

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 24 OCTOBER, 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.

143/18 RESOLVED (Berryman/Dight) *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

144/18 RESOLVED (King/Baker) *that the Minutes of the Ordinary Meeting of Council held on 26 September, 2018, as circulated to members, be confirmed as a true and correct record of that meeting with the exception of the words "The preparation of a separation agreement by Council's solicitor" on page 9 of the draft minutes which were deleted from the draft minutes of the meeting prior to adoption.*

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 3.07 pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Peter Jarret representing Sta FM Inverell Community Radio

Sta FM is seeking assistance with funding for a Digital Media Creation and Education Centre based out of the former Inverell Times Building. The facility would be made publicly available with potential users including rural students, educators, local businesses and community organisation. The Centre would include an audio recording studio, a digital video studio and smaller digital media audio and video centre rooms. These smaller rooms would house a mix down studio, a voice over booth; digital media post production, the Community Radio Station and administration offices. The estimated capital budget is \$840K and the annual operation budget is estimated at \$165K.

A contribution of \$250K is sought from the \$1M Drought Stimulus package to fund Stage 1 of the building fit out which involves internal walls, glazing and some air-conditioning.

Bob Bensley – Inverell Hospital Redevelopment

Mr Bensley addressed Council in regards to his concerns that the range of services offered at the redeveloped Inverell Hospital will not meet expectations, in particular access to CT Scanning services at all times, the range and number of operations carried

out the hospital, the expected decrease in patient transfers to larger centres and the access trainee doctors have to observe procedures. He is also concerned that the Annual Clinical Plan is not released for public information as a matter of course.

Nicky Lavender – Inverell Chamber of Commerce and Industry

Nicky Lavender addressed Council on the Chamber's upcoming promotional program to boost local economic activity. The program planned to be staged over 8 months ending June 2019. The program includes the "Choose Inverell" marketing campaign, the Festival of Christmas, the Business Passport program, subsidies to businesses with marketing and a program of targeted promotions focusing on a different sector of the local economy each month. ICCI is seeking a contribution from Council of \$150K some or all of which could come from the Drought Resilience Funding. ICCI are proposing to contribute \$30K.

At this juncture, the time being 3.36 pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

1. MAYORAL MINUTE: SEPARATION AGREEMENT S22.19.1 & 2763

130/18 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.*

2. NOTICE OF BUSINESS – COUNCIL CIRCULAR 18-14 AUDITOR GENERAL'S REPORT TO PARLIAMENT ON THE 2016-17 FINANCIAL AUDITS OF NSW COUNCILS S13.5.3 & S12.11.2

3. NOTICE OF BUSINESS – INTERNAL AUDIT SERVICES S13.5.3 & S4.11.21

4. NOTICE OF BUSINESS – COUNCILLOR TRAINING & EXPENSES S13.5.3 & S13.6.11

131/18 RESOLVED (Peters/McCosker) *that the responses supplied by the General Manager to the issues raised in the notice of motions be noted.*

**SECTION B
ADVOCACY REPORTS**

Cr Harmon Sacred Heart Parish Inverell

Cr Harmon attended 150 years anniversary celebrations of the Sacred Heart Parish Inverell.

Cr Harmon Esther Gardiner's second book of poems

Cr Harmon attended the Launch of Aunty Ester Gardiner's second book of poems at the Inverell Public Library on 18 October.

Cr Harmon LGNSW Annual Conference

Cr Harmon attended LGNSW Annual Conference at Albury.

Cr King Esther Gardiner's second book of poems

Cr King attended the Launch of Aunty Esther Gardiner's second book of poems at the Inverell Public Library.

Cr Baker Multi Agency Drought Relief response meeting

Cr Baker commended the Multi Agency Drought Relief response meeting that have been conducted at Senator Williams Office. She said they have resulted in a more co-ordinated response.

Cr Dight Ashford Salami Festival

Cr Dight reported the Ashford Salami Festival was a success despite a wet day.

SECTION C COMMITTEE REPORTS

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

132/18 RESOLVED (Baker/Berryman) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 10 October, 2018, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

1. TRANSFER OF CROWN ROAD – CARL TOMES LANE S28.10.SR134

- i) *Council accept control of Carl Tomes Lane as a Council Public Road; and*
- ii) *Management Policy – Road Hierarchy be amended to include the updated classifications for Carl Tomes Lane to "Rural Minor" for its entire length.*

2. RESIDENTIAL LAND REVIEW S18.6.51

That the Water Contribution Subsidy Contribution Scheme be updated consistent with the following:

- i) *A subsidy in the amount of \$2,570 per lot is offered on the water contribution for all new standard density residential lots created and offered to the market;*
- ii) *The subsidy applies for the period of the 2018 and 2019 calendar years;*
- iii) *The subsidy is capped at a maximum of 75 lots;*
- iv) *The subsidy only applies in the R1 General Residential Zone;*
- v) *The subsidy not apply to multi-unit dwelling developments;*
- vi) *The subsidy only applies for lot releases of 1 into 3 lots or greater; and*
- vii) *The subsidy only applies for lot releases that are considered Subdivision Certificate ready and have a marketing arrangement in place.*

3. PETITION REGARDING VEGETATION IN FRAZERS CREEK - ASHFORD VILLAGE S18.6.17

- i) *The information in the report be received and noted;*
- ii) *Staff undertake further investigation and liaison with relevant Government Agencies to determine an appropriate course of action;*
- iii) *A further report be presented to the Committee outlining the findings of the investigation; and*
- iv) *The lead author of the petition be formally advised of Council's course of action.*

4. URBAN WORKS PROGRAM S28.21.1/11

- i) *The information in the Urban Works Program be noted;*
- ii) *The following addition be made to the Urban Works Program as presented; As part of the ongoing Inverell Town Centre Redevelopment Plan, that detailed site and engineering design plans be prepared for Byron Street between Campbell and Lawrence Street.*

5. HIGHER MASS LIMIT ASSESSMENT - WARIALDA, YETMAN, BINGARA, BUNDARRA, GUYRA, AND INVERELL-BONSHAW ROADS S15.8.48

That the entire length of the Warialda Road, Yetman Road, Bingara Road, Bundarra Road, Guyra Road and Inverell-Bonshaw Road within the Inverell Shire be approved for Higher Mass Limit vehicle access and that these routes be included in the Roads and Maritime Services HML maps.

6. PROCUREMENT OF BITUMEN AND AGGREGATE SERVICES – 2018-2019 BITUMEN RESEALING PROGRAM – CONFIDENTIAL S28.28.5/02

That the information contained in the report be received and noted, that a contract has been awarded to NSW Spray Seal P/L for the estimated sum of \$2,304,068.

CSO-P

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

133/18 RESOLVED (Michael/Dight) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 10 October, 2018, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

1. DONATION OF SURPLUS VEHICLES S23.7.23

That Council agree to the transfer of the following surplus vehicles to BEST Employment at no cost:

- a) *2014 Mazda 2 Neo (Rego BZ14BX)*
- b) *2015 Toyota Hilux Twin Cab (Rego BZ71WA)*
- c) *2011 Toyota Hiace Bus (BL27SW)*

For the purpose of delivering the Youth programs from the Linking Together Centre.

2. NORTHERN INLAND ACADEMY OF SPORT S26.4.15

That Council seek clarification on the funding model for the Northern Inland Academy of Sport.

DCES 3. AUDIT, RISK AND IMPROVEMENT COMMITTEE MINUTES S4.11.21

134/18 RESOLVED (Dight/Michael) that:

- i) *the Minutes of the Audit, Risk and Improvement Committee Meeting held on the 17 October 2018, be received and noted; and*
- ii) *The following recommendations of the Audit, Risk and Improvement Committee be adopted by Council:*

1. EXTERNAL AUDIT - INTERIIM MANAGEMENT LETTER 2018 S12.2.1/11

- i) *that a policy is developed and implemented that defines IT Super User and guides the granting and review of this type of access. Furthermore;*
- ii) *that a policy be developed and implemented to regularly review the access of IT Users.*

2. EXTERNAL AUDIT – REVIEW OF THE 2017-18 FINAINCIAL STATEMENTS S12.2.1/11

Council note the recommendation to adopt the General Purpose, Special Purpose Financial Statements and Special Schedules for year ending 30 June, 2018. (The formal adoption of these Statements being the subject of a separate report).

**SECTION D
DESTINATION REPORTS**

MCE 1. CONSIDERATION OF THE LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS S30.8.1

135/18 RESOLVED (Baker/Dight) that the following Local Traffic Committee recommendations be adopted:

1. ADDITIONAL DISABILITY PARKING SPACE - ROSS HILL PUBLIC SCHOOL

- i) *That an additional disability parking space be provided on Bannockburn Road adjacent to Ross Hill Public School;*
- ii) *The space be at the southern most end of the zone restricted between the times of 8.30am to 9.30am and 3.00pm to 4.00pm on school days; and*
- iii) *The disability park observes the same time restrictions as current zone.*

2. PROPOSED LOADING ZONE BRISSETT LANE

- i) *Council 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.*

GM 3. CROWN PUBLIC ROAD CLOSURE S11.15.18

136/18 RESOLVED (King/Michael) that Council make application to the NSW Department of Industry Crown Lands & Water to close the unformed Crown public road section of Rivers Street located within Lot 7313 DP 1135965.

MFS 4. GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2017/2018 S12.11.5

137/18 RESOLVED (Michael/Dight) That:

- i) Council adopt the General Purpose, Special Purpose Financial Statements and Special Schedules for year ending 30 June, 2018;
- ii) Council sign the Statements as prescribed by Section 413(2) of the Local Government Act 1993 for the General Purpose and Special Purpose Financial Statements;
- iii) Council authorise the General Manager to forward the Financial Statements to the Office of Local Government upon receipt of the Audit Reports from the NSW Audit Office;
- iv) Council present the signed audited Financial Statements to the public at the ordinary Council meeting to be held on 28 November, 2018 in accordance with Section 419 (1) of the Local Government Act 1993; and
- v) Council place the audited Financial Statements on public exhibition and provide notice in accordance with Section 418 (3) of the Local Government Act 1993, that Council will consider the Reports of its Auditors for the year ended 30 June 2018 at its Ordinary Meeting to be held on Wednesday 28 November, 2018.

DCES 5. DROUGHT COMMUNITIES PROGRAMME – PROPOSED PROJECTS S15.8.90

138/18 RESOLVED (McCosker/Dight) that Council endorse an application to the Drought Communities Programme for \$1M of assistance to spend across three (3) focus areas as follows:

- Promotion of Economic Activity \$118K
- Community Resilience Programs \$500K
- Community Infrastructure Projects \$382K

DCES 6. DUTIES OF DISCLOSURE – PECUNIARY S13.6.5

139/18 RESOLVED (Baker/Berryman) that the pecuniary interest returns from the following people be noted as tabled;

Cr Baker, Cr Berryman, Cr Dight, Cr Harmon, Cr King, Cr Michael, Cr Peters, Cr Watts, Mr Alliston, Mr Bryant, Mr Henry, Mr McInnes, Mr Norman, Mr Justin Pay.

**SECTION E
INFORMATION REPORTS**

1. STAFF MOVEMENTS: - 01 JULY 2018 TO 30 SEPTEMBER 2018 S22.25.1
2. STRATEGIC TASKS – ‘SIGN OFF’ – OCTOBER 2018 S4.13.2

3. QUESTIONS WITHOUT NOTICE – OCTOBER S13.5.5/11
4. HERITAGE NEAR ME – HERITAGE ACTIVATION GRANT PROGRAM S26.4.4
5. COUNTRY WOMENS ASSOCIATION (CWA) - GIRL EMPOWERMENT S6.8.9
6. CONSTRUCTION CERTIFICATES APPROVED FOR SEPTEMBER 2018 S7.2.4/11
7. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING SEPTEMBER 2018 S7.2.4/11
8. SUMMARY OF BUILDING CONSTRUCTION FOR SEPTEMBER 2018 S7.2.4/11
9. DEVELOPMENT CONSENTS AND REFUSALS DURING SEPTEMBER 2018 S18.10.2/11
10. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING SEPTEMBER 2018 S18.10.2/11
11. SEPTIC TANK APPROVALS FOR SEPTEMBER 2018 S29.19.1
12. ORDINANCE ACTIVITIES REPORT FOR SEPTEMBER 2018 S18.10.1

140/18 RESOLVED (Michael/Dight) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 24 October, 2018, be received and noted.

SECTION F QUESTIONS WITHOUT NOTICE

QWN/ORD 37/18 Skate Park for Ashford S21.8.4
Cr Dight

Cr Dight requested that Council consider and investigate a Skate Park for Ashford and a report be brought back for Council's information.

QWN/ORD 38/18 Drinking Fountains S30.11.1 & S21.8.1/11
Cr Michael

Cr Michael requested that information be provided on the location of drinking fountains in Inverell along with possible additional locations along the concrete path network.

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

At 4.12 pm, 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

141/18 RESOLVED (Berryman/King) that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

(Baker/King) "Suspend standing orders to enable discussion of Mayoral Minute"

Staff vacated the chambers whilst Council considered them.

At 4.46pm Staff invited back to chambers.

Michael/Baker "That standing orders be resumed".

Upon resuming Open Council at 4.48 pm, 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. MAYORAL MINUTE: SEPARATION AGREEMENT S22.19.1 & 2763

That the Mayor be authorised to complete the Separation Agreement under the Common Seal of Council.

ADOPTION OF RECOMMENDATIONS

142/18 RESOLVED (Harmon/Michael) *that the recommendations of Closed Council be adopted.*

Cr Peters requested that his vote against the motion be recorded.

Cr McCosker requested that his vote against the motion be recorded.

There being no further business, the meeting closed at 4.51 pm.

CR P J HARMON

CHAIRPERSON