

**MINUTES OF INVERELL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,  
INVERELL  
ON WEDNESDAY, 24 JULY 2019 AT 3PM.**

**PRESENT:**

Cr Paul Harmon (Mayor), Cr Anthony Michael (Deputy Mayor), Cr Di Baker, Cr Stewart Berryman, Cr Kate Dight, Cr Paul King, Cr Neil McCosker and Cr Jacki Watts.

**IN ATTENDANCE:**

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

**1 APOLOGIES**

**RESOLUTION 2019/63**

Moved: Cr Neil McCosker

Seconded: Cr Jacki Watts

*That the apology received from Cr Peters be accepted and leave of absence for personal reasons be granted.*

**CARRIED**

**2 CONFIRMATION OF MINUTES**

**RESOLUTION 2019/64**

Moved: Cr Anthony Michael

Seconded: Cr Paul King

*That the Minutes of the Ordinary Meeting of Council held on 26 June, 2019, as circulated to members, be confirmed as a true and correct record of that meeting.*

**CARRIED  
CARRIED**

**3 DISCLOSURE OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS**

Cr Harmon declared a pecuniary interest in Item 8.2 Summary of Development Applications, Construction Certificates and Complying Developments during June 2019 as he is one of the Applicants mentioned in the report.

**4 PUBLIC FORUM**

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.

**Leanne Stokan, Kelvin Brown and Emily Pianko - Baby Memorial Garden and Remembrance Wall Proposal.**

The speakers presented a proposal for a small memorial garden be created within an existing park in Inverell, in honour of the lives of all the local babies or children who have died, either by miscarriage, stillbirth, or childhood illness or accident.

### **Steve Johnson, Jane Brookman and Kim Kelleher from Inverell Events – Sapphire Rock n Roll Festival**

The representatives from Inverell Events updated Council on the planning for the Sapphire Rock n Roll Festival to be held in August 2019. They detailed the program of events and the support they have received and their fund raising efforts.

### **Rhonda Mason – I C YOUth Centre**

Mrs Mason spoke about the current operations and future plans of the I C YOUth Centre at 18 Vivian Street, Inverell. The Centre offers after hours tutoring, a homework centre, a chill out zone and seeks to address other social welfare needs of local youth. It has the support of allied agencies such as Pathfinders, Centacare, local Magistrates and Police. The building needs to be upgraded for the Centre to be fully operational and there are plans to make an application to The Stronger Country Communities Program for grant funding. Rhonda hoped that Council will work with the Centre and co-ordinate applications to the program so it is not over subscribed.

### **Ryan Daley – DA 57/2019 (43 Brae St, Inverell)**

Mr Daley referred Council to the report and recommendation relating to his development application. He highlighted low traffic volumes, low pedestrian count, low vehicle speeds, good sight distance, compliance of all Local and State Planning Policy, that the application didn't contemplate a multiple dwelling and that similar developments already exist in the area. He asked Councillors to approve his application.

The Public Forum Session ended at 3.47pm

## **5 ADVOCACY REPORTS**

### **RESOLUTION 2019/65**

Moved: Cr Anthony Michael  
Seconded: Cr Jacki Watts

That the written response from the General Manager be noted.

**CARRIED.CARRIED**

## **6 COMMITTEE REPORTS**

### **6.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 10 JULY 2019**

#### **Receipt of Minutes:**

### **RESOLUTION 2019/66**

Moved: Cr Di Baker  
Seconded: Cr Stewart Berryman

- i) *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 10 July, 2019, be received and noted and*

- ii) *The following recommendations of the Civil & Environmental Services Committee be adopted by Council.*

**CARRIEDCARRIED**

### 6.1.1

#### QUESTION WITH NOTICE - CR NEIL MCCOSKER

##### **MOTION**

Moved: Cr Neil McCosker

Seconded: Cr Stewart Berryman

*That the response to the question regarding Cr Harmon's recent visit to Tulare raised by Councillor McCosker be received and noted.*

#### 6.1.2 Annual Heritage Advisory Service Update

*That:*

- i) *The 2018/2019 annual reporting and funding acquittals to the NSW Office and Environment and Heritage be noted; and*
- ii) *Council makes representations to The Honourable Robert Gordon Stokes MP, Minister for Planning and Public Spaces and The Honourable Adam Marshall MP, Member for the Northern Tablelands for the "Heritage Near Me" program to be maintained and funded in future State Budget.*

#### 6.1.3 & 6.1.4 Local Strategic Planning Statements and Community Participation Plans

*That:*

- i) *Council note the information provided in regard to Local Strategic Planning Statements and Community Participation Plans be received and noted;*
- ii) *Council staff commence the preparation of a stand alone Local Strategic Planning Statement in accordance with the recommended course of action as outlined; and*
- iii) *Council staff commence the preparation of a stand alone Community Participation Plan in accordance with the recommended course of action as outlined.*

#### 6.1.5 Request to relocate the Grafton to Inverell Winners Walk

*That:*

- i) *The Grafton to Inverell Winners Walk be relocated from its current position to a new position in Vivian Street; and*
- ii) *The Manager Civil Engineering be delegated authority to negotiate with Inverell Cycle Club regarding installation of appropriate signage at the new location.*

**6.1.6 Consideration of the Local Traffic Committee Recommendations**

*That*

1. RESTRICTED PARKING SIGN REQUEST - MACINTYRE HIGH SCHOOL

- i) *No Parking Signage be installed on Killeen Street between Swanbrook Road and the School Bus Bay; and*
- ii) *No Stopping signage be installed on the southern side of Swanbrook Road opposite the school teacher parking area.*

2. ROAD CONDITIONS - GRAMAN ROAD AT SAWPIT GULLY

*That additional advisory signage be installed at Sawpit Gully on Graman Road in accordance with AS1743 in order to improve road user safety at the site.*

3. LINEMARKING SAFETY REVIEW - BUNDARRA ROAD

*That the line marking along Bundarra Road, between the Inverell Golf Course entrance and Staggs Lane be changed from separation line to barrier line.*

**6.1.7 National Class 1 Special Purpose Vehicle Notice**

*That:*

- i) *All roads on Council's asset register as at 30 June, 2019 be included in the National Class 1 Special Purpose Vehicle Notice; and*
- ii) *All bridge structures on the road network recently transferred in the Tingha Boundary adjustment be assessed and these roads be included in the notice if suitable.*

**6.1.8 Status of Town Water Supplies**

*That the information be received and noted.*

**6.1.9 Works Update**

*That the information be received and noted.*

**6.1.10 2018/2019 Annual Food Premises Inspection Program**

*That the information be received and noted.*

**6.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 10 JULY 2019****Receipt of Minutes:****RESOLUTION 2019/67**

Moved: Cr Jacki Watts

Seconded: Cr Anthony Michael

- i) *That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 10 July, 2019, be received and noted; and*
- ii) *The following recommendations of the Economic & Community Sustainability Committee be adopted by Council.*

**CARRIEDCARRIED****6.2.1 Request to waive Town Hall hire fee - Office of the Children's Guardian***That:*

- i) *The report be received and noted; and*
- ii) *Council not accede to the request to waive the hire fees.*

**6.2.2 Expression of Interest to Licence Land - Duff Street, Ashford.***That:*

- i) *Council enter into a Licence Agreement with Mr Robert and Mrs Kathryn Crowther for Lots 5, 6 and 7, Section 5, DP 758036, Duff Street, Ashford;*
- ii) *The licence agreement be for a two (2) year period with a further two (2) year option;*
- iii) *The Licence fee be \$100 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.*

**6.2.3 Request for Sponsorship - Men's Health Night - Inverell Prostate Cancer Support Group***That:*

- i) *\$1000 be donated to Inverell Men's Health Night being held on 18 October, 2019;*
- ii) *The donation be funded from the Joint Community Health Promotion Initiative vote; and*
- iii) *A list of expenditure from the donation budget 2018-19 be presented to the August Economic & Community Sustainability Committee.*

**6.2.4 Grant Funding - Tingha Bridge Roundabout***That the information be received and noted.*

**6.2.5 Donation Request - Inverell Anglers' Association**

*That Council donate \$500 to assist with costs associated with restocking trout in the Macintyre River headwaters and the Gwydir River below Copeton Dam if the Inverell Anglers' Association proceed with restocking in the 2019-20 year.*

**6.2.6 NSW Public Libraries Association North West Zone AGM and Meeting**

*That:*

- i) The report be received and noted; and*
- ii) Cr Baker be authorised to attend the State AGM and Conference being held in Penrith on 19-21 November, 2019.*

**6.2.7 Project Outcomes - Drought Communities Programme**

*That the information be received and noted.*

**6.2.8 Letter of Appreciation - Gum Flat Public School**

*That the information be received and noted.*

**6.2.9 Social Media and Councillor/Staff Interaction Policy**

*That the information be received and noted.*

**6.2.10 IPART Report into Rating**

*That the information be received and noted.*

**6.2.11 Adoption of Tingha Residential Rates**

*That:*

*Fixing of Rates*

*In accordance with S.535 of the Local Government Act, 1993, it is hereby recommended that:*

**RESIDENTIAL - TINGHA**

*A Residential Villages – Tingha rate of 7.1877 cents in the dollar on the 2016 land value of all rateable residential land in the village of Tingha.*

**6.2.12 Governance - Monthly Investment Report**

*That:*

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

### 13 Grafton to Inverell Cycle Classic - Event Impact Report

*That the report on the Grafton to Inverell Cycle Classic – Event Economic Impact be noted.*

### 14 Connections Building - Adjustment of Lease Terms

*That Connections be permitted to repay the funds invested by Council in the construction of the building located at 89 Vivian Street, Inverell.*

## 7 DESTINATION REPORTS

### 7.1 CODE OF MEETING PRACTICE

#### RESOLUTION 2019/68

Moved: Cr Jacki Watts

Seconded: Cr Di Baker

*That Council adopt the draft Code of Meeting Practice.*

**CARRIEDCARRIED**

### 7.2 DA-57/2019 - ONE (1) INTO TWO (2) LOT SUBDIVISION AND SINGLE DWELLING USE ONLY ON PROPOSED LOT 2 FRONTING DAVEY STREET - 43 BRAE STREET, INVERELL

#### RESOLUTION 2019/69

Moved: Cr Di Baker

Seconded: Cr Anthony Michael

*That Development Application 57/2019 be approved subject to the following conditions of consent:*

#### **PRELIMINARY**

1. *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:*

- *One (1) into two (2) lot subdivision;*
- *Single dwelling use only on proposed Lot 2 fronting Davey Street.*

*To confirm and clarify the terms of consent, the development must be carried out in accordance with the stamped and approved plans and accompanying documentation, unless modified by any following condition. Any deviation will require the consent of Council.*

2. *The applicant must comply with all relevant prescribed conditions as contained in Division 8A of the Environmental Planning & Assessment Regulation 2000 (as detailed at the end of this consent).*

#### **DURING SUBDIVISION WORKS**

3. *All demolition work is to be carried out in accordance with Australian Standard 2601*

*The demolition of structures.*

4. *At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:*
  - *The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work;*
  - *Precautions are to be taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes; and*
  - *The site shall be sealed off at all times against the unauthorised entry of persons or vehicles.*
5. *All utilities are to be disconnected from the outbuilding and capped to the satisfaction of the relevant authority.*
6. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the carrying out of subdivision works:*
  - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
  - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
  - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
  - *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
  - *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
  - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
  - *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the Lands Titles Office.*

**PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE**

7. *A Subdivision Certificate must be obtained from Council in accordance with Section 109C (1)(d) of the Environmental Planning and Assessment Act 1979. The applicant must submit a completed Subdivision Certificate application form (with applicable fee), four (4) copies of the survey plan, two (2) copies of any 88b instrument and documentary evidence demonstrating compliance with the conditions of this development consent.*
8. *Prior to issue of a Subdivision Certificate, separate Development Consent and a Construction Certificate must be obtained for the construction of a dwelling on*



*proposed Lot 2.*

9. *Prior to the issue of a Subdivision Certificate, electricity and telecommunications services are to be provided to all lots. The proponent is required to submit to Council, certificates from:*

- An approved electricity service provider indicating that satisfactory arrangements have been made for the provision of electricity to each lot in the subdivision.*
- An approved telecommunications service provider indicating that satisfactory arrangements have been made for the provision of telecommunications to each lot in the subdivision.*

10. *Prior to issue of a Subdivision Certificate, the roof water from the existing dwelling on proposed Lot 1 must be redirected to Brae Street.*

11. *Prior to issue of a Subdivision Certificate, inter-allotment drainage is to be provided along the common boundary of proposed Lots 1 and 2.*

*Prior to construction of this inter-allotment drainage, plans of the inter-allotment drainage, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show piped and surface drainage paths, including kerbs as necessary beneath fences, to direct drainage to Davey Street.*

12. *Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for sewer supply and a sewer junction for Lot 2. This will require payment to Council of:*

- A Contribution per lot under Council's Development Servicing Plan No. 1 for 1 equivalent tenement; and*
- A sewer junction fee in accordance with Council's fees and charges.*

13. *A 3m easement over Council's sewer main and the sewer connection to Lot 2 is to be shown on the plan of subdivision and dedicated in favour of Council.*

14. *Prior to issue of a Subdivision Certificate, the existing water service in Davey Street is to be disconnected from the dwelling and relocated to serve Lot 2.*

15. *Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for water supply and new water connection for the existing dwelling on Lot 1. This will require payment to Council of:*

- A Contribution per lot under Council's Development Servicing Plan No. 1 for 1 equivalent tenement; and*
- A water connection fee in accordance with Council's fees and charges.*

16. *Prior to the issue of a Subdivision Certificate, a Community Services Contribution must be paid to Council pursuant to Section 94 of the Environmental Planning and Assessment Act 1979.*

17. *Prior to issue of a Subdivision Certificate, a concrete access crossing is to be constructed from the kerb in Davey Street to the boundary of Lot 2. The location of the access is to be in accordance with the approved plan. Prior to the commencement of this work the applicant is required to:*

- Apply to Council for approval under Section 138 of the Roads Act 1993 to install a paved vehicular access across the footpath (a copy of the application form is enclosed); and*
- Contact Council for footpath levels so that the driveway can be constructed to provide vehicle access onto the site.*

*The installation of the vehicular access crossing must be carried out under the*

*supervision of Council and the applicant must give Council two (2) working days' notice to inspect the formwork prior to pouring any concrete.*

*All work is to be completed to the standard approved by Council, at the applicant's expense.*

18. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*

<b>S375A Record of Voting</b>	
<b>Councillors For:</b>	<b>Councillors Against:</b>
<i>Harmon</i>	<i>McCosker</i>
<i>Michael</i>	
<i>Baker</i>	
<i>Berryman</i>	
<i>Dight</i>	
<i>King</i>	
<i>Watts</i>	

**CARRIED**

### 7.3 REQUEST FOR SUPPORT - DRIVER SAFETY AWARENESS DAY

#### **RESOLUTION 2019/70**

Moved: Cr Di Baker

Seconded: Cr Paul King

That Council support the Driver Safety Awareness Day and donate the costs associated with the hire of the Town Hall and closure of Evans Street.

#### **AMENDMENT**

Moved: Cr Anthony Michael

Seconded: Cr Neil McCosker

That Council support the Driver Safety Awareness Day and donate \$500.

**LOST**

#### **AMENDMENT**

Moved: Cr Kate Dight

Seconded: Cr Stewart Berryman

*That Council support the Driver Safety Awareness Day and donate \$1000 and advise the organisers that this is the 2<sup>nd</sup> year Council has supported the event and in subsequent years they are encouraged to seek alternate sources of funding.*

The Amendment became the motion and the motion on being put was carried.

**CARRIED**

**7.4 ROAD CLOSURE - SAPPHIRE ROCK 'N' ROLL FESTIVAL****RESOLUTION 2019/71**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

- i) *That Council support closure of the Evans Street Precinct between Otho Street and Campbell Street between the hours of 12 noon on Saturday, 31 August, 2019 until 12 noon on Sunday 1, September 2019.*
- ii) *That Council cover the cost of the road closure*

**CARRIED**

**7.5 REQUEST FOR SUPPORT - SAPPHIRE ROCK 'N' ROLL FESTIVAL****RESOLUTION 2019/72**

Moved: Cr Di Baker

*That Council donate \$200 to support the Sapphire Rock 'N' Roll Festival.*

The motion lapsed for want of seconder.

**MOTION**

Moved: Cr Anthony Michael

Seconded: Cr Paul King

*That Council donate \$3 280 to support the Sapphire Rock 'N' Roll Festival.*

**AMENDMENT**

Moved: Cr Paul King

Seconded: Cr Stewart Berryman

Donate \$3 280 toward running the event and \$2 500 towards the printing cost of the Value Book.

**LOST**

The Motion on being put was carried.

**CARRIED**

## 7.6 PREPARING FOR THE YEAR AHEAD

### COMMENTARY

As part of the debate Councillor's put forward the following proposals for consideration for inclusion in the Delivery Plan.

Cr Michael

- Adventure Play area similar Tamworth
- Byron St CBD Redevelopment.
- Reticulation of reuse water to Lake Inverell
- Half basket ball court
- Graffiti wall
- Silo and lane way murals
- Upgrade of the Tingha Sports Field
- Multipurpose Indoor Sports stadium

Cr King

- Baby Memorial Garden and Remembrance Wall

Cr Watts

- Open shade area for Dulunga Show ground
- Tourism Sign for Delungra
- Baby Memorial Garden and Remembrance Wall

Cr Dight

- Yetman Hall paint external
- Program of activities for youth in villages includes transport
- Investigate the development for residential blocks in small villages

Cr Baker

- BMX Track
- Up lighting in the CBD Trees
- Roof for equestrian centre
- Upgrade to Inverell Pound
- Silo murals

McCosker

- Upgrade to Inverell Pound
- Gilgai Cycling track

Cr Berryman

- Byron St CBD Redevelopment
- Upgrade of Jones Rd to Green Valley
- Drainage of Murray Street so road works can be completed

It was also noted that Sports Council should be approached for suggestions and I C YOUTH Centre proposal should be considered as part of the discussion.

At 4:57pm, Cr Paul King left the meeting.

At 4:59 pm, Cr Paul King returned to the meeting.

**RESOLUTION 2019/73**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

*That:*

- i) The information be noted;*
- ii) That Councillors submit projects for possible inclusion in a revised Delivery Plan for the 2017-21 period; and*
- iii) The following projects be included in the State/Federal Government Prospectus:*
  - a) Public Safety*
    - Extend solar light program*
    - Extend CCTV in Inverell CBD*
    - Emergency Broadcast Centre*
  - b) Telecommunications*
    - Public Wi-Fi in Inverell CBD*
    - NBN Wireless facilities to Phone Towers in villages*
  - c) Recreation/Culture*
    - Improve lighting at Art Gallery and Art Walk*
    - Inclusive Amenities Block at Sports Complex*
    - Redevelopment of Inverell Pool*
    - Mountain Bike Track Upgrade*
    - Upgrade Gilgai Hall*
  - d) Transport/Economic*
    - Widening of MR 187*
    - 'Black spots' on Ashford/Graman Road*
    - Upgrade of Holdfast Tarwoona and Keetah Roads*
    - Upgrade Taylor Avenue/Bannockburn Road intersection*
- iv) Council receive a report to further consider additional items for possible inclusion in a revised Delivery Plan for the 2017-21 period; and projects to be submitted to either State or Federal Government, should funding opportunities become available.*

**CARRIED**

At 4:57pm, Cr Paul King left the meeting.

At 4:59 pm, Cr Paul King returned to the meeting.

---

**8 INFORMATION REPORTS**

At 5:08 pm, Cr Paul Harmon left the meeting.

Cr Anthony Michael assumed the chair.

---

**8.1 SEPTIC TANK APPROVALS FOR JUNE 2019**

---

**8.2 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENTS DURING JUNE 2019**

---

**8.3 ORDINANCE ACTIVITIES REPORT FOR JUNE 2019**

---

**8.4 LETTER OF APPRECIATION - SAPPHIRE CITY CONCERT BAND INC**

---

**8.5 LETTER OF APPRECIATION - INVERELL SUNRISE CWA**

---

**8.6 STAFF MOVEMENTS: - 01 APRIL 2019 TO 30 JUNE 2019**

---

**8.7 LETTER OF APPRECIATION - YETMAN CARAVAN PARK**

---

**8.8 LETTERS OF APPRECIATION**

---

Moved: Cr Jacki Watts  
Seconded: Cr Anthony Michael

*That the information reports be received and noted.*

**CARRIED**

---

At 5:10 pm, Cr Paul Harmon returned to the meeting and resumed the chair.

**The Meeting closed at 5.11pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 August 2019.**

.....  
**CHAIRPERSON**