

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 22 AUGUST 2018, COMMENCING AT 3 PM.

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

Acting General Manager (Brett McInnes), Director Corporate & Economic Services (Scott Norman) and Manager Civil Engineering (Justin Pay).

**SECTION A**

**APOLOGIES S13.6.9/10**

The Acting General Manager advised that Cr Peters tendered his apology and sought leave of absence for business reasons.

**93/18 RESOLVED** (McCosker/Baker) *that the apology from Cr Peters due to his absence for business reasons be accepted, and that leave of absence be granted.*

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

**94/18 RESOLVED** (King/Baker) *that the Minutes of the Ordinary Meeting of Council held on 25 July, 2018, as circulated to members, be confirmed as a true and correct record of that meeting.*

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

There were no interests declared.

**PUBLIC FORUM S13.5.6/10**

At this juncture, the time being 3.05 pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Kevin Dunn and Sandy McNaughton; National Transport Museum

Kevin Dunn presented a concept for a Cultural and Exhibition Centre to be built behind the National Transport Museum, facing the Macintyre River. What is proposed is an all of community facility and he pointed out that there was currently no venue in town of that size. It was suggested that it would cater for existing functions that are limited by the venue, be a wet weather alternative for outdoor events and attract new events to the area.

A concept drawing was circulated. The proposed building is 10,000 square metres and is built on piers, it would be 2 and a half times the size of the existing Transport Museum and would include a stage, a climate controlled area for delicate museum displays, and could possibly house the community radio station. The National Transport Museum Committee is seeking Council's support for the concept and formal support for seeking funding via grant applications.

Beth Camilleri (Inverell Equestrian Council) – Inverell Equestrian Complex

The Inverell Equestrian Council is seeking help to develop equestrian stables at their grounds in Cameron Street. Their objective is to have 30 stables with power and water connected for overnight accommodation for horses. The lack of overnight stabling is

seen as a real restriction to attracting horse events to the region.

It was noted that there are stables at the race course; but these cannot be used by general public due to quarantine health risks and Jockey Club rules. There are also stables at the show grounds, but these are too far away for any competitor at the Inverell Equestrian grounds to use.

The Equestrian Council has been fund raising and will continue to do so; however they specifically requested Council's assistance with acquiring funding for construction of stables to further the growth of the equestrian sports in the area.

#### Frank Fleming: Inverell VRA

The Inverell Volunteer Rescue Association (VRA) are seeking to raise \$150,000 for the purchase and custom fitting of a new rescue truck.

To date, the Inverell community and service clubs have helped to raise approximately \$50,000 towards the campaign and while this effort is greatly appreciated, a considerable amount of money is still required. The VRA is therefore seeking Council's assistance in applying for grant funding.

At this juncture, the time being 3.23pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

### **SECTION B ADVOCACY REPORTS**

#### Cr Berryman      LGNSW Planning Lunch: Transport in Regional Areas

Cr Berryman attended the LGNSW Planning Lunch: Transport in Regional Areas where the importance of efficient roads and rail freight to support regional economies was discussed. Cr Baker and Cr Dight also attended. Key discussion points were:

- The release of the Future Transport Strategy 2056 and the Regional NSW Services & Infrastructure Plan. These documents have identified trends, issues, services and infrastructure needs which will shape both passenger and freight transport in regional NSW. Modelling and research has indicated a significant increase in the freight tasks, predicted to be up 50% in the next 20 years with a 12% increase in rural areas. It also indicated a need to improve road safety on rural roads. The pressure to allow restricted access vehicles on council's roads is expected to increase and councils are encouraged to approve these where possible. The new portal for approving access should make administration easier.
- The upcoming freight and ports strategy confirm Port Botany as the Port of focus for the NSW Government.
- The commencement of the Inland Rail Project was discussed, Funding has been provided for works in NSW with an expected completion date of 2025. On completion it is expected the Inland Rail Project will halt the increase in heavy vehicle numbers on the road network.

#### Cr King      Local History Space at the Library

Cr King attended the opening of the new Local History Space at the

- Cr Baker      Library. He also attended Motor Mania at the Pioneer Village which was well run and well attended.  
AGM of the Inverell Equestrian Council
- Cr Baker attended the AGM of the Inverell Equestrian Council. Their focus for the coming year will be the development of a stable complex.
- Cr Dight      Border Regional Organisation of Councils (BROC)
- Cr Dight attended the Border Regional Organisation of Councils (BROC) which was held in Goondiwindi on 10 August, 2018. A detailed report is included in the Advocacy section of the business paper for Council to consider. Cr Berryman also attended.
- Cr McCosker      Extended access for restricted vehicles on the Shires Road Network
- Cr McCosker met with Keri Brown from Inverell Freighters. Inverell is becoming a large receival centre for numerous goods; one of which is wool. Mr Brown would like extended access for restricted vehicles on the Shire's Road Network.
- Cr Michael      Attendance at functions representing the Mayor
- Cr Michael attended several functions representing the Mayor;
- The Student representative Council Induction at Inverell High School.
  - The second Computer Building Class at the Dust Jacket. This was aimed at youth and was well attended.
  - A Meeting of the Cultural Group which was also well attended. Arts North West presented at the meeting.
- Cr Harmon      Clontarf
- Cr Harmon met with the management from Clontarf, a program run for Indigenous Boys at the Inverell High School.
- Cr Harmon      Inverell Chamber of Commerce
- Cr Harmon attended the presentation by guest speaker Mr Michael Crossland at the RSM Club. The presentation was organised by the Inverell Chamber of Commerce and was considered an inspirational and well received event.
- Cr Harmon      Inverell Library
- Cr Harmon officially opened the reconfiguration of the Inverell Library for the Inverell Family History Group. The Group now has more space and Library staff have assisted in cataloguing their collection.

1. MAYORAL MINUTE: ANNUAL PERFORMANCE REVIEW – GENERAL MANAGER S22.19.1 & 2763

**95/18 RESOLVED** (Harmon/Baker) 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.*

- GM-A 2. BORDER REGIONAL ORGANISATION OF COUNCILS – AUGUST MEETING S14.10.1

**96/18 RESOLVED** (Dight/Berryman) that Inverell Shire Council writes a letter of support for the promotion and development of additional water storage in the Border Rivers catchment area to NSW Water in response to their information report and seek additional information from the organisation on the reality of the proposal.

#### SECTION C COMMITTEE REPORTS

- CSO-P 1. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 8 AUGUST 2018 S4.11.16/10

**97/18 RESOLVED** (Baker/Berryman) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 8 August, 2018, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

1. GRAVEL RESHEET PROGRAM 2018/19 S28.21.1/11

*That:*

- i) *the 2018/19 Gravel Resheeting Program as presented be adopted; and*
- ii) *the adopted program be placed on Council's web page for the information of the community.*

2. BITUMEN RESURFACING PROGRAM 2018/19 S28.21.1/11

*That:*

- i) *the 2018/19 Bitumen Resurfacing Program as presented be adopted; and*
- ii) *the adopted program be placed on Council's webpage for the information of the community.*

3. HERITAGE STRATEGY 2018-2021, ANNUAL HERITAGE REPORTING AND HERITAGE ADVISORY SERVICE UPDATE S18.8.3

*That:*

- i) *the Inverell Shire Council Heritage Strategy 2018-2021 be adopted; and*
- ii) *the 2017/2018 annual reporting and funding acquittals to the NSW Office and Environment and Heritage be noted.*

4. PROPOSED LOADING ZONE BRISSETT LANE S28.27.2

*That:*

- i) *Council accede to the request to convert the existing rear to kerb space in Byron Street adjacent to Brissett Lane (fronting the Telstra Store) to a loading zone in lieu of the nominated location in Brissett Lane.*
- ii) *the loading zone operate between 10am to 3pm Monday to Friday.*

5. FIRE SAFETY REPORTS S7.11.2/11

*That Council formalise the agreed fire safety upgrades and commence the process of issuing Fire Safety Orders at each premises to address the identified fire safety deficiencies.*

CSO-P

2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 8 AUGUST 2018

**98/18 RESOLVED** (Watts/Dight) *that:*

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 8 August, 2018, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

1. REQUEST TO LICENCE LAND – WESLEY SIMS S5.10.65

*That:*

- i) *Council enter into a Licence Agreement with Wesley Sims for Unformed Road on Arrawatta Road, Oakwood, for a five (5) year period with a further five (5) year option;*
- ii) *the Licence fee be \$400 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. REQUEST TO LICENCE LAND – KATHRYN TAIT S5.10.65

*That:*

- i) *Council enter into a Licence Agreement with Kathryn Tait for Part Unformed Road, adjacent to Lot 101, DP 750068, Inverell, for a five (5) year period with a further five (5) year option;*
- ii) *the Licence fee be \$122.48 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. DRAFT CULTURAL AND ARTS STRATEGY BRIEF S15.8.81

*That:*

- i) *the Draft Consultancy Brief be amended to included an additional purpose for the Strategy, that being "to encourage and facilitate the development of future new cultural activities and projects";*
- ii) *the Draft Consultancy Brief (as amended) be adopted;*
- iii) *Council seeks Expressions of Interest (EOIs) from consultants during September and early October, with submissions closing on Friday, 12 October, 2018;*
- iv) *Cr Michael be nominated to serve on the selection panel which assesses the EOI submissions.*

4. REQUEST FOR REDUCTION ON WATER ACCOUNT S32.10.1/11

*That Council issue an amended account of \$162.06 for the last quarter based on the average consumption of accounts prior to the leak and write off \$971.02.*

5. NATIONAL TRANSPORT MUSEUM – LEASE ARRANGEMENTS S5.10.145

*That:*

- i) *the 50% reduction of the Licence Fee for the use of the National Transport Museum premises at 69 Rifle Range Road, Inverell be extended for a further 2 years commencing 1 July 2018; and*
- ii) *Council request regular periodic financial updates and forecasts from the National Transport Museum.*

DCES

3. **AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES – 1 AUGUST 2018**

**99/18 RESOLVED** (Dight/Baker) *that:*

- i) *the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 1 August 2018, be received and noted; and*
- ii) *The following recommendations of the Audit, Risk and Improvement Committee be adopted by Council:*

1. AUDIT NSW PERFORMANCE AUDITS SERVICE DELIVERY

*That:*

- i) *reporting for selected services and associated key performance indicators (KPI) should be developed from the existing operational plan. Selection should be based on whether the KPI provides meaningful, useful information about service outcomes and if the required information is at hand.*
- ii) *financial measures of efficiency for the selected services to be included in the reporting where the information is readily available and meaningful.*
- iii) *this reporting on the delivery of services to be included in the 2018 Annual Report with achievements aligned with strategic goals.*

2. FURTHER DEVELOPMENT OF THE RISK FRAMEWORK

*That Council conduct a workshop in February 2019 to allow Councillors to consider the Draft Risk Framework.*

3. OTHER BUSINESS

*That the New England Joint Organisation be asked if they are willing to assist with the provision of Internal Audit Services on a regional basis.*

**SECTION D  
DESTINATION REPORTS**

CSO-P 1. GRAMAN WAR MEMORIAL HALL COMMITTEE S5.13.8

**100/18 RESOLVED** (Michael/Baker) *That:*

- i) *the information be received and noted; and*
- ii) *the following persons be authorised as office bearers of the Graman War Memorial Hall Committee:*

*President: Lois Reardon  
Secretary: Annie Nicolle  
Treasurer: Jodie Ceely*

DECS 2. ARMISTICE DAY CENTENARY EVENT S26.3.3/11

**101/18 RESOLVED** (Baker/Watts) *that a one off donation of \$6,000 be made towards the costs of holding the Armistice Day Centenary Event.*

MIPR 3. REQUEST FOR ASSISTANCE – EAT DRINK LIVE NEW ENGLAND S12.22.1/11

**102/18 RESOLVED** (King/Baker) *that:*

- i) *on this occasion Council accede to the request for a contribution of \$4,000 towards the cost of a Celebrity Chef for Eat Drink Live New England event.*
- ii) *this being conditional on Council being acknowledged as a sponsor of the event and the Council logo is displayed at the Celebrity Chef presentation.*

DCES 4. CHANGES TO THE NATURAL DISASTER RELIEF AND RECOVERY ARRANGEMENTS (NDRRA) S15.8.16

**103/18 RESOLVED** (Michael/Watts) that the Office of Emergency Management be advised that Council will remain in the existing cost sharing system (Option 1) for Disaster Recovery Funding.

- TTP            5.        OFFICE OF ENVIRONMENT AND HERITAGE, HERITAGE ACTIVATION GRANT PROGRAM S15.8.8

**104/18 RESOLVED** (Watts/Berryman) that a letter of appreciation be extended to the NSW Minister for Heritage, including acknowledgement of the importance of the Heritage Near Me funding stream and seeking the funding be continued.

- GM            6.        INVERELL VOLUNTEER RESCUE ASSOCIATION - REQUEST FOR ASSISTANCE S12.22.1/11

**105/18 RESOLVED** (Michael/King) that Inverell Shire Council support the Inverell Volunteer Rescue Association in their efforts to secure grant funding for the purchase and custom fit out of a new rescue truck.

- EXA            7.        REQUEST FOR AMENDMENT TO LICENCE AGREEMENT – SAPPHIRE SOLAR FARM PTY LTD

**106/18 RESOLVED** (Baker/Dight) that:

- a) The request by Sapphire Solar Farm P/L to amend the existing Licence Agreement over the following roads be noted:
  - i) Unformed Road 1 – approximately 860 metre long, located off Waterloo Road approximately 6 kilometres from the Woodstock Road intersection;
  - ii) Unformed Road 2 – approximately 860 metre long, located off Waterloo Road approximately 6 kilometres from the Woodstock Road intersection; and
  - iii) Unformed Road 3 – approximately 1.3 kilometre long, located off Western Feeder approximately 200 metres from Waterloo Road intersection.
- b) The amendment of the permitted use for the closed road reserves be approved;
- c) The proposed agreement be amended to permit Council (Grantor) to review and amend the Licence Fee in the event that the Sapphire Wind Farm Community Fund ceases to operate.

#### **SUPPLEMENTARY SECTION D DESTINATION REPORTS**

**107/18 RESOLVED** (Baker/Dight) that the Supplementary Destination Reports to the Ordinary Meeting of Council held on Wednesday, 22 August, 2018, be considered.

- DCES            1.        PUBLIC ART PROPOSAL - ALBURY STREET, ASHFORD

**108/18 RESOLVED** (Dight/Baker) that

- i) Council accede to the Ashford Business Council request to permit the Mural Artist to complete the public artworks in Albury Street, specifically painting the further 5 tree surrounds and completing the mural on the bus shelter at the front of the Rural Transaction Centre.



- ii) *Permission is granted on the understanding that any further public art undertaken by the Mural Artist will follow due process and approval will be sought from the Ashford Business Council and the Inverell Shire Council.*

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

1. STRATEGIC TASKS – ‘SIGN OFF’ – AUGUST 2018 S4.13.2
2. GILGAI SPEED ZONE REVIEW S30.9.5
3. DROUGHT ASSISTANCE IN INVERELL LGA S3.16.16
4. CONSTRUCTION CERTIFICATES APPROVED FOR JULY 2018 S7.2.4/11
5. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING JULY 2018 S7.2.4/11
6. SUMMARY OF BUILDING CONSTRUCTION FOR JULY 2018 S7.2.4/11
7. DEVELOPMENT CONSENTS AND REFUSALS DURING JULY 2018 S18.10.2/11
8. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING JULY 2018 S18.10.2/11
9. SEPTIC TANK APPROVALS FOR JULY 2018 S29.19.1
10. ORDINANCE ACTIVITIES REPORT FOR JULY 2018 S18.10.1
11. ROAD TRAIN ACCESS WIDTHS – MR 134 BINGARA ROAD S28.15.3/08
12. INVERELL REGIONAL LIVESTOCK EXCHANGE UPGRADE S15.8.81

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

13. DROUGHT ASSISTANCE IN INVERELL LGA (ADDENDUM) S3.16.16

**109/18 RESOLVED** (Berryman/Watts) *that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 22 August, 2018, be received and noted.*

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

**QWN/ORD 28 /18** Copeton Dam  
Cr Watts

Enquired as to the current level of Copeton Dam and if there was any likelihood of having to impose tighter control over the use of water.

Acting General Manager (Brett McInnes) replied that Copeton Dam is currently at approximately 24% capacity and there was no foreseeable need for water restrictions.

DCES      **QWN/ORD 29/18** Report on Drought Assistance

Cr Dight

Cr Dight commented that the report on the available drought assistance provided a concise reference and requested the table that provides the details be included in Council's next Newsletter.

The Director Corporate and Economic Service (Scott Norman) undertook to arrange this.

MCE            **QWN/ORD**    **30/18**    Temporary Traffic Management Arrangements for Drought Relief Transport  
                 Justin Pay

Manager for Civil Engineering, Mr Justin Pay advised that he had received several enquires seeking urgent responses regarding the movement of stockfeed through the Shire on larger vehicle combinations. Mr Pay sought to bring forward business in relation to this matter.

The Mayor noted the dire circumstances associated with the current drought and ruled the matter to be of great urgency.

**110/18 RESOLVED** (McCosker/Watts) *that in accordance with clause 241(3) of the Local Government (General Regulation) 2005 the matter of transporting stockfeed due to drought pressures be deemed to be of great urgency and the associated business raised by Mr Pay be transacted at this meeting.*

Mr Pay advised he has received pre-emptive approaches from RMS in regards to the possible temporary movement of type A Road Trains east of the Jardine Road Intersection on the State Highway (HW2) network. The RMS were seeking Council's support to provide the necessary risk management measures such as traffic control to facilitate such movements on a temporary basis.

**111/18 RESOLVED** (Baker/Berryman) *that Council provide support for the necessary traffic management measures to facilitate the temporary movement of A Type Road Trains east of Jardine Road on the Gwydir Highway and associated Network to facilitate the delivery of stockfeed.*

Mr Pay indicated he had received approaches from two transport operators seeking to move conventional A Combination Road Trains from the west to the saleyards to deliver feed. It was noted that Council was likely to receive a number of similar requests given the current conditions and the applicants would be seeking a timely response. Mr Pay indicated as a temporary solution, Council had the ability to approve such requests where appropriate risk management measures could be put in place.

EXA-A

**112/18 RESOLVED** (Baker/Berryman) *that Council, on a temporary basis, delegate authority to the General Manager to determine applications associated with the transport of stock feed on higher productivity vehicles across the Shire road network given the current drought conditions.*

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

At 4.15pm, 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**

**113/18 RESOLVED** (Michael/King) 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 4.35pm, the Chair verbally reported that the Council had met in Closed Council, with the Press, Public and Staff excluded, and had resolved to recommend to Council the following:

- EXA            1.     MAYORAL MINUTE: ANNUAL PERFORMANCE REVIEW – GENERAL MANAGER S22.19.1 & 2763

*That Council:*

- i)        Note the report of the General Manager Performance Appraisal Committee;*
- ii)       Note the finding of the Committee on the General Manager's Annual Performance Review for the period ending 30 June 2018, in particular the Committee's summary assessment:*
- iii)       The Committee has noted a Better than Satisfactory standard. Whilst this view was formed having regard to the criteria contained in the Performance Agreement, the paramount achievement was the completion of the Delivery Program well in advance of the due date. The General Manager is extremely professional in all his undertakings. His ability to work with Council and individual Councillors is to be applauded. He displays a passion for excellence in Council's achievements and takes obvious pride in the organisation and our communities. The Committee congratulates the General Manager and looks forward to continuing the relationship.*
- iv)       Note that the Committee has agreed on a Performance Agreement for 2018/19; and*
- v)        The General Manager be offered a new five-year Contract of Employment, including a documented separation process.*

#### **ADOPTION OF RECOMMENDATIONS**

**114/18 RESOLVED** (Watts/Baker) that the recommendations of Closed Council be adopted.

There being no further business, the meeting closed at 4.37pm.

CR P J HARMON

CHAIRPERSON