

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 26 SEPTEMBER, 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 S13.6.9/10

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

RESOLVED (McCosker/Baker) *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 S13.5.2/10

115/18 RESOLVED (King/Baker) *that the Minutes of the Ordinary Meeting of Council held on 22 August, 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

At this juncture, the time being 3.04pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Inverell Clontarf Academy

Representatives including staff and participants from the Inverell Clontarf Academy presented the goals and achievements of the Academy.

The Clontarf Foundation exists to improve the education, discipline, life skills, self-esteem and employment prospects of young Aboriginal men and by doing so equips them to participate meaningfully in society. The first academy opened in 2000 and Inverell Academy open in 2012. In 2018 the academy has 64 participants with an average attendance of 86%. 7 out of 7 boys graduated in 2017 and at the beginning of 2018 all graduates were in Employment and continued to be supported by Academy staff & an employment officer.

Each activity at the Academy covers one of five learning areas; education, leadership, well-being, employment or sport. The boys are supported beyond the class room in ways such as health checks, school pick up, homework sessions, workplace visits and training runs. The presentation included a question and answers session with current participants.

Northern Inland Academy of Sport (NIAS)

Sam Rains led a presentation from NIAS. The Academy's objective is to provide opportunities and support to help young athletes reach higher levels within their sport. It does this by providing talent development programs and sporting activities to overcome disadvantages such as tyranny of distance, lack of regular quality coaching, inadequate competition and limited exposure to State Sporting Organisations pathways.

Programs, activities and services include the Structured Program of Regional Talent (SPORT), Regional Athlete and Coach Education (GROWTH), High performance training camps, testing, athlete development tours, athlete subsidies & financial support scheme, the "Lone Star" Scholarship Programs, National Primary Games and the National Football Camp.

Council was invited to join the Associate Partnership Program.

NSW Department of Justice – New Sentencing Guidelines

Don Smith presented to Council on the new NSW Sentencing Guidelines. The reforms are designed to strengthen community-based sentencing; the changes aim to make the community safer by holding offenders to account and reducing reoffending.

Courts will have better information about offenders at the time of sentencing to help tailor sentences and impose supervision and conditions that hold offenders to account and address their risk of reoffending.

Intensive Correction Orders (ICO) has been overhauled and suspended sentences have been abolished. More offenders at risk of returning to crime will be subject to supervision and programs to address their offending behaviour.

At this juncture, the time being 3.38 pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

ELECTION OF MAYOR AND DEPUTY MAYOR

1. ELECTION OF MAYOR S13.7.2

A nomination for the position of Mayor was received from Cr Paul Harmon. The General Manager advised that there being only one (1) nomination, Cr Harmon was declared duly elected as Mayor for the ensuing two (2) year period.

116/18 RESOLVED (Baker/Berryman) that the nomination forms be destroyed following the declaration of the result.

2. ELECTION OF DEPUTY MAYOR S13.7.2

117/18 RESOLVED (Baker/King) that Council appoint a Deputy Mayor; and the term be a two (2) year period.

The General Manager advised that there being only one (1) nomination, Cr Anthony Michael was declared duly elected as Deputy Mayor for the ensuing two (2) year period.

118/18 RESOLVED (Berryman/Baker) that the nomination forms be destroyed following the declaration of the result.

SECTION B ADVOCACY REPORTS

1. NOTICE OF BUSINESS – PERSONNEL MATTER S13.5.3

119/18 RESOLVED (Berryman/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.

2. NOTICE OF BUSINESS – PERSONNEL MATTER S13.5.3

120/18 RESOLVED (Berryman/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.

Cr Michael Fly Corporate Anniversary

Cr Michael attended the Fly Corporate Anniversary celebrations at the airport. It was well supported and children from Gilgai Public School planted trees to mark the occasion.

Cr Michael Sports Council

Cr Michael reported that the Sports Council is planning a 50 year anniversary event in June 2019. The event will recognise the Sports Council contribution to the sporting facilities that Inverell enjoys.

Cr Harmon Sapphire City Festival

Cr Harmon attended the opening of the Sapphire City Festival and Art Competition Launch on 15 September 2018 where the Festival Queen entrants were introduced and Maysey Stewart was introduced as the Festival's first ever Ambassador.

Cr Harmon also attended the Sapphire City Festival Sponsors Night held to thank all contributing sponsors and attended the Communicator of the Year event.

Cr Harmon Opera North West – Banquet: A Musical Feast

Cr Harmon attended the Opera North West event – Banquet: A Musical Feast at the Town Hall which was a fantastic night enjoyed by all who were present.

**SECTION C
COMMITTEE REPORTS**

1. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES –
12 SEPTEMBER 2018 S4.11.16/10**

121/18 RESOLVED (Baker/Michael) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 12 September, 2018, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

1. ROAD TRAIN ACCESS - RING STREET AND BYRON STREET - TRIAL OUTCOME S28.15.3/08

That Council approves the permit application for A – Double Modern Road Train (Type 1) access to the section of the route between the Ring Street Roundabout, along Ring Street to the land adjacent to the Silos complex, under the condition that permission is granted from the land owner for access to the site.

2. REQUEST FOR ROAD TRAIN ACCESS - YETMAN ROAD S28.15.3/08

That Council note and support the General Manager in the exercising of his delegated authority to issue a temporary conditional permit for A - Double Road Train (Type 1) access to Yetman Road, between Inverell Saleyards and Oakwood to Stewarts Grain Trading, subject to the identified conditions.

3. MAY STREET PARK - OBSERVATION DECK S21.8.41

That:

- i) *Council approve the concept of constructing an observation deck in the park, and*
- ii) *Council seek funding opportunities for the residual of the construction costs, using the Club's financial commitment as 'seed funding'.*

4. GRAVEL AVAILABILITY - IMPACTS ON WORKS PROGRAM S28.26.2

That:

- i) *The standard gravel royalty rate for natural ridge gravels be increased to \$3 (exc. GST) per cubic metre;*
- ii) *Existing gravel pit owners be advised of the increase; and*
- iii) *The new royalty rate be appropriately promoted in an attempt to attract new gravel sources.*

5. INVERELL BOYS CLUB S26.4.16

That Council support the Inverell Boys Club approach to the Lands Department to gain permission to build a new Club House on the recreation reserve adjacent to the Rugby Union Club House.

2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 12 SEPTEMBER 2018 S4.11.17/10

122/18 RESOLVED (Michael/Peters) *that:*

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 12 September, 2018, be received and noted; and*

- ii) *that the recommendation for items 1 to 7 of the Civil & Environmental Services Committee be adopted by Council:*

1. REQUEST TO LICENCE LAND – STUART PRESS S5.10.65

That:

- i) *Council enter into a Licence Agreement with Stuart Press for Part Lot 1 DP 1165164, Wallangra Road, Ashford, for a five (5) year period with a further five (5) year option;*
- ii) *the Licence fee be \$100 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. INVERELL RSM SMALL BORE RIFLE CLUB S5.10.103

That:

- i) *Council advise the Inverell RSM Small Bore Rifle Club that there are no known current funding programs that are likely to be able to assist with the construction of the proposed wall at their range.*
- ii) *Council will notify the Club should any such funding opportunities be identified.*

3. REQUEST FOR ASSISTANCE – WYOMING ROUND-UP 2018 S8.12.3/11 + S12.22.1/11

That Council donate \$200 to the Wyoming Round Up 2018 in line with the adopted policy.

4. REQUEST FOR ASSISTANCE – SALAMI FESTIVAL 2018 S8.12.3/11 + S12.22.1/11

That Council:

- i) *Inform 2 Rivers as organisers of the Ashford Salami Festival that Council recognises the value of this popular community event.*
- ii) *Request 2 Rivers for further details about the budget for the event.*
- iii) *Request a report be presented to Council giving options on how Council may assist.*

5. NATIONAL TRANSPORT MUSEUM – CULTURAL AND EXHIBITION CENTRE S5.10.145

That Council respond to the National Transport Museum Management Committee that the concept has merit however, Council would not be in a position to respond without additional details. This could include concept plans, estimated capital budgeted and a projected operating budget.

6. INCREASE IN LIBRARY FUNDING S15.8.12/11

That Council:

- i) *Welcome the announcement of the NSW Government on 24 August 2018 of*

its intention to provide a \$60M funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.

- ii) *Support the ongoing “Renew Our Libraries” initiative to secure the pledged funding, clarify the funding components and liaise with the government regarding the funding model.*
- iii) *Support “Renew Our Libraries” to work with the Government to develop a sustainable future funding model with a view to guaranteeing an appropriate level of ongoing and indexed state funding.*

7. UPGRADE OF INVERELL REGIONAL LIVESTOCK EXCHANGE S15.8.81

That Council delegate to the General Manager the authority to negotiate the terms and execute under seal an agreement between Council and Regional Infrastructure Pty Ltd to deliver the upgrade of the Inverell Regional Livestock Exchange as supported by the Australian Governments Building Better Regions Fund.

8. AMENITIES BUILDING - 'TERRY BARNES' OVAL S21.7.3

Council considered item 8 in isolation.

RESOLVED (Michael/McCosker) *that Council does not accede to the request to open the amenities building at the 'Terry Barnes' Oval at Yetman to the public from 8am and locked at 6pm each day.*

**SECTION D
DESTINATION REPORTS**

1. MOBILE PHONE BLACK SPOT PROGRAM S10.12.2/11

123/18 RESOLVED (Michael/McCosker) *that:*

- i) *The submission of the priority list of towers to address mobile black spots be noted; and*
- ii) *A maximum of \$20K contribution per site for the construction of an access road to a tower site be provided to encourage carriers to submit a tender for any site in Inverell Shire Council.*

2. REQUEST FOR ASSISTANCE – SALAMI FESTIVAL 2018 S8.12.3/11 + S12.22.1/11

124/18 RESOLVED (McCosker/Peters) *that Council advise the Festival Organisers that Council is not in a position to accede to the request for financial support, but do wish them every success for the event.*

125/18 RESOLVED (Baker/Dight) *that Council contribute \$500 towards the production of a video promoting Ashford Area. This is being conditional on the video being a joint project between the 2 Rivers Pty Ltd and the Ashford Business Council.*

At 4.30pm Cr King left the meeting and returned at 4.32pm.

3. TINGHA CARAVAN PARK S5.19.1

126/18 RESOLVED (Baker/Berryman) *that Council note the report and the matter be referred back to Council once a full assessment of the facilities at the Tingha Caravan Park has been completed.*

**SECTION E
INFORMATION REPORTS**

1. STRATEGIC TASKS – ‘SIGN OFF’ – SEPTEMBER 2018 S4.13.2
2. QUESTIONS WITHOUT NOTICE – SEPTEMBER 2018 S13.5.5/11
3. CONSTRUCTION CERTIFICATES APPROVED FOR AUGUST 2018 S7.2.4/11
4. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING AUGUST 2018 S7.2.4/11
5. SUMMARY OF BUILDING CONSTRUCTION FOR AUGUST 2018 S7.2.4/11
6. DEVELOPMENT CONSENTS AND REFUSALS DURING AUGUST 2018 S18.10.2/11
7. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING AUGUST 2018 S18.10.2/11
8. SEPTIC TANK APPROVALS FOR AUGUST 2018 S29.19.1
9. ORDINANCE ACTIVITIES REPORT FOR AUGUST 2018 S18.10.1
10. SHARED PEDESTRIAN / CYCLE PATHWAY - GILGAI TO INVERELL S30.11.1
11. WHITE RIBBON ACCREDITATION S3.16.25

127/18 RESOLVED (Berryman/Dight) *that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 26 September, 2018, be received and noted.*

**SECTION F
QUESTIONS WITHOUT NOTICE**

QWN/ORD 31/18 Inverell Sports Complex
Cr King

Cr King asked if Council staff could investigate funding opportunities to build a disabled access toilet at the Inverell Sports Complex.

Director Civil & Environmental Services responded that options for construction, location and funding are already under active consideration.

QWN/ORD 32/18 Defibrillator Register
Cr King

Cr King asked if a Defibrillator Register could be compiled and added to Council's Website.

Staff confirmed the register has already been compiled and is available on Council's website.

QWN/ORD 33/18 Drought Relief Funding
Cr Baker

Cr King asked what the process would be to determine projects to be funded from the announced Drought Relief Funding.

Director Corporate and Economic Services responded that Council was still waiting for the guidelines to be released.

The General Manager then added that the decision would then be referred to Council.

QWN/ORD 34/18

Cr McCosker

Green Waste Collection Service

Cr McCosker asked why Council does not have a green waste collection service.

Director Civil & Environmental Services responded that the issue has been identified as part of the Waste Management Strategy. It has several challenges, there are tight regulations around the production and use of the resulting organic material, the enthusiasm of residents can sometimes wane once the additional cost is calculated and the introduction of a green waste service is most often accompanied by the reduction of the general waste service to once a fortnight, which can be a hard sell in the community. Director Civil & Environmental Services concluded that it was almost inevitable that a green waste service would have to be introduced in the future and it was currently a watching brief.

QWN/ORD 35/18

Cr McCosker

Chester and Mansfield Street Intersection

Cr McCosker asked if the Chester and Mansfield Street Intersection, Inverell could be truncated to make the turn easier for longer vehicles.

Director Civil & Environmental Services undertook to investigate the issue further and provide a response.

QWN/ORD 36/18

Cr Dight

Inverell Volunteers Network

Cr Dight asked if Council could investigate an Inverell Volunteers Network and that the matter be placed on the agenda of the Corporate and Economic Committee meeting

The General Manager undertook to include the matter on the Agenda.

**SECTION G
GOVERNANCE REPORTS**

1. GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2017/2018
S12.11.5

128/18 RESOLVED (Dight/Baker) that:

- i) *the transfers to Council's Internally Restricted Assets for the 2017/2018 Financial Year totalling \$6,948,407 and Council's transfers from Internally Restricted Assets for the 2017/2018 Financial Year totalling \$3,276,712 be endorsed;*
- ii) *the attached list of Revotes representing works in progress at 30 June, 2018, be revoted to the 2018/2019 budget in accordance with Section 211 of the*

Local Government General Regulation;

- iii) *Council's DRAFT Financial Statements are "referred to audit" in accordance with S413(1) LGA 1993;*
- iv) *Council resolve in accordance with Section 413 (2c) of the Act that the draft 2017-18 annual financial report is in accordance with;*
 - *the Local Government Act 1993 (as amended) and the Regulations made there under;*
 - *the Australian Accounting Standards and professional pronouncements,*
 - *the Local Government Code of Accounting Practice and Financial Reporting;*
 - *presents fairly the Council's operating result and financial position for the year;*
 - *accords with Council's accounting and other records; and*
 - *the Council is not aware of any matter that would render this report false or misleading in any way.*
- v) *Council adopt the Councillors/Management "Statement" and resolve that it be signed and attached to the 2017-18 Accounts.*

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

At 4.55pm, 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

129/18 RESOLVED *(Peters/King) that Council proceed into Closed Council to discuss the following matters referred to it, for the reasons stated in the motions of referral.*

Open Council resumed at 5.04pm, the Chair verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had not resolved to make any recommendations to Council.

- 1. NOTICE OF BUSINESS – PERSONNEL MATTER S13.5.3
- 2. NOTICE OF BUSINESS – PERSONNEL MATTER S13.5.3

The Mayor advised Council of:

- Content of his Mayoral Minute
- The use of the standard contract of employment for the renewal of the General Manager's contract

There being no further business, the meeting closed at 5.05 pm.

CR P J HARMON

CHAIRPERSON