

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 27 MARCH, 2019 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, 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** **S13.6.9/12**

The General Manager advised that Cr Dight tendered her apology as she will have to leave the meeting early and sought leave of absence for personal reasons.

***10/19 RESOLVED*** (McCosker/Watts) *that the apology for having to leave the meeting prior to its conclusion to attend to a private matter from Cr Dight be accepted, and that leave of absence be granted.*

At this point the Mayor confirmed with Councillors that they had all received the 2 late items of correspondence relating to DA-156/2018 – Dual Occupancy 43 Brae Street Inverell. One item was from “Legal Minds” and the other item was from Mr Ryan Daley.

**CONFIRMATION OF MINUTES** **S13.5.2/12**

***11/19 RESOLVED*** (Dight/Michael) *that the Minutes of the Ordinary Meeting of Council held on 27 February, 2019, 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** **S13.5.6/12**

At this juncture, the time being 3.03 pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Tony Sonter Mr Sonter spoke against DA-156/2018 – Dual Occupancy 43 Brae Street, Inverell. He raised safety concerns stating the street did not have sufficient room for 2 vehicles coming from different directions to safely pass. Obstacles on the foot path compounded this problem.

He noted a significant number of residents in the street already have to reverse in or out of their properties and this development would exacerbate the situation. He spoke of two (2) recent accidents and one near miss related to this. He also has concerns regarding the current speed limit, available line of sight and change of level across the verge that makes installing a footpath difficult.

Patrick Miller Mr Miller spoke against DA-156/2018 – Dual Occupancy 43 Brae Street, Inverell. He noted that every resident in Davey Street is opposed to the development and has signed a petition; as have a number of Brae Street

- residents.
- Ryan Daley Mr Daley spoke in support of DA-156/2018 – Dual Occupancy 43 Brae Street, Inverell. Ryan is the applicant and noted that this is a compliant DA, it is consistent with other nearby development and it should be approved in line with the staff's recommendations. He stated that considerable effort and expense had been invested in making sure the building was a good fit for the area and to refuse the application would have a negative impact on investor confidence. He noted the proposed development was located in the middle of Davey Street with good visibility both up and down the street. He also noted that Council's traffic surveys had revealed very low traffic movements.

At this juncture, the time being 3.21pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

## **SECTION B ADVOCACY REPORTS**

Advocacy Reports were deferred to later in the meeting.

## **SECTION C COMMITTEE REPORTS**

- CSO-P 1. **CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 13 MARCH 2019 S4.11.16/11**

**12/19 RESOLVED** (Baker/Peters) that:

- i) *The Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 13 March, 2019, be received and noted; and*
- ii) *The following recommendation of the Civil & Environmental Services Committee be adopted by Council.*
- iii) *That item #2: DA-156/2018 – Dual Occupancy – 43 Brae Street, Inverell DA-156/2018 be considered separately.*

1. **REPAIR PROGRAM FUNDING ALLOCATION 2019/2020 S15.8.22**

*That the project for the 2019/2020 REPAIR program be reconstruction of Segment 140 of Guyra Road.*

2. **DA-156/2018 – DUAL OCCUPANCY – 43 BRAE STREET, INVERELL DA-156/2018**

MOTION (Baker) that:

- i) That Council issues its consent for DA 156/2018 – Dual Occupancy at 43 Brae Street, subject to conditions, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979 and ;
- ii) That Council clear obstacles on the sides of Davey Street that obstruct vehicles and pedestrians and block line of side for pedestrians and motorists.

The motion lapsed for want of a Seconder.

*At this juncture, the time being 3.30 pm, Cr Dight left the meeting.*

MOTION (Peters/McCosker) That DA 156/2018 – Dual Occupancy at 43 Brae Street be

refused on the basis that:

- i) the additional traffic generated by the development will likely result in both traffic and pedestrian safety impacts given the width of the formed Davey Street carriageway, and
- ii) the probable negative social and environmental impacts of the development.

The MOTION on being put to the meeting was LOST.

S375A Record of Voting	
Councillors For:	Councillors Against:
Harmon	Baker
McCosker	Berryman
Peters	Watts
	Michael
	King

**RESOLVED** (Berryman/Watts) that the Committee recommend to Council that DA 156/2018 – Dual Occupancy at 43 Brae Street be refused on the basis of the additional traffic generated by the development will likely result in both traffic and pedestrian safety impacts given the width of the formed Davey Street carriageway.

S375A Record of Voting	
Councillors For:	Councillors Against:
Berryman	Baker
Harmon	
McCosker	
Michael	
Peters	
Watts	
King	

CSO-P

**3. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 13 MARCH 2019 S4.11.17/11**

**13/19 RESOLVED** (Watts/Michael) that:

- i) the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 13 March, 2019, be received and noted; and
- ii) the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:

**1. REQUEST FOR ASSISTANCE – EAT DRINK LIVE NEW ENGLAND S12.22.1/12**

*That:*

- a) Council provides \$4,000 financial support to help meet the costs of entertainment at the 2019 Eat Drink Live New England event,
- b) The organisers of the event be required to acknowledge Council support as detailed in the funding agreement, and
- c) Aa report be provided to Council on the outcomes of the event, and that the organisers consider how the event maybe financially sustainable in the future without Council support.

**2. NEW DEPOT STORAGE SHED S5.11.38**

*That Council approves the construction of a new Depot Storage Shed and tenders be called in accordance with the Local Government Tendering Regulations.*

MFS 3. GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2/12

*That:*

- a) *the report indicating Council's Fund Management position be received and noted; and*
- b) *the Certification of the Responsible Accounting Officer be noted.*

**SECTION D  
DESTINATION REPORTS**

1. CULTURAL AND ARTS STRATEGIC PLAN (LISTING) S15.8.81

**14/19 RESOLVED** (Watts/Baker) *that the matter be referred to closed Council for consideration as:*

- i) *the report includes 'Commercial information of a confidential nature that would, if disclosed:*
  - a) *prejudice the commercial position of the person who supplied it, or*
  - b) *confer a commercial advantage on a competitor of the council, or*
  - c) *reveal a trade secret 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. PROCLAMATION TO ALTER BOUNDARY BETWEEN ARMIDALE REGIONAL COUNCIL AND INVERELL SHIRE COUNCIL S13.1.1

**15/19 RESOLVED** (Michael/Baker) *that the information be noted.*

CSO-P 3. REQUEST TO LICENCE LAND – IAN VIVERS S5.10.65

**16/19 RESOLVED** (Watts/King) *that:*

- i) *Council enter into a Licence Agreement with Ian Vivers for Lot 287 DP 750076, for a two (2) year period with a further two (2) year option;*
- ii) *the Licence fee be \$200 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.*

DCS  
EXA 4. INVESTMENT POLICY AND STRATEGY REVIEW S12.12.5/12 & S4.14.1

**17/19 RESOLVED** (King/Watts) *that Council adopt the draft Investment Policy and Strategy as amended.*

**SECTION E  
INFORMATION REPORTS**

1. QUESTIONS WITHOUT NOTICE – FEBRUARY 2019 S13.5.5/12

2. PROJECT UPDATE – DROUGHT COMMUNITIES PROGRAMME S15.8.90
3. CONSTRUCTION CERTIFICATES APPROVED FOR FEBRUARY 2019 S7.2.4/12
4. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING FEBRUARY 2019 S7.2.4/12
5. SUMMARY OF BUILDING CONSTRUCTION FOR FEBRUARY 2019 S7.2.4/12
6. DEVELOPMENT CONSENTS AND REFUSALS DURING FEBRUARY 2019 S18.10.2/12
7. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING FEBRUARY 2019 S18.10.2/12
8. SEPTIC TANK APPROVALS FOR FEBRUARY 2019 S29.19.1
9. ORDINANCE ACTIVITIES REPORT FOR FEBRUARY 2019 S18.10.1
10. TINGHA PLATEAU FIRE S9.9.12

**18/19 RESOLVED** (Michael/Berryman) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 27 March, 2019, be received and noted.

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

**QWN/ORD 6/19** Pedestrian and Access Mobility Plan  
Cr King

Cr King asked when the Pedestrian Access and Mobility Plan is due for review.

Director Civil & Environmental Services replied that it will be reviewed early next year.

Cr King requested that a footpath/bike path from McLean Care to the Cemetery be considered as part of the review.

**QWN/ORD 7/19** Inverell Silos.  
Cr Baker

Cr Baker suggested that Council investigate artwork that commemorates the Tingha Plateau Fire for the Inverell Silos.

Cr Harmon responded that previous investigations had confirmed the Inverell Silos are unsuitable for painted artwork.

#### **SECTION B ADVOCACY REPORTS**

Cr Harmon Tingha Plateau Fire Information Night

Cr Harmon along with Cr Michael attended a Bush Fire Recovery Meeting held in Tingha on 20 March, 2019. Anne Leadbeater who lived through the Black Saturday fires in Victoria was the guest speaker. Representatives from Armidale Regional Council were

also present, along with a number of health and wellbeing support services. The next meeting will be held at the Gilgai Hall Wednesday, 3 April, 2019.

Cr Harmon                      Youth Radio Presenters Program

Cr Harmon attended the Youth Radio Presenters Program. The program was run in conjunction with Sta FM. Numbers were restricted because of limited space available in the studio. Cr Harmon presented Certificates of Achievement to Hannah Palmer, Thomas Palmer, Eli King and Oskar Meszaros.

Cr King                         Community Violence Prevention Team

Cr King attended a meeting of the Community Violence Prevention Team (CVPT) on 25 March, 2019.

Cr Watts                       Community Violence Prevention Team

Cr Watts also attended a meeting of the Community Violence Prevention Team (CVPT) on 25 March, 2019. She reported that Emily Williams was elected as the new Chair.

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

At 4.07pm, 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**

**19/19 RESOLVED** (McCosker/Baker) *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 4.25 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:

MIPR                      1.        CULTURAL AND ARTS STRATEGIC PLAN S15.8.81

*That Cred Consulting be appointed to conduct the preparation of the Cultural and Arts Strategic Plan.*

**ADOPTION OF RECOMMENDATIONS**

**20/19 RESOLVED** (Watts/Baker) *that the recommendations of Closed Council be adopted.*

There being no further business, the meeting closed at 4.26 pm.

CR P J HARMON

CHAIRPERSON

