

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 28 NOVEMBER, 2018 COMMENCING AT 3 PM.

**PRESENT:** Cr P J Harmon (Mayor) [Chairperson], Crs A A Michael, C M Dight, P A King, J N McCosker, S J Berryman, J A Watts 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 Baker tendered her apology and sought leave of absence for business reasons.

***145/18 RESOLVED (Watts/Dight) that the apology from Cr Baker due to her absence for business reasons be accepted, and that leave of absence be granted.***

**CONFIRMATION OF MINUTES** **S13.5.2/11**

***146/18 RESOLVED (Berryman/King) that the Minutes of the Ordinary Meeting of Council held on 24 October, 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 3.04 pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

NAIDOC Committee

Kelvin Brown and Lyn Lackay addressed Council on behalf of the NAIDOC Committee. They requested Council's assistance with placing Welcome to Country signs at the entry points to Inverell. The Drought Communities Program was identified as a possible source of funding.

At this juncture, the time being 3.10pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

Suspension of Standing Orders

***147/18 RESOLVED (Watts/Dight) that standing orders be suspended to enable the NSW Audit Office to present the Auditor's report.***

*At this juncture, the time being 3.12pm, the Mayor sought agreement to suspend Standing Orders to welcome James Sugumar and Furqan Yousuf from the NSW Audit Office to present the Auditors Report to Council for year ended 30 June 2018.*

The presentation clarified the role of the NSW Audit Office; touched on the Auditor General's Report to Parliament and the program of sector wide performance audits. It

was noted that Inverell achieved a clean, unmodified Audit Opinion and had the rare distinction of achieving all 7 performance benchmarks.

Resumption of Standing Orders

**148/18 RESOLVED** (Watts/Michael) *that at this juncture, the time being 3.45pm, Standing Orders resume and Council consider the balance of the Agenda.*

**SECTION B  
ADVOCACY REPORTS**

1. MAYORAL MINUTE: STAFF MATTER – CONTRACT RENEWAL S22.19.1 & 2763

**149/18 RESOLVED** (Harmon/Michael) *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. BROC DELEGATES REPORT NOVEMBER 2018 S14.10.1

**150/18 RESOLVED** (Dight/Watts) *that the report be received and;*

- i) *Inverell Shire Council submits a suitable youth and innovation project that meets the guidelines for funding from RDANI.*
- ii) *The Inverell Shire Council be represented on the Water NSW (Stakeholder Reference Group) meetings and actively contribute to the water infrastructure discussion recognising the impact on urban water supplies and on irrigation water supplies for the northern part of the Inverell Shire.*
- iii) *That the Mayor or his nominee be the representative for this Reference Group.*
- iv) *Inverell Shire Council organise a guest speaker for the next BROC meeting in Inverell in February.*
- v) *Inverell Shire Council provide a report to the next meeting of the Joint Committee of the Bruxner (at BROC in February 2019) on the traffic usage data of their section of the Bruxner Way and the service and maintenance schedule currently in place for now and into the future.*

Cr Dight                    "Good with Maps"

Cr Dight attended the first Arts North West production in Inverell since Council joined the group. The event was a success and was well attended.

Cr Dight                    Arts North West Film Festival

Cr Dight attended the Arts North West Film Festival, the first time it was held in Inverell. The organisers estimated it brought at least 300 people to town.

- Cr Harmon  
Cr King      White Ribbon Event
- Cr Harmon and Cr King attended the White Ribbon Event held in Victoria Park, Cr Harmon commented it was pleasing to see numbers continuing to grow each year.
- Cr Michael      Drought Resilience meeting
- Cr Michael attended a Drought Resilience meeting. The group are planning an event at Bonshaw next year. The proposal is for a Community BBQ with the Agencies that can assist available for advice.
- Cr Michael      Lighting of the Christmas Tree
- Cr Michael attended the lighting of the Christmas Tree which attracted a big crowd.
- Cr Michael      Meals on Wheels
- Cr Michael attended a lunch for the Meals on Wheels Volunteers. Around 60 volunteers attended and Certificates for long service were awarded.
- Cr Michael      Hector VR
- Cr Michael attended the launch of Hector VR, a virtual reality driving simulator for older drivers that targets people between 70 and 80 years of age. It is now being trialled in the Inverell district.
- Cr McCosker      Lions Youth of the Year Event
- Cr McCosker attended the Lions Youth of the Year Event at the Bruderhof Community at Danthonia.
- Cr King      Lighting of the Christmas Tree
- Cr King also attended the lighting of the Christmas Tree and commended Mr Caddey Manager Tourism and Marketing on his organisation of the event.

### **SECTION C COMMITTEE REPORTS**

CSO-P      1.      **PUBLIC ART SUNSET COMMITTEE MEETING MINUTES – 25 OCTOBER 2018 S26.5.10**

**151/18 RESOLVED** (Michael/Berryman) that:

- i)      *The Minutes of the Public Art Sunset Committee Meeting held on Thursday, 25 October, 2018, be received and noted; and*
- ii)      *The following recommendation of the Public Art Sunset Committee be adopted by Council:*

1.      **PLANNING FOR A PUBLIC ART INSTALLATION**

*That Council commission a draft “artscape” plan for Evans Street (Otho to Campbell Street), including Turnham Car park, to guide development of this area.*

CSO-P 2. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 14 NOVEMBER 2018 S4.11.16/10**

**152/18 RESOLVED** (Berryman/Michael) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 14 November, 2018, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be considered by Council:*

1. **NORTH WEST WEIGHT OF LOADS - OFFICER AUTHORISATIONS S28.11.1**

*That the North West Weight of Loads authority schedule as presented be executed under the common seal of Council.*

2. **DROUGHT RELIEF HEAVY VEHICLE ACCESS FUNDING PROGRAM S28.8.2**

*That the project to complete pavement rehabilitation and heavy patching on Jardine Road be endorsed and a funding application be submitted under the Drought Relief Heavy Vehicle Access Program to the value of \$300,000.*

3. **DA-245/2004/A, DA-70/2006 & DA-20/2018 – STREET NAMING IN SUBDIVISIONS DA-70/2006, DA-245/2004/A and DA-20/2018**

*That:*

- 1. *The appropriate steps be taken to formally name:*
  - a. *The new cul-de-sac off the Mather Street extension, in the subdivision approved under DA-2452004/A, as Parkland Close.*
  - b. *The new street, in the subdivision approved under DA-70/2006, as Max Drive;*
  - c. *The new street in the subdivision approved under DA-20/2018 as Terry Drive; and*
- 2. *Council authorise the General Manager to undertake the road naming in accordance with the NSW Road Regulation 2018.*

4. **ORCHARD PLACE APPLICATION TO TRANSFER S28.10.SR235**

*That:*

- i) *Council authorise the compulsory acquisition of the land necessary from Crown Reserve 68617 (Lot 7018 DP 94779) and Crown Reserve 668 (Lot 7057 DP 1072492) for the purpose of forming a road reserve to accommodate both the current and future alignment of Orchard Place; and*
- ii) *Council authorise the making of an application to the Minister and Governor for the compulsory acquisition of said land.*

5. **INVERELL CHAMBER OF COMMERCE AND INDUSTRY - CHRISTMAS PROMOTION S26.3.6**

*That:*

- i) Council agree to close Vivian Street (between Oliver Street and Byron Street), as well as closing Byron Street (between Vivian Street and Lawrence Street) on Friday, 14 December, 2018 from 4pm to 10pm to facilitate the Inverell Chamber of Commerce and Industry's Festival of Christmas initiative; and

Council meet the cost of advertising and implementing the road closures estimated at approximately \$1000.

6. TRAFFIC SPEED THROUGH YETMAN VILLAGE S30.9.5 & S28.10.8

That:

- i) The information in the report be received and noted;
- ii) No further traffic calming measures be implemented at this point in time; and
- iii) The situation continue to be monitored with annual traffic counts and a further report be presented to the Committee should the traffic speed patterns change significantly.

7. PLANNING PROPOSAL – AMENDMENT TO INVERELL LOCAL ENVIRONMENTAL PLAN 2012 – EXTRACTION OF GROUNDWATER FOR COMMERCIAL BOTTLING PURPOSES WITHIN THE RU1 PRIMARY PRODUCTION ZONE – AUTHORISATION TO PROCEED WITH MAKING OF THE PLAN S18.6.34/08

That:

- i) A request be made to Parliamentary Counsel to prepare the draft instrument pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979;
- ii) The General Manager be authorised to determine the terms of the draft instrument in consultation with Parliamentary Counsel, consistent with the intent of the Planning Proposal; and
- iii) The draft instrument be gazetted.

CSO-P

3. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 14 NOVEMBER 2018 S4.11.17/10

**153/18 RESOLVED** (Watts/King) that:

- i) the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 14 November, 2018, be received and noted; and
- ii) the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:

1. REQUEST FOR SPONSORSHIP – INVERELL SWIMMING CLUB S12.22.1/11

That Council becomes a Silver Sponsor (\$300) of the Inverell Swimming Club for the 2018/19 season.

2. REQUEST TO LICENCE LAND – MANDY WATTS S5.10.54

That:

- i) Council enter into a Licence Agreement with Ms. Mandy Watts for, Lot 89, DP 754847, Little Plain Recreation Reserve, Little Plain 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.

CSO-P

4. **JOINT COMMITTEE MEETING MINUTES – 14 NOVEMBER 2018 S4.11.16/10 & S4.11.17/10**

**154/18 RESOLVED** (Michael/Watts) that:

- i) the minutes of the Joint Committee Meeting held on Wednesday, 14 November, 2018, be received and noted; and
- ii) the following recommendation of the Joint Committee be adopted by Council:

1. **PROPERTY MATTER S5.2.0/11**

That:

- i) Council accept the offer from Property NSW to sell the property at 40 Campbell Street, Inverell to Council for the sum of \$280K (ex GST);
- ii) Council accept the nominated conditions of the sale, those being that Council must:
  - a. Classify the land as 'Community Land',
  - b. Provide a copy of the classification certificate within 3 months of settlement,
  - c. Retain the 'Community Use' classification for 15 years from settlement date,
  - d. Transfer must occur within 6 months of date of acceptance.
- iii) The General Manager and Mayor be authorised to execute the contracts under Council Seal.
- iv) That the land be classified as "Community Land – general community use",
- v) That a plan of management for this parcel of land be prepared in accordance with the requirements of the Local Government Act 1993.

CSO-P

5. **AQUATIC CENTRE PLANNING SUNSET COMMITTEE MEETING MINUTES 14 NOVEMBER 2018 S4.11.24**

**155/18 RESOLVED** (Berryman/Michael) that:

- i) the Minutes of the Aquatic Centre Planning Committee Meeting held on Wednesday, 14 November, 2018, be received and noted; and
- ii) the following recommendation of the Aquatic Centre Planning Committee be adopted by Council:

1. **INVERELL SWIMMING POOL REDEVELOPMENT STRATEGY S5.11.39**

*That:*

- i) *The Swimming Pool Redevelopment Strategy as presented be adopted; and*
- ii) *Council proceed as soon as practicable to procurement to undertake the Feasibility Study stage of the strategy.*

5. **WASTE MANAGEMENT SUNSET COMMITTEE MEETING MINUTES – 28 NOVEMBER 2018 – (LISTING) S31.9.3**

**156/18 RESOLVED** (Michael/Berryman) *that a supplementary report on this matter be received.*

**SUPPLEMENTARY SECTION C**  
**COMMITTEE REPORTS**

CSO-P 6. **WASTE MANAGEMENT SUNSET COMMITTEE MEETING MINUTES – 28 NOVEMBER 2018 – S31.9.3**

**157/18 RESOLVED** (Michael/Berryman) *that:*

- i) *the Minutes of the Waste Management Sunset Committee Meeting held on Wednesday, 28 November 2018 be received and noted; and*
- ii) *the following recommendations of the Waste Management Sunset Committee be adopted by Council*

1. **2009 NATIONAL WASTE POLICY: LESS WASTE, MORE RESOURCES S31.9.1**

*That:*

- i) *The information be received and noted;*
- ii) *A further report be presented to the Committee upon release of the draft National Waste Strategy; and*
- iii) *The Manager Waste and Projects investigate in detail the opportunities to divert organic waste from the Inverell Landfill with a further report on the matter to be presented to the Committee at a later date.*

2. **DEVELOPMENT OF A CIRCULAR ECONOMY POLICY S31.9.1**

*That:*

- i) *The information be received and noted; and*
- ii) *The submission in response to the NSW government discussion paper “Too Good To Waste” as presented be endorsed.*
- iii) *a copy of the submission be provided to Local Government NSW for their information.*

3. **REQUEST FOR KERBSIDE BULKY WASTE COLLECTION S31.16.11/10**

*That the introduction of a kerbside bulky good collection service not be pursued at this time and the issue be considered in conjunction with the organic waste collection review.*

**SECTION D  
DESTINATION REPORTS**

- DCES        1.        DUTIES OF DISCLOSURE – PECUNIARY S13.6.5
- 158/18 RESOLVED** (Berryman/Dight) *that the pecuniary interest return from Cr McCosker be noted.*
- DCES        2.        SAPPHIRE ROCK 'n' ROLL FESTIVAL S8.3.1/11
- 159/18 RESOLVED** (King/Berryman) *that:*
- i)        *Council offer in principal support;*
  - ii)       *Nominate the Manager Tourism and Marketing to represent Council on the organising Committee;*
  - iii)      *Seek to identify possible grant funding opportunities, and*
  - iv)       *Consider further specific requests for assistance when additional detail around the funding and delivery model is available.*

**SECTION E  
INFORMATION REPORTS**

- 1.        STRATEGIC TASKS – 'SIGN OFF' – NOVEMBER 2018 S4.13.2
- 2.        QUESTIONS WITHOUT NOTICE – OCTOBER 2018 S13.5.5/09
- 3.        SUMMARY - YOUTH OPPORTUNITIES PROGRAM S15.8.77
- 4.        GRANDPARENTS DAY 2018 S15.8.73/02
- 5.        REINSTATEMENT OF VERANDAH OVER FOOTPATH - OXFORD HOTEL - 61-67 OTHO STREET, INVERELL DA-132/2018
- 6.        CONSTRUCTION CERTIFICATES APPROVED FOR OCTOBER 2018 S7.2.4/11
- 7.        COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING OCTOBER 2018 S7.2.4/11
- 8.        SUMMARY OF BUILDING CONSTRUCTION FOR OCTOBER 2018 S7.2.4/11
- 9.        DEVELOPMENT CONSENTS AND REFUSALS DURING OCTOBER 2018 S18.10.2/11
- 10.       VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING OCTOBER 2018 S18.10.2/11
- 11.       SEPTIC TANK APPROVALS FOR OCTOBER 2018 S29.19.1
- 12.       ORDINANCE ACTIVITIES REPORT FOR OCTOBER 2018 S18.10.1
- 13.       RECONCILIATION OF COUNCILLOR EXPENSES S13.6.11

**160/18 RESOLVED** (Berryman/Dight) *that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 28 November, 2018, be received and noted, and furthermore that Council's appreciation and congratulations be*



*passed onto the staff responsible for delivering Youth Development programs.*

## **SECTION F QUESTIONS WITHOUT NOTICE**

**QWN/ORD 31/18**    The Inverell "What's On"  
Cr King

Cr King asked if the opportunity to promote events on the Inverell "What's On" signboards was broadly advertised. The Mayor undertook to remind listeners on his next regular radio interview.

**QWN/ORD 32/18**    Free tipping S31.8.2 + S31.8.6.  
Cr Watts

Cr Watts asked about the 2 month grace period for free tipping at the Ashford and Yetman Transfer Stations.

Director Civil and Environmental Services confirmed the grace period was now over and fees were being charged.

Cr Watts also enquired as to the progress of the transfer station at Delungra and asked to be kept up-to-date with progress.

Director Civil & Environmental Services undertook to do this.

## **SECTION G GOVERNANCE REPORTS**

MFS                    1.        PRESENTATION OF COUNCIL'S 2017/2018 AUDITED FINANCIAL REPORTS S12.11.1

**161/18 RESOLVED** (Michael/Watts) *that:*

- i)            the information be received and noted; and*
- ii)          the Audit Report for the 2017/2018 Financial Year be adopted;*
- iii)        The Finance Staff be thanked for their work and congratulated on a good result.*

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

At 4.25 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**

**162/18 RESOLVED** (Michael/Dight) *that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.*

**163/18 RESOLVED** (Watts/Michael) *to Suspend standing orders to enable discussion of Mayoral Minute.*

*Staff vacated the chambers whilst Council considered the issue.*

*At 4.28 pm Staff were invited back to chambers.*

**164/18 RESOLVED** *Watts/Michael) that Standing Orders resume.*

Upon resuming Open Council at 4.29pm, 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:

- EXA            1.        MAYORAL MINUTE: STAFF MATTER S22.19.1 & 2763
- i)        *That the information be noted; and*
- ii)       *The total employment costs for the new contract of employment (Schedule C) for the General Manager shall be \$332,042.00.*

**ADOPTION OF RECOMMENDATIONS**

**165/18 RESOLVED** *(Berryman/Dight) that the recommendations of Closed Council be adopted.*

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

There being no further business, the meeting closed at 4.31pm.

CR P J HARMON

CHAIRPERSON