly estimated value of Approvals: November 2016			3	\$104,000

AMENDED CONSTRUCTION CERTIFICATES

SUMMARY:

The following details the Amended Construction Certificates approved by Private Certifier for November, 2016.

INFORMATION:

<u>Construction Certificate Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CC-94/2016/B	New England North West Planning Services	11 Wolbah Close, Inverell 2360	New Dwelling & Shed	Nil
Monthly estimated value of Approvals: November 2016			1	Nil

ITEM NO:	14.	FILE NO: S7.2.4/09
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING NOVEMBER 2016	
PREPARED BY:	Julie Forrester, Temporary Administration Assistant	

SUMMARY:

The following details the Complying Development Certificates approved by Council during November 2016.

INFORMATION:

<u>Complying Development Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CD-45/2016	Miss Kareena Lee Mitchell	Rifle Range Road, Inverell 2360	Above ground pool	1,000
CD-49/2016	Mrs Alison Maree Frazier	68 King Street, Inverell 2360	New Patio	10,000
Monthly estimated value of Approvals: November 2016			2	\$11,000

AMENDED COMPLYING DEVELOPMENT CERTIFICATES

SUMMARY:

The following details the Amended Complying Development Certificates approved by Council for November, 2016.

INFORMATION:

Nil.

SUMMARY:

The following details the Complying Development Certificates approved by Private Certifier for November 2016.

INFORMATION:

<u>Complying Development Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Construction</u>	<u>\$ Amount</u>
CD-44/2016	Fox Building Certifiers	81 Brosnans Lane, Inverell 2360	New Dwelling and Shed	300,000
CD-47/2016	Mr Peter Tollis	35 Talbragar Close, Inverell 2360	New Dwelling and Shed	275,000
CD-50/2016	New England Building Consultants	31 Oliver Street, Inverell 2360	Internal Alterations	120,000
Monthly estimated value of Approvals: November 2016			3	\$695,000

ITEM NO:	15.	FILE NO: S7.2.4/09
DESTINATION 3:	An environment that is protected and sustained.	E
SUBJECT:	SUMMARY OF BUILDING CONSTRUCTION FOR NOVEMBER 2016	
PREPARED BY:	Julie Forrester, Temporary Administration Assistant	

SUMMARY:

The following report summarises the Building Construction for the Inverell Shire in November, 2016.

INFORMATION:

Total Building Construction for Inverell Shire for November, 2016:

<u>Type of Consent</u>	<u>Number</u>	<u>\$ Amount</u>
Construction Certificates – Council Approved	9	2,525,255
Construction Certificates – Private Certifier	3	104,000
Complying Development – Council Approved	2	11,000
Complying Development – Private Certifier	3	695,000
Totals	17	\$3,335,255

Estimated Value of Approvals issued in the financial ytd in:	2016/2017 (95)	\$12,211,797
	2015/2016 (72)	\$ 7,340,137

ITEM NO:	16.	FILE NO: S18.10.2/09
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	DEVELOPMENT CONSENTS AND REFUSALS DURING NOVEMBER 2016	
PREPARED BY:	Julie Forrester, Temporary Administration Assistant	

SUMMARY:

The following details the Development Consents and Refusals during November, 2016.

INFORMATION:

APPROVALS

<u>Development Application Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Development</u>	<u>\$ Amount</u>
DA-182/2015	Eastern Feeder Holdings Pty Ltd	176 Western Feeder, Kingsland 2370	Expansion of Yarrandoo Open Cut Sapphire Mine	15,000
DA-122/2016	Danbuilt Pty Ltd	30 King Street, Inverell 2360	Dwelling and Subdivision	250,000
DA-131/2016	New England North West Planning Services	177 Fernhill Road, Inverell 2360	Subdivision	Nil
DA-150/2016	SC Investments (NSW) Pty Ltd, C/- Elton Consulting	Byron Street, Inverell 2360	Change of Use to 'Business Premises' Separation of Building into Two Tenancies	175,000
DA-153-2016	Mr Paul James Sterling	82 Lake Inverell Drive, Inverell 2360	Use of Shed	38,000

DA-154/2016	Boss Engineering	10 Taylor Avenue, Inverell 2360	General Industry - Two New Industrial Buildings for Storage and Assembly	1,300,000
DA-156/2016	Mr John Buchan	21 Karinda Drive, Inverell 2360	Construct Shed	37,000
DA-157/2016	Mrs Catherine Jennifer Schroder and Mr Richard James Schroder	15328 Guyra Road, Gilgai 2360	Install Relocated Dwelling on Lot 207 DP 753271	43,000
DA-159/2016	Mr Barry Robert Ehsman	53 Auburn Vale Road, Inverell 2360	New Shed	16,000
DA-160/2016	Mr Barry Robert Ehsman	Yetman Road, Inverell 2360	New Shed	18,000
DA-163/2016	Metasite Pty Ltd	38 Lawrence St, Inverell 2360	Telecommunications Facility (slim-line monopole design)	180,000
DA-164/2016	McMahon Structural	21 Coolibah Drive, Inverell 2360	1. Construction of a Dual Occupancy 2. Subdivision of the Dual Occupancy	320,000
DA-165/2016	Mrs Kasey Leigh Sterling	56 Sapphire Street, Inverell 2360	New Dwelling	260,000
DA-166/2016	Ms Rebecca Naomi Moffitt	18 Brownleigh Vale Drive, Inverell 2360	New Swimming Pool, Spa and Deck	16,500
DA-167/2016	Mr Heath William Cox	55 Clive Street, Inverell 2360	New Shed	20,000
DA-168/2016	Inverell Shire Council	2330 Yetman Road, Oakwood 2360	Extraction of Resources on Lot 4 DP 701124 for Testing Purposes Only	Nil
DA-169/2016	McDonalds Properties (Australia) Pty Ltd	188 Byron Street, Inverell 2360	Replacement of Drive-Thru Menu Board Signage	95,985
DA-171/2016	Mr Douglas John Taylor	44 Prince Street, Inverell 2360	New Shed	7,000
Monthly estimated value of Approvals: November 2016			18	\$2,791,485

DEVELOPMENT AMENDMENTS

<u>Development Application Number</u>	<u>Applicant</u>	<u>Property</u>	<u>Development</u>	<u>\$ Amount</u>
DA-150/2016/A	SC Investments (NSW) Pty Ltd, C/- Elton Consulting	Byron Street, Inverell 2360	Change of Use to 'Business Premises' Separation of Building into Two Tenancies	Nil
Monthly estimated value of Approvals: November 2016			1	Nil

REFUSALS

Nil.

ITEM NO:	17.	FILE NO: S29.19.1
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	SEPTIC TANK APPROVALS FOR NOVEMBER 2016	
PREPARED BY:	Julie Forrester, Temporary Administration Assistant	

SUMMARY:

The following details the Septic Tank approvals for November, 2016.

INFORMATION:

<u>Application Number</u>	<u>Applicant</u>	<u>Property</u>
S-16/2009/A	Mr Grant Edwin Ballam	475 Fernhill Road, Inverell 2360
S-30/2016	Mrs Nicole Ann Lavender	355 Copeton Dam Road, Inverell 2360
S-31/2016	Mrs Catherine Jennifer Schroder and Mr Richard James Schroder	15328 Guyra Road, Gilgai 2360
S-34/2016	Mr David Purvis-Smith	54 Tamboura Close, Inverell 2360

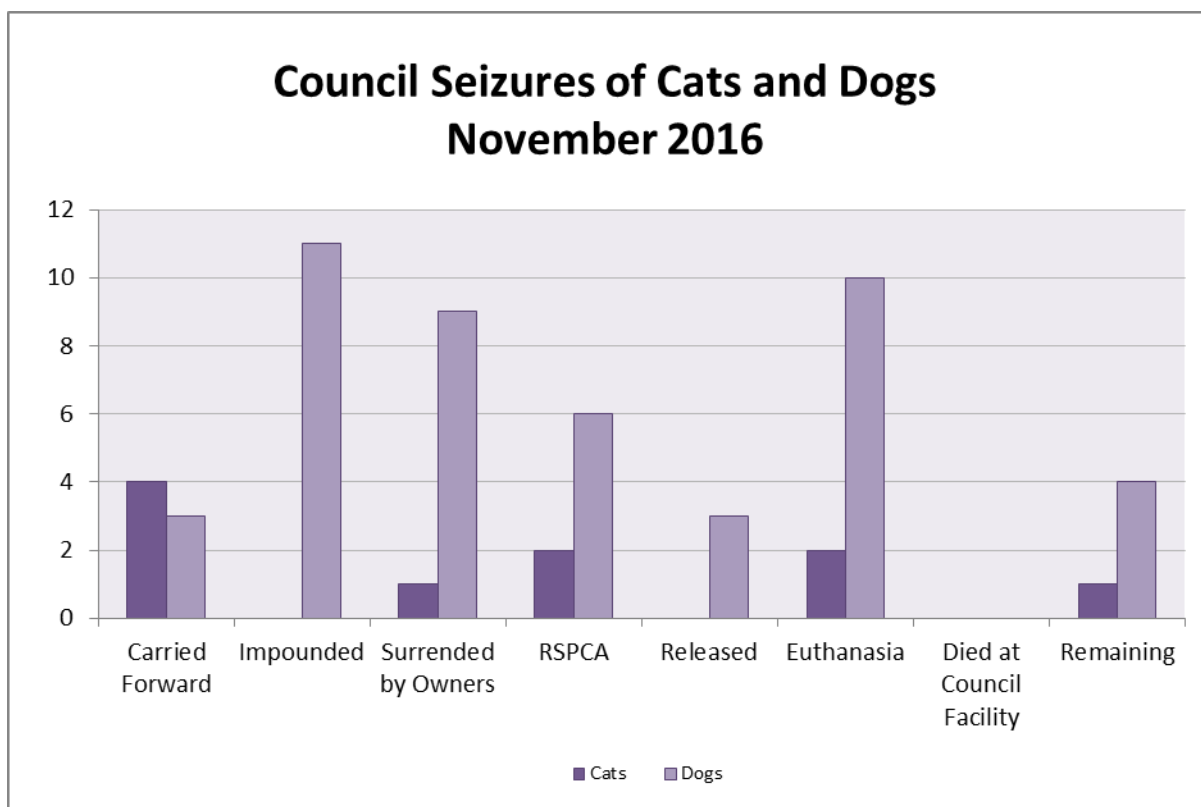
ITEM NO:	18.	FILE NO: S18.10.1
DESTINATION 3:	An environment that is protected and sustained	E
SUBJECT:	ORDINANCE ACTIVITIES REPORT FOR NOVEMBER 2016	
PREPARED BY:	Julie Forrester, Temporary Administration Assistant	

SUMMARY:

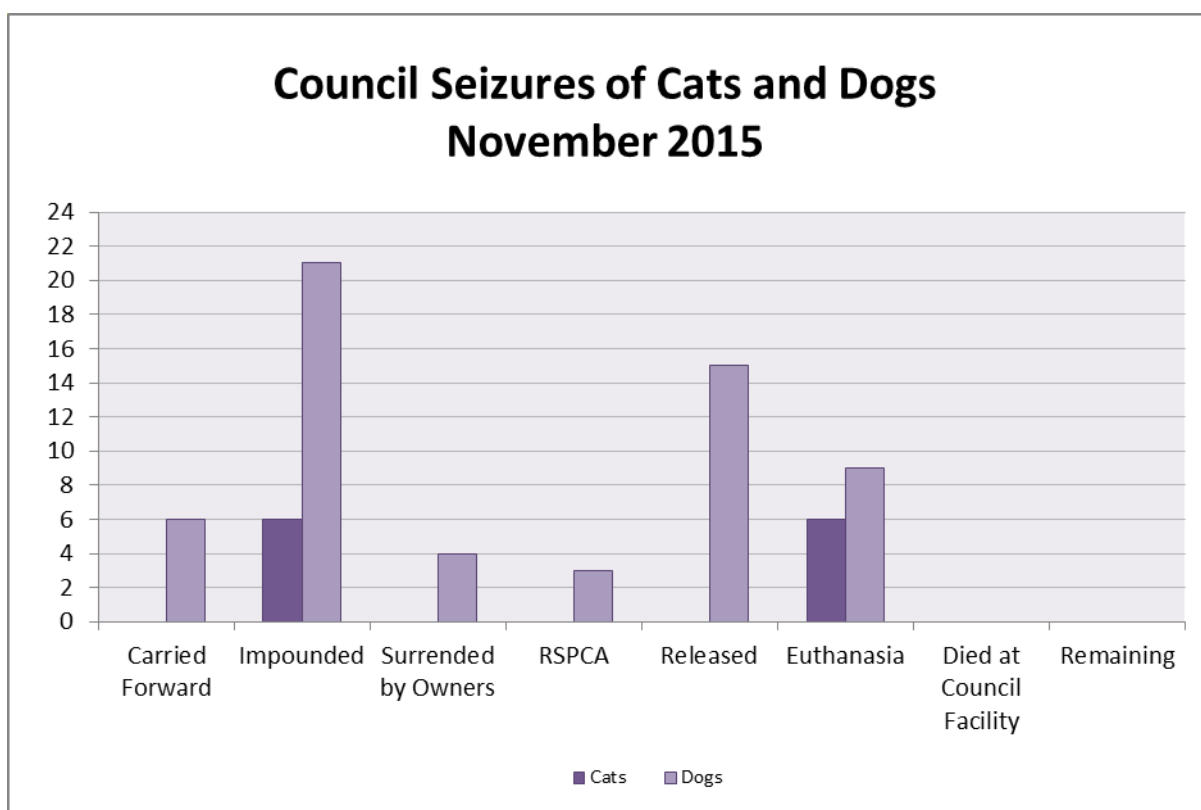
The following details the number of various Ordinance activities carried out during November 2016, in comparison to the same month in 2015.

INFORMATION:**COMPLIANCE**

Inverell Shire Council Pound Monthly Report November 2016



Inverell Shire Council Pound Monthly Report November 2015



RECOMMENDATION:

That the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 21 December, 2016, be received and noted.

APPENDIX 1

**Inverell Shire Council Inclusion (Disability) Action Plan 2017-2021**

Help us develop our Inclusion (Disability) Action Plan 2017 - 2021

Council is committed to the ethos of "A Community for Everyone" - a community that is an inclusive and welcoming for people of all abilities that supports the community's aspirations articulated in the Inverell Shire's Community Strategic Plan. Council gives "voice" to this commitment and community aspiration by promoting and supporting the equal and active participation by people with disability in the economic and social life of the community. Inverell Shire Council's Community Strategic Plan (ISCSP) embraces the aspirations for the Shire's diverse communities. The delivery of these aspirations relies on the collaborative and committed effort between government, business and community.

The need for a collaborative approach and committed effort resulted in the Council adopting as its mission: 'To work with the community in providing and facilitating the provision of services that enhance the quality of life of all Shire residents'

The Inclusion (Disability) Action Plan (IDAP) is a vital component of this mission. It supports the aims and objectives of the ISCSP, Delivery Plan and the Management/Operational Plan.

As part of the IDAP review, we would like to hear from you, those with disability and those that are part of the lives of those with disability, to contribute to creating an all inclusive community.

* 1. Which of the following best describes you?

- ☐ A person with a disability
- ☐ Family/Carer
- ☐ Community Service Provider
- ☐ Community Member
- ☐ Other (please specify)

* 2. Are you doing this survey on behalf of person with a disability?

3. If you are doing this on behalf of a person with disability what is their age group?

- ☐ N/A
- ☐ 0-5
- ☐ 6-12
- ☐ 13-18
- ☐ 19-30
- ☐ 31-40
- ☐ 41-50
- ☐ 51-60
- ☐ 60-70
- ☐ 71 and over

* 4. If you are doing this of behalf of a person with disability what is their gender?

- ☐ Male
- ☐ Female
- ☐ N/A

* 5. What is your gender ?

- ☐ Male
- ☐ Female

* 6. What is your age group?

- ☐ 12 and under
- ☐ 13-18
- ☐ 19-30
- ☐ 31-40
- ☐ 41-50
- ☐ 51-60
- ☐ 60-70
- ☐ 71 and over

10. Do you find information on Council and its services to be accessible, such as the Website, Social Media and Council Offices?

- ☐ Yes
- ☐ No (please tell us how we could improve)

11. Do you find local businesses, shops and hospitality venues accessible and understanding of your requirements?

- ☐ Yes
- ☐ No (please tell us how this could be improved so we can advocate of your behalf)

12. How would you rate Council facilities in meeting your needs?

	Does NOT meet my needs	Meets some of my needs	Meets my needs
Council Parks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council Playgrounds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council Park recreational facilities (such as shelters, seating, BBQ, bins)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council Sporting facilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council Library	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Council Swimming Pools	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Shared Pathways	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Community Centres	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Accessible toilets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inverell CBD	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public Car parking	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* 7. What is your disability, or the person for whom you provide care ?, please indicate the type

- ☐ Physical disability
- ☐ Hearing impairment
- ☐ Vision Impairment
- ☐ Intellectual impairment
- ☐ Mental Health illness
- ☐ Acquired Brain Injury
- ☐ Other

Other (please specify)

8. Do you live in;

- ☐ Inverell
- ☐ Ashford
- ☐ Bonshaw
- ☐ Delungra
- ☐ Elsmore
- ☐ Gilgai
- ☐ Texas
- ☐ Yetman
- ☐ Other

Other (please specify)

9. Do you have any suggestions in improve Council Services and or Offices to assist in your requirements?

- ☐ No
- ☐ Yes,(please tell us your suggestions)

13. What are the issues that you feel are preventing people with disability being included in our community?

14. What do you consider makes for an inclusive community?

15. Do you have any suggestion to facilitate for the inclusion of people with disability in our community?

16. Do you feel there are employment opportunities for people with disability in our community?

☐ Yes

☐ No (please tells us why and how this could be improved)


17. What are your top 3 areas that you feel requires more focus?

Priority One (1)

Priority Two (2)

Priority Three (3)

APPENDIX 2

 <p style="font-size: 24pt; font-weight: bold; margin: 0;">Apex</p> <p style="font-weight: bold; margin: 0;">AUSTRALIA</p>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> INVERELL SHIRE COUNCIL </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> 17 OCT 2016 </div> <div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>	<p>P.O Box 246, Inverell, 2360</p> <p>inverellapex@gmail.com</p> <p>www.apex.org.au</p>
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The heart of a community... the hope of a nation!

Dear Sir,

I am writing on behalf of the Apex Club of Inverell. We would like to thank the Inverell Shire Council for their generosity and assistance with the running of the Apex Venetian Carnival in 2015. The Venetian Carnival is a long running event, giving many service clubs of Inverell a chance to fundraise at a family friendly, Christmas themed event. The Carnival is deeply ingrained in many an Inverell child's memory.


The council generously allowed us to close the road alongside Campbell Park from the Byron Street Roundabout around to the Coles Carpark last year. One of our biggest concerns was public safety, having many small children attending an event beside a busy street. This road closure ensured public safety for our event. A special mention must go to Justin Pay, who personally volunteered his time to set-up and pack-up the required signage for the road closure.

The 2015 Apex Venetian Carnival saw a return of larger rides and amusements to the riverbank, giving the carnival a rejuvenated family friendly feel with activities suitable for all ages. Many other service clubs in attendance made comment that this made for a better atmosphere and a more successful event. This in turn allowed the other hard working service clubs of Inverell raise some much-needed funds to continue their service to the community.

The Apex Club of Inverell was very happy with the outcome of the 2015 Venetian Carnival. As a result of the successful carnival, we were able to make a donation of \$3000 to Operation Operating Room. This donation enabled the purchase of a new Sleep Apnoea Machine and a Theatre Bed Mattress for the Inverell Hospital. Without the generosity of The Council allowing us to have the rides along the riverbank and waiving the fees for the road closure, we wouldn't have been able to make a donation of this size to Operation Operating Room.


Inverell Apex Club looks forward to working with you in the future to continue this proud Inverell Tradition of the Venetian Carnival.

Yours Sincerely




Matthew Verri
President
Inverell Apex Club
0429403214

12/10/2016



SERVICE CITIZENSHIP FELLOWSHIP

APPENDIX 3

	INVERELL SHIRE COUNCIL
	07 DEC 2016

29th November 2016

Michelle Williams
Po Box 701,
Inverell, NSW
Michelle.L.Williams@hnehealth.nsw.gov.au

General Manager
Mr. Paul Henry
Inverell Shire Council
Po Box 138
Inverell, NSW, 2360

Dear Mr. Henry,

The Community Violence Prevention Team wishes to offer our sincerest thanks to Inverell Shire Council for the use of the Council Chambers and the provision of morning tea after the march on Thursday 24th of November. It was a wonderful time of discussion and networking.

Thankyou also for speaking at the event and announcing the partnership with White Ribbon. The Community Violence Prevention Team whole heartedly supports the endeavor and would be pleased to assist in any way we can, particularly in organizing more White Ribbon events in 2017. We look forward to Inverell becoming a White Ribbon Community. We will continue to educate men, women and children in our community to gain further understanding around the dynamics of violence and how to speak out against it.

Sincerely


Michelle Williams
Secretary



TO ORDINARY MEETING OF COUNCIL 21/12/2016

ITEM NO:	1.	FILE NO: S12.12.2/09
DESTINATION 5:	The communities are served by sustainable services and infrastructure	S
SUBJECT:	GOVERNANCE - MONTHLY INVESTMENT REPORT	
PREPARED BY:	Paul Pay, Manager Financial Services	

SUMMARY:

To report the balance of investments held as at 30 November, 2016.

COMMENTARY:

Contained within this report are the following items that highlight Council's Investment Portfolio performance for the month to 30 November, 2016 and an update of the investment environment:

- (a) Council's investments as at 30 November, 2016.
- (b) Council Investments by Fund as at 30 November, 2016.
- (c) Interest – Budgeted vs Actual.
- (d) Investment Portfolio Performance.
- (e) Investment Commentary.
- (f) Certification – Responsible Accounting Officer.

A) Council Investments as at 30 November, 2016.

Term Deposit Investment Group										
<i>Investment No.</i>	<i>Borrower</i>	<i>FUND</i>	<i>Rating</i>	<i>Risk Rating</i>	<i>Purchase Date</i>	<i>Maturity Date</i>	<i>Current Yield</i>	<i>Principal Value</i>	<i>Current value</i>	<i>Term (days)</i>
17/10	St George Bank	Water	A1+	1	01-Sep-16	01-Dec-16	2.80%	1,000,000	1,000,000	91
16/47	National Australia Bank	General	A1+	1	02-Jun-16	02-Dec-16	2.98%	2,000,000	2,000,000	183
15/19	CBA	General	A1+	1	11-Dec-14	11-Dec-16	3.80%	1,000,000	1,000,000	732
16/48	Suncorp	General	A1+	1	14-Jun-16	14-Dec-16	3.00%	1,000,000	1,000,000	183
16/49	National Australia Bank	General	A1+	1	14-Jun-16	14-Dec-16	2.97%	2,000,000	2,000,000	183
16/50	Community Mutual	Water	NR	3	14-Jun-16	14-Dec-16	3.00%	2,000,000	2,000,000	183
14/22	Westpac	General	A1+	1	17-Dec-13	16-Dec-16	4.31%	2,000,000	2,000,000	1095
17/09	St George Bank	General	A1+	1	01-Sep-16	02-Jan-17	2.80%	1,000,000	1,000,000	123
17/01	National Australia Bank	General	A1+	1	11-Jul-16	09-Jan-17	2.94%	1,000,000	1,000,000	182
17/04	National Australia Bank	Water	A1+	1	12-Aug-16	09-Jan-17	2.74%	1,000,000	1,000,000	150
17/02	Bank West	Sewer	A1+	1	21-Jul-16	17-Jan-17	2.70%	2,000,000	2,000,000	180
17/03	St George Bank	General	A1+	1	22-Jul-16	17-Jan-17	2.80%	2,000,000	2,000,000	179
17-Dec	National Australia Bank	Sewer	A1+	1	17-Sep-16	17-Feb-17	2.64%	2,000,000	2,000,000	153
17/24	National Australia Bank	General	A1+	1	15-Nov-16	15-Mar-17	2.72%	2,000,000	2,000,000	120
17/05	AMP BANK	General	A1	2	01-Sep-16	30-Mar-17	2.95%	2,000,000	2,000,000	210
17/06	AMP BANK	General	A1	2	01-Sep-16	30-Mar-17	2.95%	1,000,000	1,000,000	210
17/07	AMP BANK	Water	A1	2	01-Sep-16	30-Mar-17	2.95%	1,000,000	1,000,000	210
17/08	AMP BANK	General	A1	2	01-Sep-16	30-Mar-17	2.95%	1,000,000	1,000,000	210
17/11	National Australia Bank	General	A1+	1	16-Sep-16	14-Apr-17	2.65%	1,000,000	1,000,000	210
17/20	CBA	General	A1+	1	13-Oct-16	14-Apr-17	2.61%	1,000,000	1,000,000	183
17/15	Suncorp	General	A1+	1	27-Sep-16	27-Apr-17	2.55%	1,000,000	1,000,000	212
17/16	Suncorp	General	A1+	1	27-Sep-16	27-Apr-17	2.55%	1,000,000	1,000,000	212
17/26	Bank West	General	A1+	1	25-Nov-16	24-May-17	2.60%	2,000,000	2,000,000	180
17/21	National Australia Bank	General	A1+	1	14-Oct-16	14-Jun-17	2.72%	1,000,000	1,000,000	243
15/01	CBA	General	A1+	1	15-Jul-14	15-Jul-17	4.05%	1,000,000	1,000,000	1095
15/02	CBA	General	A1+	1	15-Jul-14	15-Jul-17	4.05%	1,000,000	1,000,000	1095
15/03	CBA	General	A1+	1	15-Jul-14	15-Jul-17	4.05%	1,000,000	1,000,000	1095
17/25	CBA	General	A1+	1	18-May-16	16-Jul-17	2.65%	1,000,000	1,000,000	210
17/23	CBA	Sewer	A1+	1	20-Oct-16	20-Jul-17	2.64%	2,000,000	2,000,000	273
15/09	CBA	General	A1+	1	01-Sep-14	01-Sep-17	3.90%	1,000,000	1,000,000	1096
17/17	National Australia Bank	Water	A1+	1	27-Sep-16	27-Sep-17	2.70%	1,000,000	1,000,000	365
17/13	CBA	General	A1+	1	17-Sep-16	17-Sep-17	3.00%	1,000,000	1,000,000	365
17/18	St George Bank	General	A1+	1	07-Oct-16	07-Oct-17	3.00%	2,000,000	2,000,000	365
17/19	St George Bank	General	A1+	1	07-Oct-16	07-Oct-17	3.00%	2,000,000	2,000,000	365
17/22	St George Bank	General	A1+	1	16-Oct-16	16-Oct-17	3.00%	1,000,000	1,000,000	183
15/10	Bank of Queensland	General	A1	2	02-Sep-14	03-Sep-18	4.10%	1,000,000	1,000,000	1462
Sub Total - Term Deposit Investment Group								TOTALS	49,000,000	49,000,000

Cash Deposits Accounts Investment Group										
As at Date	Borrower	FUND	Rating	Risk Rating	Purchase Date	Maturity Date	Current Yield	Principal Value	Current value	
30/11/16	National Australia Bank (Cash Maximiser)	General	A1+	1			1.75%	1,000,000	1,000,000	
Sub Total - Cash Deposits Accounts Investment Group								1,000,000	1,000,000	
Floating Rate Notes Investment Group										
As at Date	Borrower	FUND	Rating	Risk Rating	Purchase Date	Maturity Date	Current Yield	Principal Value	Current value	
Sub Total - Floating Rate Notes Investment Group							-	-		
Structured Products Investment Group										
As at Date	Borrower	FUND	Rating	Risk Rating	Purchase Date	Maturity Date	Current Yield	Principal Value	Written Down Value 30-6-15	Current value
30/9/16	Lehman Brothers Treasury Co B.V (CPPI-745	Water	DD	5		9/5/2010*	0.00%	300,000	9,810	9,810
Sub Total - Structured Products Investment Group							-	300,000	9,810	9,810

The written down value of the Structured Product Investment Group as at 30 June, 2016 was \$9,810, now holding at \$9,810. As previously advised, the write down in the value of Structured Products has been funded from previous years above benchmark investment returns (\$6.8M) which had been held in Internal Restricted Assets. That said, while the written down value is only \$9,810 Council has to date received \$125,423 in principal repayments. These payments are ongoing. These investments were all rated AA- and up to AAA (strong investment grade) when they were entered into and were permissible under the Ministers Investment Order. As noted by the Auditor in their 2015/2016 Audit Report, the Sewer Fund maintains a sound financial position to meet its operational requirements and the Water Fund maintains a strong financial position.

B) Council Investments by Fund 30 November, 2016

Portfolio by Fund	30/10/2016	30/11/2016
General Fund	38,000,000	38,000,000
Water Fund	6,009,810	6,009,810
Sewer Fund	6,000,000	6,000,000
TOTAL	\$ 50,009,810.00	\$ 50,009,810.00

Council's investment portfolio remained neutral throughout November, 2016. This was in respect of normal cash flow movements for receipts collected and payments made during October.

While the level of Investments has been largely maintained over recent years, these will decrease during 2016/2017 as a number of major projects are completed. These include:

- Inverell Sewerage Treatment Works \$ 3.0 M
- Infrastructure Backlog Program \$ 4.01M
- Waste Infrastructure Program \$ 2.0M
- 2015/2016 Revotes \$ 15.5M

In addition to these amounts Council also holds substantial unexpended Grant Funds in the General Fund which can only be utilised for the purpose for which they were granted.

C) Interest – Budgeted verses Actual Result to Date

	Ledger	2016/2017 Budget	Actuals to Date
General Fund	128820	879,000.00	310,665.12
Water Fund	812350	50,000.00	16,261.11
Sewer Fund	906320	70,000.00	35,117.81
TOTAL		\$ 999,000.00	\$ 362,044.04

The interest received to date (cash basis) is in accordance with Budget and does not include accruals. It is again expected that Council's Investment Portfolio will achieve benchmark returns in 2016/2017.

D) Investment Portfolio Performance

Investment Portfolio Return		Benchmarks		
	% pa	RBA Cash Rate	Aus Bond Bank Bill	11am Cash Rate
Benchmark as at 31/10/16		1.50%	2.12%	1.78%
Term Deposits	3.05%			
Cash Deposit Accounts	1.75%			
Floating Rate Notes				
Structured Products*	0.00%			

*Structured Products exclude 1 CDO's currently in default and returning zero coupon

E) Investment Commentary

Council's investment portfolio returns exceeded the 11am Cash Rate benchmark in all investment categories except for Structured Products and Cash Deposits Accounts. Term Deposits exceed the UBSA Bank Bill Index benchmark. Money is held in cash deposits accounts for liquidity purposes.

Council's investment portfolio of \$50M is almost entirely invested in fixed term deposits. Overall, the portfolio is highly liquid, highly rated and short-dated from a counterparty perspective.

As widely expected, the Reserve Bank of Australia (RBA) kept the official cash rate unchanged at 1.5% during its December Meeting. Interest rates have been steady since August, 2016 and the RBA doesn't meet again until February, 2017.

Money markets continue to price in another interest rate cut early next year, the most recent economic data was poor, sales have weakened, wage and inflation remain at record low levels, sharp decline in full time jobs and the Aussie dollar continues to trade above desired levels.

Council staff will continue to monitor interest movements to ensure the best possible returns on investments.

F) Certification – Responsible Accounting Officer

I Ken Beddie, hereby certify that the investments listed in this report have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the Local Government (General) Regulations 2005 and Council's Investment Policy.

RELATIONSHIP TO STRATEGIC PLAN, DELIVERY PLAN AND MANAGEMENT PLAN:

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

Term Achievement: S.01.02 A sound long term financial position is maintained.

Operational Objective: S.01.02.01 To manage Council Finances with the view to ensuring Council's ongoing financial health and stability, the discharge of statutory and fiduciary responsibilities, proper accounting systems and standards and an efficient and equitable revenue base.

POLICY IMPLICATIONS:

Nil.

CHIEF FINANCIAL OFFICERS COMMENT:

It is noted that the volatility for current financial markets and pending legal actions will not impact on Council's Rates and Charges, its ability to deliver its existing Services across the funds, or its medium or long term sustainability. Council's overall Investment Portfolio remains sound.

LEGAL IMPLICATIONS:

Nil.

RECOMMENDATION:

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.*