

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 25 MAY, 2016, COMMENCING AT 3 PM.

PRESENT: Cr P J Harmon (Mayor) [Chairperson], Crs D F Baker, H N Castledine, P J Girle, B C Johnston, D C Jones, A A Michael, M J Peters and J A Watts.

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**

Nil.

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

36/16 RESOLVED (Baker/Johnston) that the Minutes of the Ordinary Meeting of Council held on 27 April, 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 3.04pm, the following interest was declared:

- Cr Michael declared a pecuniary interest in Section C, Committee Reports, Item 4, "Economic & Community Sustainability Committee Meeting Minutes - 11 May 2016". The nature of the interest relates to Cr Michael's association with a developer with a possible interest in the property.

PUBLIC FORUM **S13.5.6/09**

At this juncture, the time being 3.06pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Mrs Sue Moran 2016/2017 Draft Budget and Operational Plan

Mrs Moran spoke in respect of the Town Centre Renewal Plan (TCRP) and broader budgetary issues. Mrs Moran believes the TCRP is too expensive and believes a special rate variation is not warranted.

Mrs Moran spoke on behalf of Mr Greg Moran who was unable to attend the Public Forum. The extensive works that Council are undertaking in a wide range of areas to benefit the Shire was noted. Mrs Moran again queried Council's reported backlog on behalf of Greg Moran.

Ms Caroline Wilson Town Centre Renewal Plan

Ms Wilson noted the 2016/2017 Draft Budget and Operational Plan, particularly the proposed TCRP centre median strip. Ms Wilson proposed the cost of the TCRP, by her calculation is \$15M-\$20M. Ms Wilson also noted the April, 2016 Council resolution in respect of the tree issue and felt that the resolution was flawed and incorrect. It was asked that the Motion be rescinded.

At this juncture, the time being 3.40pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

**SECTION B
ADVOCACY REPORTS**

1. **MAYORAL MINUTE: PUBLIC FORUM - MAY COUNCIL MEETING
S3.15.18**

37/16 RESOLVED (Michael/Watts) that the information be received and noted.

**SECTION C
COMMITTEE REPORTS**

1. **WASTE MANAGEMENT SUNSET COMMITTEE MEETING MINUTES – 27
APRIL 2016 S31.9.3**

38/16 RESOLVED (Girle/Castledine) that the Minutes of the Waste Management Sunset Committee Meeting held on Wednesday, 27 April, 2016, be received and noted.

2. **INVERELL LIQUOR CONSULTATIVE COMMITTEE MEETING MINUTES – 9
FEBRUARY 2016 S19.9.1**

39/16 RESOLVED (Michael/Baker) that the Minutes of the Inverell Liquor Consultative Committee Meeting held on Tuesday, 9 February, 2016, be received and noted.

3. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES –
11 MAY 2016 S4.11.16/08**

40/16 RESOLVED (Castledine/Jones) that:

- i) the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 11 May, 2016, be received and noted; and
- ii) the following recommendation of the Civil & Environmental Services Committee be adopted by Council:

1. **GRAFTON TO INVERELL S26.3.7/08**

That a letter be sent to Cycling Australia and Cycling NSW seeking support of the event.

2. **SWIMMING POOL INSPECTION PROGRAM S7.9.2/09**

That Council endorse the amended Swimming Pool Inspection Program to reflect current legislative requirements.

3. **ILLEGAL BUILDING WORKS - CORRESPONDENCE FROM WARRINGAH
COUNCIL S19.10.3**

That Council write to the Minister for Planning, Hon. Rob Stokes, and cc the Minister for Local Government, Hon. Paul Toole, in support of Warringah Council's resolution.

4. **REHABILITATION OF BUNDARRA ROAD S28.10.IN44**

That the rehabilitation of Bundarra Road, between Macintyre Street and Lions Park be performed under closed road conditions.

At this juncture, the time being 3.45pm, having previously declared a pecuniary interest in Section C, Committee Reports, Item 4, "Economic & Community Sustainability Committee Meeting Minutes - 11 May 2016", Cr Michael left the meeting and did not participate in the vote in this matter.

4. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 11 MAY 2016 S4.11.17/08

41/16 RESOLVED (Watts/Girle) that:

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 11 May, 2016, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. EXPIRING LICENCE AGREEMENTS S5.10.65

- 1. Licence Agreement, Mr George Sherry – Part Lot 1, DP 1140913, Cameron Park and Part Closed Road, Inverell.

That:

- i) *Council renew the agreement with Mr George Sherry for Part Lot 1, DP 1140913, Cameron Park and Part Closed Road, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) *the licence fee be \$390.00 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) *the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

- 2. Licence Agreement, Mr Colin Laidlaw – Part Lot 1, DP 1140913, Cameron Park and Part Closed Road, Inverell.

That:

- i) *Council renew the agreement with Mr Colin Laidlaw for Part Lot 1, DP 1140913 Cameron Park and Part Closed Road, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) *the licence fee be \$420.00 per annum (GST inclusive) with a 3% increase per annum; and*
- iii) *the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

3. INVERELL MEN'S HEALTH NIGHT - REQUEST FOR FINANCIAL ASSISTANCE S12.22.1/09

That a donation of \$1000 be provided in support of the event, subject to further information being provided regarding the event including Hunter New England's involvement and support.

4. ARTS NORTH WEST S26.5.4

That:

- i) *the report be received and noted; and*
- ii) *a representative from Arts North West be invited to attend a Council Meeting to present the benefits and opportunities of being a member of Arts North West.*

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 2015/2016
S12.5.1/09

That:

- i) *Council's Quarterly Operational Plan and Budget Review for 31 March, 2016 be adopted; and*
- ii) *the proposed variations to budget votes for the 2015/2016 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2016 from operations of \$6,952.*

7. REQUEST FOR REDUCTION ON WATER ACCOUNT S32.10.1/09

That Council issue an amended account of \$254.82 for the quarter in question, based on the average consumption for the last two (2) accounts and write off \$401.41.

8. 104 OTHO STREET, INVERELL – ADDITIONAL DETAIL S5.2.1/18

That the offer from BEST Employment for the purchase of 104 Otho Street, Inverell be declined.

At this juncture, the time being 3.47pm, Cr Michael returned to the meeting.

SECTION D
DESTINATION REPORTS

1. GRAIN HARVEST MANAGEMENT SCHEME S30.9.11

GM-A **42/16 RESOLVED** (Baker/Johnston) *that Council continue to be a participant in the Grain Transport Management Scheme from 1 July, 2016 – 30 June, 2021.*

2. REQUEST FOR LICENCE AGREEMENT – SAPPHIRE WIND FARM PTY LTD
S5.10.65

CSOP-A **43/16 RESOLVED** (Johnston/Watts) *that:*

- i) *Council enter into a Licence Agreement with Sapphire Wind Farm Pty Ltd for three (3) unformed roads known as:*
 - (a) *Unformed Road 1 – approximately 860 metres long, located off Waterloo Road approximately 6 kilometres from the Woodstock Road intersection;*
 - (b) *Unformed Road 2 – approximately 300 metres long, located off Waterloo Road approximately 7.4 kilometres from the Woodstock Road intersection;*
and

(c) *Unformed Road 3 – approximately 1.3 kilometre long, located off Western Feeder approximately 200 metres from Waterloo Road intersection.*

- ii) *the Licence Agreement be for a period of 75 years;*
- iii) *the Licence Fee be \$1.00 per annum while-ever the Community Fund is in place and operates as agreed at the March, 2016 meeting of Council;*
- iv) *should the Community Fund cease to operate as indicated in point iii), that the Licence Fee be reviewed;*
- v) *the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

3. LOCAL GOVERNMENT AMALGAMATIONS S13.1.1

GM-A **44/16 RESOLVED** (Johnston/Michael) *that Council endorse the actions of the Mayor in continuing to pursue the Tingha area community of interest, with the Administrator of Armidale Regional Council and the State Government.*

4. MOBILE PHONE BLACKSPOT COVERAGE S10.12.2/09

GM-A **45/16 RESOLVED** (Johnston/Castledine) *that:*

- i) *Council support the Australian Wide campaign to the Federal Government requesting further funding for genuine mobile phone coverage blackspots;*
- ii) *Council lobby the local Federal Member, Hon. Barnaby Joyce requesting that the Government legislate that where public funds are utilised in the provision of a phone tower, that phone and data roaming services must be provided for all mobile phone providers.*

**SECTION E
INFORMATION REPORTS**

- 1. **INVERELL FRIENDS OF THE LIBRARY S3.6.5**
- 2. **QUESTIONS WITHOUT NOTICE – APRIL 2016 S13.5.5/09**
- 3. **STRATEGIC TASKS – ‘SIGN OFF’ – APRIL 2016 S4.13.2**
- 4. **INVERELL MEN'S HEALTH NIGHT – ADDITIONAL INFORMATION S12.22.1/09**
- 5. **OPERA IN THE Paddock 2016 S26.3.14**
- 6. **CONSTRUCTION CERTIFICATES APPROVED FOR APRIL 2016 S7.2.4/09**
- 7. **COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING APRIL 2016 S7.2.4/09**
- 8. **SUMMARY OF BUILDING CONSTRUCTION FOR APRIL 2016 S7.2.4/09**
- 9. **DEVELOPMENT CONSENTS AND REFUSALS DURING APRIL 2016 S18.10.2/09**
- 10. **SEPTIC TANK APPROVALS FOR APRIL 2016 S29.19.1**
- 11. **ORDINANCE ACTIVITIES REPORT FOR APRIL 2016 S18.10.1**

12. **INFRASTRUCTURE BACKLOG - NRMA FUNDING LOCAL ROADS 2015 REPORT** **S5.6.2**

46/16 RESOLVED (Johnston/Michael) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 25 May, 2016, be received and noted.

SECTION F
QUESTIONS WITHOUT NOTICE

QWN/ORD 16/16 Council Property - 104 Otho Street
Cr Peters

Cr Peters asked if this Council property has been sold.

The General Manager advised the property has not been sold.

QWN/ORD 17/16 Danthonia Event – Inverell Ministers Fraternal **S6.8.9**
Cr Watts

Cr Watts asked that she be allowed to take a matter into Closed Council.

47/16 RESOLVED (Watts/Girle) that the matter be referred to Closed Council for consideration as:

- i) the matters and information are 'Personnel matters concerning particular individuals (other than councillors.' (Section 10A(2)(a) of the Local Government Act, 1993);
- ii) on balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and
- iii) all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

GM-N **QWN/ORD 18/16** Border Regional Organisation of Councils (BROC) Meeting
Cr Girle **S14.10.1**

Cr Girle spoke in respect of the recent BROC Meeting held in Bingara and a number of funding opportunities that were discussed by Regional Development Australia - Northern Inland (RDANI).

48/16 RESOLVED (Baker/Watts) that Cr Girle be Council's representative to BROC.

QWN/ORD 19/16 Grant Funding – BOSS Engineering
Cr Girle

The recent grant funding of \$495K from the State Government's Murray Darling Basin Regional Business Fund to construct a new assembly facility to cater for their expansion was noted.

QWN/ORD 20/16 Opera in the Paddock
Cr Baker

Cr Baker noted the success of the 2016 Opera in the Paddock event.

QWN/ORD 21/16 Equestrian Centre
Cr Baker

Cr Baker noted the recent events at the Centre advising that the recent Council improvements of the facility are appreciated by users.

QWN/ORD 22/16 Cameron Park Opening
Cr Harmon

Cr Harmon noted the successful delivery of the project and the recent Official Opening.

QWN/ORD 23/16 White Rock Wind Farm
Cr Harmon

Cr Harmon attended the Ground Breaking Ceremony for the commencement of this project. This project will bring major economic benefits to the region.

QWN/ORD 24/16 Candidate Seminar
General Manager

The General Manager advised that a Candidates Seminar for the 2016 Council Elections will be held in the Council Chambers on Wednesday, 13 July, 2016 at 5.30pm.

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

At 4.40pm, the Chairperson offered the opportunity to members of the public to make representations as to whether any part of the Council Meeting should not be considered in Closed Council. There was no response.

CLOSED COUNCIL REPORTS

49/16 RESOLVED (*Grile/Jones*) *that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.*

Upon resuming Open Council at 4.52pm, the Chair verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

1. DANTHONIA EVENT – INVERELL MINISTERS FRATERNAL **S6.8.9**

That the information be received and it be noted that a Certificate was presented at the event to the Danthonia community.

ADOPTION OF RECOMMENDATIONS

50/16 RESOLVED (*Michael/Baker*) *that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 4.54pm.

CR P J HARMON

CHAIRPERSON