

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 23 OCTOBER 2019 AT 3.00 PM**

PRESENT: Cr Paul Harmon (Mayor), Cr Anthony Michael (Deputy Mayor), Cr Di Baker, Cr Stewart Berryman, Cr Kate Dight, Cr Paul King OAM, Cr Neil McCosker, Cr Mal Peters 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

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2019/96

Moved: Cr Anthony Michael

Seconded: Cr Di Baker

That the Minutes of the Ordinary Meeting of Council held on 25 September, 2019, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

3 DISCLOSURE OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS

Nil

4 PUBLIC FORUM

At this juncture, the time being 3.05pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

Bob Bensley spoke on current and future clinical staff resources at Inverell Hospital.

Mr Bensley spoke of his concern that there is not an adequate number of qualified health professionals for the current and future effective operation of the Inverell Hospital. He has concerns regarding sufficient local doctors ready to work in the hospital system, a lack of available anaesthetists and properly qualified operating theatre staff, especially for such functions as emergency operations. He is also concerned of an impending general shortage of nursing and support staff. Mr Bensley requested Council to ask the NSW Minister for Health (through our Local Member Hon Adam Marshall MP) to investigate these concerns.

The meeting resumed 3.10pm.

5 NOTICES OF MOTION

Nil

6 QUESTIONS WITH NOTICE

Nil

7 ADVOCACY REPORTS

Nil

8 COMMITTEE REPORTS**8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 9 OCTOBER 2019****RESOLUTION 2019/97**

Moved: Cr Anthony Michael

Seconded: Cr Di Baker

- i) *That the Minutes of the Civil and Environmental Services Committee meeting held on Wednesday, 9 October, 2019, be received and noted; and*
- ii) *The following recommendations of the Civil & Environmental Services Committee be adopted by Council.*

CARRIED**8.1.1 Funding Allocation - MR63 Warialda Road Curve Realignment and Pavement Rehabilitation****RECOMMENDATION:**

That \$1,096,530 be allocated to the MR63 Warialda Road "Black Dam" curve realignment and pavement rehabilitation project from the Fit for the Future Bitumen Rehabilitation allocation.

8.1.2 Smoke Free Environment - Inverell CBD**RECOMMENDATION:**

That Council not to take any further action in relation to this matter.

8.1.3 DA-74/2019 - Demolition of the existing NSW Police Building & Structures, Site Preparation Works, Construction and use of New Police Building, and Ancillary Works Including Signage - 109 Otho Street, Inverell**RECOMMENDATION:**

That Council not to take any further action in relation to this matter.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 9 OCTOBER 2019

RESOLUTION 2019/98

Moved: Cr Jacki Watts

Seconded: Cr Paul King OAM

- i) *That the Minutes of the Economic and Community Sustainability Committee meeting held on Wednesday, 9 October, 2019, be received and noted; and*
- ii) *The following recommendations of the Economic & Community Sustainability Committee be adopted.*

CARRIED

8.2.1 Budget Revotes From 2018-2019

RECOMMENDATION:

That the list of revotes representing works in progress as at 30 June, 2019 be revoted to the 2019/2020 budget.

8.2.2 Investment Policy

RECOMMENDATION:

That:

- i) *the report be received and noted; and*
- ii) *the Investment Policy remain unchanged.*

8.2.3 Governance – Monthly Investment Report

RECOMMENDATION:

That:

- i) *the report be received and noted; and*
- ii) *the Investment Policy remain unchanged.*

9 DESTINATION REPORTS

9.1 DUTIES OF DISCLOSURE - PECUNIARY AND OTHER MATTERS S13.6.5/11

RESOLUTION 2019/99

Moved: Cr Kate Dight

Seconded: Cr Anthony Michael

That Council notes that pecuniary interest returns from the listed Councillors and designated persons have been tabled by the General Manager in accordance with Section 450A of the Local Government Act for the period from 1 July, 2018 to 30 June, 2019.

| | |
|---------------------|---------------------|
| Cr Di Baker | Mr Paul Henry |
| Cr Stewart Berryman | Mr Scott Norman |
| Cr Kate Dight | Mr Brett McInnes |
| Cr Paul Harmon | Mr Justin Pay |
| Cr Paul King | Mr Anthony Alliston |
| Cr Neil McCosker | Mr Michael Bryant |
| Cr Anthony Michael | |
| Cr Jacki Watts | |

CARRIED

9.2 EXPRESSION OF INTEREST TO LICENCE LAND - EDWARD STREET, INVERELL S5.10.21

RESOLUTION 2019/100

Moved: Cr Stewart Berryman

Seconded: Cr Di Baker

That:

- 1. Council enter into a Licence Agreement with Ms Karen Dickson for Lot 1 DP 196967, Lots 3, 4 and 5, Section 1 DP 448428 and Lot 6 DP 1150735, Edward Street, Inverell for a two (2) year period with further lease extensions subject to the outcome of investigations associated with Sewer Pump Station No 1;*
- 2. the Licence fee be \$150.00 per annum (GST Inclusive) with a 3% increase per annum; and*
- 3. the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

CARRIED

9.3 INVERELL HOSPITAL CLINICAL STAFF RESOURCES - REPRESENTATIONS BY MR BOB BENSLEY S24.20.6

RESOLUTION 2019/101

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That Council request information from Hunter New England Health in regard to any general concerns regarding the adequacy of clinical staff numbers at the Inverell Hospital both for current operations and the redeveloped hospital.

CARRIED

9.4 SUNHAVEN HOSTEL - ASHFORD S3.15.1

RESOLUTION 2019/102

Moved: Cr Jacki Watts

Seconded: Cr Stewart Berryman

That the matter be referred to Closed Council for consideration as the matters and information are:

- c information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

On balance the public interest in preserving the confidentiality of the information outweighs the public interest in openness and transparency in Council decision-making by discussing the matter in open meeting; and all reports and correspondence relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act, 1993.

CARRIED

9.5 CODE OF CONDUCT - VALUE OF TOKEN GIFTS AND BENEFITS S4.12.1

RESOLUTION 2019/103

Moved: Cr Mal Peters

Seconded: Cr Stewart Berryman

That Council make a submission to the Minister for Local Government, The Honourable Shelley Hancock MP, in relation to the "definition" of what constitutes a "token gift" under the Code of Conduct for Councils and recommend no changes to the current guidance.

CARRIED

9.6 ROAD CLOSURE - EAT DRINK NEW ENGLAND S28.23.1/12

RESOLUTION 2019/104

Moved: Cr Paul King OAM

Seconded: Cr Di Baker

That Council approve Eat Drink New England's request for closure of Evans Street between Otho and Campbell Streets between the hours of 12 Noon on Friday, 15 November 2019 and 5pm Saturday, 16 November, 2019.

CARRIED

9.7 UPDATE ON THE CONDUCT OF THE 2020 ELECTIONS S13.7.4/04

RESOLUTION 2019/105

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

That:

- i) The report be received and noted; and*
- ii) Council seek to reduce the costs of conducting the election by any reasonable means.*

CARRIED

9.8 AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES - 16 OCTOBER 2019 S4.11.21

RESOLUTION 2019/106

Moved: Cr Stewart Berryman

Seconded: Cr Jacki Watts

That a supplementary report on this matter be received.

CARRIED

SUPPLEMENTARY DESTINATION REPORTS

9.9 AUDIT RISK AND IMPROVEMENT COMMITTEE MINUTES - 16 OCTOBER 2019

RESOLUTION 2019/107

Moved: Cr Kate Dight

Seconded: Cr Anthony Michael

- i) *That the Minutes of the Audit Risk and Improvement Committee held on Wednesday, 16 October, 2019, be received and noted; and*
- ii) *On the condition there is no material change between the Engagement Closing Report and the outcomes of the Audit as verbally reported by the Contracted Auditor the Committee recommend to Council that:*
 - a) *Council adopt the General Purpose, Special Purpose Financial Statements and Special Schedules for year ending 30 June 2019;*
 - b) *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;*
 - c) *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;*
 - d) *Council present the signed audited Financial Statements to the public at the Ordinary Council Meeting to be held on 27 November 2019 in accordance with Section 419 (1) of the Local Government Act 1993; and*
 - e) *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, 2019 at its Ordinary Meeting to be held on Wednesday 27 November 2019.*

.CARRIED

Cr's Peters and McCosker requested their vote against the motion be recorded.

10 INFORMATION REPORTS

RESOLUTION 2019/108

Moved: Cr Anthony Michael

Seconded: Cr Jacki Watts

That the following information reports be received and noted.

CARRIED

10.1 LETTER OF APPRECIATION - INVERELL EVENTS INC AND SAPPHIRE ROCK N ROLL FESTIVAL S8.12.14

10.2 LETTER OF APPRECIATION - SAPPHIRE SPORTS SHEARS S6.8.9

10.3 STAFF MOVEMENTS: - 01 JULY 2019 TO 30 SEPTEMBER 2019 S22.25.1

10.4 STRATEGIC TASKS - 'SIGN OFF' - OCTOBER 2019 S4.13.2

10.5 LETTER OF APPRECIATION - INVERELL ART SOCIETY INC S6.8.9

10.6 SEPTIC TANK APPROVALS FOR SEPTEMBER 2019 S13.5.2/12

10.7 ORDINANCE ACTIVITIES REPORT FOR SEPTEMBER 2019 S13.5.2/12

10.8 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENTS DURING SEPTEMBER 2019 S13.5.2/12

11 GOVERNANCE REPORTS**11.1 GENERAL AND SPECIAL PURPOSE FINANCIAL REPORTS 2018/2019 S12.11.5****RESOLUTION 2019/109**

Moved: Cr Di Baker

Seconded: Cr Kate Dight

That:

- i) Council adopt the General Purpose, Special Purpose Financial Statements and Special Schedules for year ending 30 June, 2019;*
- ii) the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer 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 27 November, 2019 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, 2019 at its Ordinary Meeting to be held on Wednesday 27 November, 2019.*

CARRIED

12 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)

At 4.02pm, 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.

RESOLUTION 2019/110

Moved: Cr Anthony Michael

Seconded: Cr Neil McCosker

That Council proceeds into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.

CARRIED**RESOLUTION 2019/111**

Moved: Cr Jacki Watts

Seconded: Cr Kate Dight

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 4.06pm, the Chairperson 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:

12.1 SUNHAVEN HOSTEL - ASHFORD S3.15.1**RECOMMENDATION:**

That Council assist Sunhaven Hostel with the process of acquiring the property adjacent to their facility, provided that no costs are incurred by Council in rendering that assistance.

ADOPTION OF RECOMMENDATIONS**RESOLUTION 2019/112**

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 4.08pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 November 2019.

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CHAIRPERSON