

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 25 JULY, 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 M J Peters.

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

SECTION A

APOLOGIES S13.6.9/11

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

79/18 RESOLVED (Michael/McCosker) *that the apology from Cr Watts due to her absence for personal reasons be accepted, and that leave of absence be granted.*

CONFIRMATION OF MINUTES S13.5.2/11

80/18 RESOLVED (Baker/Berryman) *that the Minutes of the Ordinary Meeting of Council held on 28 June 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 S13.5.6/11

It was noted that no applications were received to speak at public forum.

**SECTION B
ADVOCACY REPORTS**

GM-A 1. STATE GOVERNMENT FUNDING FOR NSW PUBLIC LIBRARIES S15.8.12/11

81/18 RESOLVED (Baker/King) *that:*

- i) Council make representation to the local State Member, Adam Marshall, in relation to the need for additional funding from the NSW State Government for the provision of public library services.*
- ii) Council write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.*
- iii) Council take a leading role in lobbying for increased and sustainable state government funding for libraries.*
- iv) Council endorse the distribution of the NSW Public Libraries Association NSW library funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.*

Cr King NAIDOC WEEK 2018

Cr King attended the NAIDOC Week celebrations and the announcement of the awarding of the construction contract for the Inverell Hospital Project.

Cr Baker ALGWA Executive Meeting

Cr Baker reported the Executive Committee Meeting of Australian Local Government Women's Association NSW Branch was held in Inverell on the weekend of 21-22 July, 2018. It was a great success and the attendees were all very complementary about the Inverell Shire. Cr Baker wished to thank the Mayor and General Manager and their spouses for attending and all the staff who helped make the event a success.

Cr Dight Inverell Cultural Group

Cr Dight reported that the Cultural Group had met with Arts North West as part of the Inverell Shire re-joining the organisation. The first program to be delivered will be a Grant Writing Workshop on Wednesday, 8 August at the Art Gallery.

Cr Harmon Hospital Announcement and Youth Awards

Cr Harmon reported that he presented certificates to the participants of the Computer Building Course conducted as part of Council's Youth Program on Friday, 20 July, 2018.

He also attended the announcement of the awarding of the construction contract for the Inverell Hospital Project and the Executive Committee Meeting of Australian Local Government Women's Association NSW Branch.

**SECTION C
COMMITTEE REPORTS**

CSO-P-A 1. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 11 JULY 2018 S4.11.16/10**

82/18 MOTION (Baker/Michael) *that:*

- i) The Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 11 July, 2018, be received and noted; and*
- ii) The following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

AMENDMENT (Peters/McCosker) that items 3, 4 and 5 be referred back to the Civil and Environmental Services Committee for further consideration.

FORESHADOWED AMENDMENT (McCosker/Peters) that the applications for Road Train access on Bingara Road and B-Double access on Stannifer and Old Mill Roads be approved subject to the necessary road improvements being undertaken prior to the designated vehicles using these roads.

The Amendment on being put to the meeting was LOST.

The FORESHADOWED AMENDMENT became the AMENDMENT.

The Amendment on being put to the meeting was LOST.

The motion on being put to the meeting was CARRIED.

1. ROAD CLOSURE – EAT DRINK LIVE NEW ENGLAND S28.23.1/11

That Council approve Eat Drink New England's request for closure of Evans Street between Otho and Campbell Streets between the hours of 12 Noon on Friday, 9 November, 2018 and 5pm Saturday, 10 November, 2018.

2. SPECIAL PROJECTS ROADS INFRASTRUCTURE FUNDING ALLOCATION S28.16.7

That the Special Projects Roads Infrastructure funding of \$611,460 be allocated to gravel resheeting and drainage maintenance on Kings Plains Road.

3. ROAD TRAIN ACCESS REQUEST – BINGARA ROAD S28.15.3/08

That the current RAV application for a permit for a Modern A – Double Road Train <36.5m on Bingara Road be declined.

4. B-DOUBLE ACCESS REQUEST – STANNIFER AND OLD MILL ROADS S28.15.3/08

That Council decline the current RAV application for a permit for B-double access on Stannifer and Old Mill Roads.

5. ROAD TRAIN ACCESS REQUEST – RING STREET AND BYRON STREET S28.15.3/08

That:

- i) The applicant be refused at this time, pending the outcome of a trial;*
- ii) That a one day permit be approved for a trial of the route to be conducted;*
- iii) That all cost associated with the trial be borne by the applicant; and*
- iv) A report on the outcome of the trial is reported back to a future committee meeting.*

6. SELF HELP POLICY REVIEW S4.14.1/01 + S4.14.3/02

That the amended Self-Help (Contributions) – Works Carried Out Ahead of Priority Policy be adopted as presented.

7. DA-64/2018 – SINGLE DWELLING USE – 700 OLD BUNDARRA ROAD, INVERELL – VARIATION TO MINIMUM LOT SIZE DEVELOPMENT STANDARD DA-64/2018

That, subject to concurrence being received from the NSW Department of Planning and Environment, DA-64/2018 be approved subject to the following conditions:

- i) 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 single dwelling use only on Lot 186 DP 753638.

- ii) *The following matters are not conditions of consent, but will require consideration in the design of any proposed dwelling:*
- *A separate application is to be approved for the actual construction of a dwelling.*
 - *Any new dwelling is to comply with the provisions of Planning for Bush Fire Protection 2006.*
 - *Approval is required under Sec. 68 of the Local Government Act 1993 for the installation and operation of an onsite sewage management system.*
 - *No native vegetation should be removed as a result of the construction of a dwelling without the approval of Council.*
 - *The external colours of the dwelling should be sympathetic with the surrounding rural landscape.*

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

8. INVERELL HIGH SCHOOL TRAFFIC MANAGEMENT S30.11.3

That Council implement the following short term measures:

- i) *The No Stopping signs adjacent to each intersection around the school be erected at a distance of no less than 15m from the intersection kerb line at intersections about the school perimeter;*
- ii) *Some of the long term angle parking in Brae Street in front of the school be converted to short term parallel parking for student drop-off and pick-up. This should at least be implemented in the section of Brae Street across the school frontage to the north-east of the pedestrian crossing; and*
- iii) *That the remaining long term angle parking in Brae Street in front of the school be remarked to achieve the maximum number of parking spaces.*

9. MODERN ROAD TRAIN ACCESS – BRUXNER WAY S28.15.3/08

That:

- i) *Council fund the installation of risk mitigation signage at two locations on Bruxner Way; and*
- ii) *Once the above risk mitigation measures are completed the entire length of the*

Bruxner Way in Inverell Shire be approved for Modern Road Train Access.

10. EROSION ON PRIVATE PROPERTY IN INVERELL TOWNSHIP AND ELSMORE COMMON S6.8.5/11 + S28.16.3

That:

- i) *Council apply for any available grant funding opportunities for works to mitigate each erosion issue;*
- ii) *If grant funding is not forthcoming during 2018/2019, Council commit to funding the stabilisation and rehabilitation of erosion at the 76 Froude Street and 77 Auburn Vale Road sites, at a cost of \$102,000;*
- iii) *The works be completed over a 2 year program;*
- iv) *The funding sources be the Urban Drainage Rehabilitation and Rural Drainage votes respectively, and;*

The order for completion of works be as follows:

- 1. *Site 1 at 76 Froude St*
- 2. *Site 2 at 77 Auburn Vale Rd*

- v) *Prior to undertaking any works on site 1 or 2, Council obtain a formal release from the property owners, absolving them from any further maintenance responsibilities; and*
- vi) *Council not fund works at 95 Elsmore Common Road, but continues to apply for grant funding for remediation works at the site on behalf of the owner.*

CSO-P-A 2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 11 JULY 2018 S4.11.17/10

83/18 RESOLVED (Michael/Dight) *that:*

- i) *The Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 11 July, 2018, be received and noted; and*
- ii) *The following recommendation of the Economic & Community Sustainability Committee be adopted by Council:*

1. EXPIRING LICENCE AGREEMENT – THARAWONGA MOBILE RESOURCE UNIT S5.10.132

That:

- i) *Council renew the agreement with Tharawonga Mobile Resource Unit for Yetman Recreation Hall;*
- ii) *The licence agreement be for a three (3) year period with a three (3) year option;*
- iii) *The Licence fee be \$240.40 per annum (GST Inclusive) with a 3% increase per annum; and*
- iv) *The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

2. MOBILE PHONE COVERAGE S10.12.2/11

That:

- i) *Council adopt as a focus for the 2019 Federal and State elections, the issue of quality of telecommunications in the Shire;*
- ii) *Council adopt the lobbying position that seeks funding for:*
 - 1. *the construction towers in nominated areas to “fill black spots”;*
 - 2. *the co-location of infrastructure for various service providers on existing towers; and*
 - 3. *to upgrade existing towers to cater for the latest telecommunication technology.*
- iii) *A priority list of telecommunications projects be:*
 - 1. *New tower on Fig Tree Hill Site;*
 - 2. *Co-location of infrastructure on White Rock Mountain Tower;*
 - 3. *Co-location of infrastructure on Gilgai Tower;*
 - 4. *New Tower on Gragin Mountain Site;*
 - 5. *New Tower at Graman;*
 - 6. *New Tower at Bukkulla;*
 - 7. *New Tower at Bonshaw (Hetherington’s Site); and*
 - 8. *New Tower at the “Pines Site”*
- iv) *Mr David Jones be thanked for his ongoing interest in this issue and his willingness to provide information to assist Council.*

3. TENDER – PROVISION OF CLEANING SERVICES S5.8.2/04

That:

- i) *Council accept the tender from Onescope for Cleaning Contracts 1A, 1B and 1C for a period of two (2) years, with an option of a further two (2) year period for the tender price of \$180,475.30 (excluding GST) per annum; and*
- ii) *The General Manager and Mayor be authorised to execute the contracts under Council Seal.*

4. WASTE MANAGEMENT SUNSET COMMITTEE MEETING MINUTES 25 JULY 2018 S31.9.3

84/18 RESOLVED (Michael/Berryman) *that a supplementary report on this matter be received.*

**SUPPLEMENTARY SECTION C
COMMITTEE REPORTS**

MWP-A

1. WASTE MANAGEMENT SUNSET COMMITTEE MEETING MINUTES - 25 JULY 2018 S31.9.3

85/18 RESOLVED (Michael/Berryman) *that:*

- i) *The Minutes of the Waste Management Sunset Committee Meeting held on Wednesday, 25 July, 2018 be received and noted; and*
- ii) *The following recommendations of the Waste Management Sunset Committee be adopted by Council.*

1. OPTION FOR THE CONSTRUCTION OF BONSHAW AND DELUNGRA TRANSFER STATIONS S31.9.3

That:

- i) Council uses the waste infrastructure internally restricted assets to close, rehabilitate and construct Waste Transfer Stations at Bonshaw and Delungra;*
- ii) The residents of Bonshaw and Delungra are advised of Council's decision;*
- iii) Council seek grant funding opportunities to assist with the rehabilitation of Nullamanna and Gum Flat rural landfill sites;*
- iv) Upon completion of the construction of the Waste Transfer Stations at Bonshaw and Delungra, a further report be presented regarding the management options of these facilities.*

2. REVIEW OF KERBSIDE WASTE AND RECYCLING COLLECTION SERVICE S31.9.3

That the Committee recommend to Council that;

- i) Council continues to utilise day labour to provide the Inverell Shire Council Waste and Recycling Collection Service; and*
- ii) The procurement and replacement process for the waste and recycling collection fleet commence as soon as practicable.*

**SECTION D
DESTINATION REPORTS**

GM-A 1. INTERNAL AUDIT AND RISK (IA & R) COMMITTEE – MEMBERSHIP (LISTING) S4.11.21

86/18 RESOLVED (Baker/Dight) *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. WASTE TO ENERGY S31.3.8

87/18 RESOLVED (Baker/Michael) *that:*

- i) Council advise Tenterfield Shire Council that Inverell Shire Council will support a call for the Federal and State Government to consider all solutions to dealing with the waste produced by the Australian community, and*
- ii) The issue of a \$15K contribution from Inverell Shire Council be considered by Council, if ARENA provide the requested grant to commence research into small scale 'Waste to Energy' plants.*

DCS-N 3. LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION

MFS-A

S13.6.4

88/18 RESOLVED (King/Baker) that an increase of 2.5% in fees for Mayors and Councillors be applied for the 2018/2019 financial year as recommended by the Local Government Remuneration Tribunal.

Cr Peters and Cr McCosker requested it be recorded that they voted against the motion.

**SECTION E
INFORMATION REPORTS**

1. COUNCILLOR PROFESSIONAL DEVELOPMENT S13.6.11
2. STAFF MOVEMENTS: - 01 APRIL 2018 TO 30 JUNE 2018 S22.25.1
3. PROJECT UPDATE - YOUTH OPPORTUNITIES PROGRAM S15.8.77
4. CAREERS EXPO 2018 S15.8.77
5. CULTURAL AND ARTS STRATEGIC PLAN S15.8.81
6. STRATEGIC TASKS – 'SIGN OFF' – JULY 2018 S4.13.2
7. CONSTRUCTION CERTIFICATES APPROVED FOR JUNE 2018 S7.2.4/11
8. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING JUNE 2018 S7.2.4/11
9. SUMMARY OF BUILDING CONSTRUCTION FOR JUNE 2018 S7.2.4/11
10. DEVELOPMENT CONSENTS AND REFUSALS DURING JUNE 2018 S18.10.2/11
11. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING JUNE 2018 S18.10.2/11
12. SEPTIC TANK APPROVALS FOR JUNE 2018 S29.19.1
13. ORDINANCE ACTIVITIES REPORT FOR JUNE 2018 S18.10.1

89/18 RESOLVED (Michael/Dight) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 25 July, 2018, be received and noted.

**SECTION F
QUESTIONS WITHOUT NOTICE**

Nil

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

At 3.41pm, 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

90/18 RESOLVED (Michael/Baker) that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

91/18 RESOLVED (Michael/Baker) that Council proceeds out of Closed Council into Open Council.

Upon resuming Open Council at 4.06pm, 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:

GM-A 1. INTERNAL AUDIT AND RISK (IA & R) COMMITTEE – MEMBERSHIP S4.11.21

That:

i) Council appoint Nicole Lavender as an independent member of the Internal Audit and Risk Committee; and

ii) The appointments shall be until 31 August, 2020.

DCES-A 2. REVIEW OF KERBSIDE WASTE AND RECYCLING COLLECTION SERVICE S31.9.3

i) That Council continues to utilise day labour to provide the Inverell Shire Council Waste and Recycling Collection Service; and

ii) The procurement and replacement process for the waste and recycling collection fleet commence as soon as practicable.

ADOPTION OF RECOMMENDATIONS

92/18 RESOLVED (Michael/Baker) that the recommendations of Closed Council be adopted.

Cr Peters and Cr McCosker requested it be recorded that they voted against the resolution.

There being no further business, the meeting closed at 4.10 pm.

CR P J HARMON

CHAIRPERSON