



BUSINESS PAPER

**Economic and Community
Sustainability Committee Meeting
Wednesday, 14 July 2021**

INVERELL SHIRE COUNCIL**NOTICE OF ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING**

9 July, 2021

An Economic and Community Sustainability Committee Meeting will be held in the Council Chambers, Administrative Centre, 144 Otho Street, Inverell on Wednesday, 14 July, 2021, commencing at **10.30AM**.

Your attendance at this Economic and Community Sustainability Committee Meeting would be appreciated.

There is currently nothing preventing councils in regional NSW from meeting in person. However, to meet the current obligations under the Public Health Order the Economic and Community Sustainability Committee Meeting will be held in the Council Chambers. All persons attending meetings are required to wear face masks. It is permissible under the Public Health Order for councillors, staff and others to remove their masks for the purposes of addressing the meeting but must wear masks at all other times.

Please Note: Under the provisions of the Code of Meeting Practice the proceedings of this meeting (including presentations, deputations and debate) will be webcast. An audio recording of the meeting will be uploaded on the Council's website at a later time. Your attendance at this meeting is taken as consent to the possibility that your voice may be recorded and broadcast to the public.

I would like to remind those present that an audio recording of the meeting will be uploaded on the Council's website at a later time and participants should be mindful not to make any defamatory or offensive statements.

P J HENRY PSM

GENERAL MANAGER

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Ethical Decision Making and Conflicts of Interest

A guiding checklist for Councillors, officers and community committees

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, Councillors can choose to either disclose and vote, disclose and not vote or leave the Chamber.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

- 1st** Do I have private interests affected by a matter I am officially involved in?
2nd Is my official role one of influence or perceived influence over the matter?
3rd Do my private interests conflict with my official role?

Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to Sections 442, 448 and 459 or the *Local Government Act 1993* and Model Code of Conduct, Part 4 – conflicts of interest.

Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 451(1) of the *Local Government Act 1993* (pecuniary interests) and Part 4 of the Model Code of Conduct prescribed by the Local Government (Discipline) Regulation (conflict of interests) it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

A Declaration form should be completed and handed to the General Manager as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Form can be downloaded at [Declaration Form](#)

Quick Reference Guide

Below is a legend that is common between the:

- Inverell Shire Council Strategic Plan;
- Inverell Shire Council Delivery Plan; and
- Inverell Shire Council Operational Plan.



1 APOLOGIES

2 CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Economic and Community Sustainability Committee Meeting held on 9 June, 2021, as circulated to members, be confirmed as a true and correct record of that meeting.

**MINUTES OF INVERELL SHIRE COUNCIL
ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 9 JUNE 2021 AT 10.30AM**

PRESENT: Cr Jacki Watts (Chair), Cr Paul Harmon (Mayor), Cr Paul King OAM, Cr Kate Dight and Cr Anthony Michael (Deputy Mayor).

IN ATTENDANCE: Cr Stewart Berryman, Cr Neil McCosker and Cr Di Baker.

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

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

That the Minutes of the Economic and Community Sustainability Committee Meeting held on 12 May, 2021, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

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

Nil

4 ADVOCACY REPORTS

4.1 BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) - MAY 2021 S14.10.1

COMMITTEE RESOLUTION

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

That the Committee recommend to Council that:

- i) Inverell Shire Council investigates the opportunity to join the Southern Inland Water Alliance with the view to bringing the information back to Council for further debate;*
- ii) Ascertain details of the work being undertaken by RDANI on the infrastructure gaps in this region and look to include / assess projects relevant to Inverell Shire Council; and*
- iii) Refer the establishment of Drought Hubs for possible inclusion in New England Joint Organisation's statement of regional priorities.*

CARRIED

5 DESTINATION REPORTS

5.1 EXPIRING LICENCE AGREEMENT - INVERELL DISTRICT FAMILY SERVICES S5.10.10

COMMITTEE RESOLUTION

Moved: Cr Paul King OAM

Seconded: Cr Paul Harmon

That the Committee recommend to Council that:

- i) Council renew the agreement with Inverell District Family Services for Part Lot 86, DP 1152042, Campbell Street, Inverell (Catherine Campbell Centre) for a further five (5) year period with the option of a further five (5) year term;*
- ii) the licence fee continue to be a token fee of \$1.10 per annum; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

CARRIED

5.2 REQUEST FOR SPONSORSHIP - DELUNGRA HOTEL SHEAR FOR LIFE - QUICK SHEAR EVENT S12.22.1/14

RECOMMENDATION:

MOTION

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

That Council refer this request to Delungra District Development Committee for consideration.

5.3 EXPIRING LICENCE AGREEMENT - J AND S BELL S5.10.52

COMMITTEE RESOLUTION

Moved: Cr Anthony Michael

Seconded: Cr Paul King OAM

That the Committee recommend to Council that:

- i) Council renew the agreement with Joe & Sam Bell for Lot 10, DP 1123056, Taylor Avenue, Inverell for a two (2) year period with the option of a further two (2) year period;*
- ii) the licence fee be \$700.51 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.*

CARRIED

5.4 REQUEST FOR SPONSORSHIP - INVERELL'S GOT TALENT - ROTARY CLUB OF INVERELL EAST S12.22.1/14**MOTION**

Moved: Cr Anthony Michael

Seconded: Cr Paul Harmon

That the Committee recommend to Council that Council donate \$200 to the East Rotary Club of Inverell to assist with expenses associated with running Inverell's Got Talent.

AMENDMENT

Moved: Cr Kate Dight

Seconded: Cr Paul King OAM

That the Committee recommend to Council that Council donate an amount equivalent to the cost of Town Hall hire to the East Rotary Club of Inverell for the 2021 Inverell's Got Talent event.

FORESHADOW AMENDMENT

Moved: Cr Paul Harmon

Seconded: Cr Kate Dight

That the Committee recommend to Council that Council donate an amount equivalent to 50% of the cost of Town Hall hire to the East Rotary Club of Inverell for the 2021 Inverell's Got Talent event.

The Amendment on being put to the meeting was lost. The Foreshadow Amendment became the Amendment. The Amendment on being put to the meeting was carried.

The Amendment became the motion. The motion on being put to the meeting was carried.

CARRIED**5.5 REQUEST FOR REDUCTION ON WATER ACCOUNT - OLD BUNDARRA ROAD, INVERELL S32.10.1/14****COMMITTEE RESOLUTION**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

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

- a personnel matters concerning particular individuals (other than councillors).*

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

5.6 REQUEST FOR REDUCTION ON WATER ACCOUNT - GREAVES STREET, INVERELL S32.10.1/14**COMMITTEE RESOLUTION**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

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

- a personnel matters concerning particular individuals (other than councillors).*

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

5.7 REQUEST FOR REDUCTION ON WATER ACCOUNT - OLIVER STREET, INVERELL S32.10.1/14**COMMITTEE RESOLUTION**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

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

- a personnel matters concerning particular individuals (other than councillors).*

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

5.8 REQUEST FOR REDUCTION IN WATER ACCOUNT - MULLIGAN STREET, INVERELL S32.10.1/14**COMMITTEE RESOLUTION**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

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

- a personnel matters concerning particular individuals (other than councillors).*

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

5.9 SALE OF LAND FOR UNPAID RATES AUCTION - OPTION TO PURCHASE LAND S12.8.9/05**COMMITTEE RESOLUTION**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

That the matter be referred to Closed Committee 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

5.10 SESQUICENTENARY OF LOCAL GOVERNMENT IN INVERELL S3.16.18**RECOMMENDATION:****MOTION**

Moved: Cr Paul Harmon

Seconded: Cr Paul King OAM

That the Committee recommend to Council that Council refer this request to the Sapphire City Festival Committee for consideration.

6 GOVERNANCE REPORTS**6.1 AASB 124 RELATED PARTY TRANSACTIONS S12.2.2****COMMITTEE RESOLUTION**

Moved: Cr Kate Dight

Seconded: Cr Paul Harmon

That the Committee recommend to Council that:

- a) The report be received and noted; and*
- b) In accordance with AASB 124, Key Management Personnel (KMP) complete section 1 and 2 of Council's KMP – Related Party Transactions Questionnaire and return completed forms to Council by 23 June, 2021.*

CARRIED

6.2 GOVERNANCE - MONTHLY INVESTMENT REPORT S12.12.2**COMMITTEE RESOLUTION**

Moved: Cr Kate Dight
Seconded: Cr Paul King OAM

That the Committee recommend to Council 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.*

CARRIED**7 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)**

At 11.15am, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore the Committee proceeded to consider the motion to close the meeting to the press and public.

COMMITTEE RESOLUTION

Moved: Cr Anthony Michael
Seconded: Cr Paul Harmon

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

CARRIED**COMMITTEE RESOLUTION**

Moved: Cr Paul Harmon
Seconded: Cr Anthony Michael

That the Committee proceeds out of Closed Committee into Open Committee.

CARRIED

Upon resuming Open Committee at 11.20am, the Chairperson verbally reported that the Committee had met in Closed Committee, with the Press and Public excluded, and had resolved to recommend to Council the following:

7.1 SALE OF LAND FOR UNPAID RATES AUCTION - OPTION TO PURCHASE LAND S12.8.9/05**RECOMMENDATION:**

That the Committee recommend to Council that the General Manager be authorised to make bids on the properties identified to the maximum bid value as identified in the body of the report.

7.2 REQUEST FOR REDUCTION ON WATER ACCOUNT - OLD BUNDARRA ROAD, INVERELL S32.10.1/14**RECOMMENDATION:**

That the Committee recommend to Council that:

- i) The report be received; and*
- ii) Council issue an amended account of \$249.15 for the previous quarter based on the average consumption of accounts prior to the leak and write off \$807.45.*

7.3 REQUEST FOR REDUCITON ON WATER ACCOUNT - GREAVES STREET, INVERELL S32.10.1/14**RECOMMENDATION:**

That the Committee recommend to Council that:

- i) the report be received; and*
- ii) Council issue an amended account of \$78.38 for the previous quarter based on the average consumption of accounts prior to the leak and write off \$1783.24.*

7.4 REQUEST FOR REDUCTION ON WATER ACCOUNT - OLIVER STREET, INVERELL S32.10.1/14**RECOMMENDATION:**

That the Committee recommend to Council that:

- i) the report be received; and*
- ii) Council issue an amended account of \$1.65 for the previous 2 quarters based on the average consumption of accounts prior to the leak and write off \$1362.90.*

7.5 REQUEST FOR REDUCTION IN WATER ACCOUNT - MULLIGAN STREET, INVERELL S32.10.1/14**RECOMMENDATION:**

That the Committee recommend to Council that:

- i) The report be received; and*
- ii) Council not accede to providing assistance in this matter.*

ADOPTION OF RECOMMENDATIONS

COMMITTEE RESOLUTION

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

That the recommendations of Closed Committee be adopted.

CARRIED

The Meeting closed at 11.25am.

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

4 DESTINATION REPORTS

4.1 REQUEST TO LICENCE LAND - GRANT ISKOV

File Number: S5.10.54 / 21/23339

Author: Kristy Paton, Corporate Support Officer - Publishing

SUMMARY:

Council recently called for expressions of interest to licence land known as Lot 89, DP 754847, Little Plain Recreation Reserve, Little Plain.

Council received one (1) expression of interest. The Committee is requested to consider the request to licence the land.

RECOMMENDATION:

The Committee recommend to Council that:

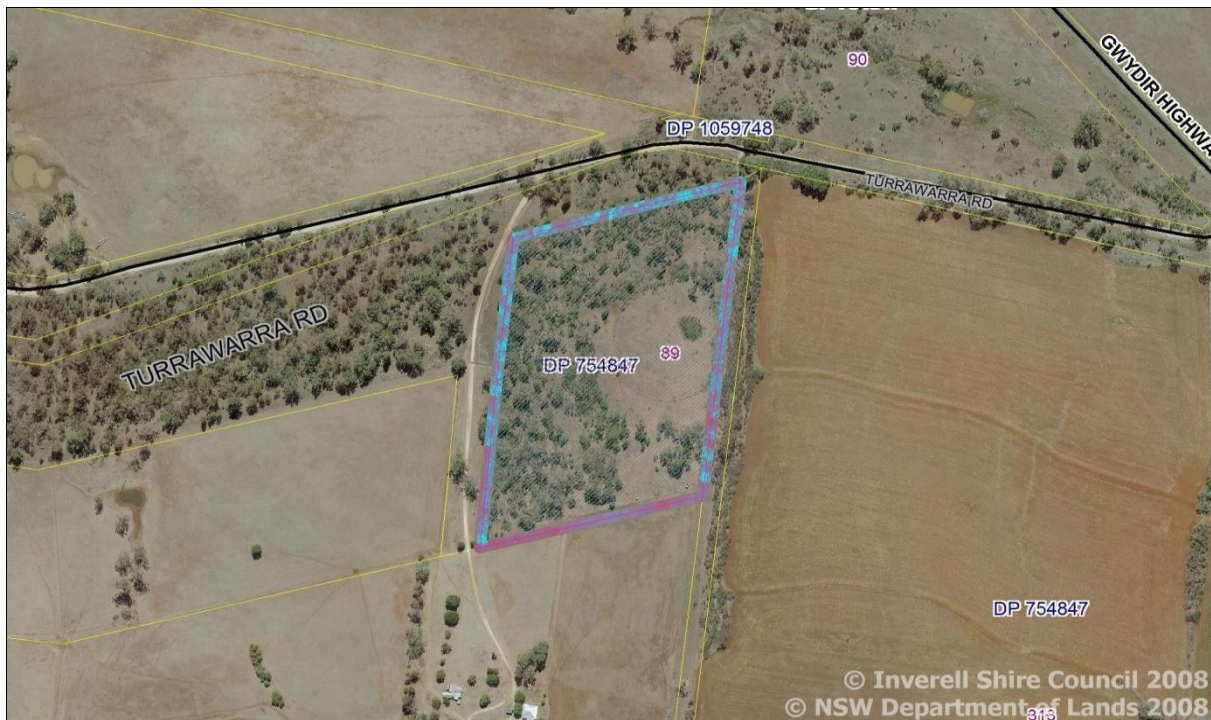
- i) Council enter into a Licence Agreement with Mr Grant Iskov for Lot 89, DP 754847, Little Plain Recreation Reserve, Little Plain for a five (5) year period with a further five (5) year option;*
- ii) the Licence fee be \$750 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

COMMENTARY:

Council has received a request from Mr Grant Iskov to licence land known as Lot 89, DP 754847, Little Plain Recreation Reserve, Little Plain. Mr Iskov is willing to pay \$750 per annum and would like to licence the land for a period of 5 years. The land is just over 7.6 hectares in area.

Mr Iskov wishes to utilise the land for the purpose of grazing cattle.

It is suggested that Council enter into an agreement with Mr Iskov for a five (5) year term with a further five (5) year option and that the licence fee be \$750 per annum, being subject to a 3% yearly increase.

**RISK ASSESSMENT:**

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

4.2 EXPIRING LEASE AGREEMENT - BILLABONG BLUE**File Number:** S5.10.105 / 21/17418**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

The Lease Agreement between Council and Billabong Blue is due to expire on 17 August, 2021. The Committee is requested to consider renewing the agreement.

RECOMMENDATION:

That the Committee recommend to Council that:

- i) Council renew the Agreement for a further three (3) year period with a further three (3) year option under the same terms and conditions;*
- ii) the Lease Fee be \$6,206 per annum (GST Inclusive) with a 3% increase per annum; and*
- iii) the Lease Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

COMMENTARY:

The Lease Agreement between Council and Billabong Blue for the tenancy located at 13-31 Campbell Street, Inverell is due to expire 17 August, 2021.

The property located adjacent to the Tourist Information Centre, is utilised for the purpose of gem fossicking displays, gem cutting and gem sales.

The Committee is requested to consider offering Billabong Blue a new agreement for tenancy within 13-31 Campbell Street for a three (3) year term with a further three (3) year option and that the Lease Fee be \$6,206 per annum (GST Inclusive) with a 3% increase per annum.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

4.3 MEMORIAL PLAQUE - LAKE INVERELL RESERVE**File Number:** S21.8.23 / 21/23983**Author:** Paul Henry, General Manager**SUMMARY:**

A request to install a memorial plaque on the viewing platform at Lake Inverell Reserve has been received. The Committee is being asked to consider the request.

RECOMMENDATION:

A matter for the Committee.

COMMENTARY:

Correspondence has been received from Mrs Nicole Asara on behalf of the Grills family seeking permission to install a plaque on the railing of the viewing platform at Lake Inverell to recognise Mr Lyle Dewberry. The Grills family scattered the ashes of Mr Dewberry off the viewing platform and wish to recognise and commemorate his life.

Mrs Asara states that the Lake is a 'beautiful and tranquil place' and is a popular place for families to visit. Allowing memorial plaques to be placed in the area would allow people to have a permanent reminder of the life of a family member. She states that it 'isn't tacky or messy if done in the right way'. An alternative would be to allow families to purchase and put a memorial plaque on the seat.

Mrs Asara refers to the recognition of Mr Laurie Hilton at the Reserve as a precedent. This reference is to a donation by the Hilton family of park furniture and a small plaque in recognition of this donation placed at the rear of a seat on the viewing deck.

A similar letter was received from Mrs Carolyn Grills earlier this year requesting permission to place a plaque on the railing, but this request was rejected.

Mrs Asara requests that this decision to be revisited.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

Nil

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

4.4 OFFER TO LEASE/PURCHASE LAND - BRISSETT STREET, INVERELL**File Number:** S5.10.65 / 21/24124**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

A confidential report has been prepared which provides further information to the Committee on an offer to lease Council land in Brissett Street, Inverell. The Committee is requested to consider the confidential report.

RECOMMENDATION:

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.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) Personnel matters concerning particular individuals (other than councillors.)*
- (b) The personal hardship of any resident or ratepayer.*
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) Commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret.*
- (e) Information that would, if disclosed, prejudice the maintenance of law.*
- (f) Matters affecting the security of the council, councillors, council staff or council property.*
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

Grounds for closing part of meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) The grounds must specify the following:*
 - (a) the relevant provision of section 10A (2),*

- (b) *the matter that is to be discussed during the closed part of the meeting,*
- (c) *the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee 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*.

4.5 PERMANENT ROAD CLOSURE - PART CAMPBELL'S ROAD BONSHAW**File Number:** S28.22.1/14 / 21/24130**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

At the 24 March, 2021 meeting, Council provided in principle support to commence actions to close the portion of Campbell's Road, Bonshaw, adjoining lot 2 DP 1197935 under the *Roads Act 1993*. The Committee is asked to consider a confidential report on this matter.

RECOMMENDATION:

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

- a personnel matters concerning particular individuals (other than councillors).*

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.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the Local Government (General) Regulation 2005 makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) Personnel matters concerning particular individuals (other than councillors.)*
- (b) The personal hardship of any resident or ratepayer.*
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) Commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret.*
- (e) Information that would, if disclosed, prejudice the maintenance of law.*
- (f) Matters affecting the security of the council, councillors, council staff or council property.*
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

Grounds for closing part of meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) The grounds must specify the following:*
 - (a) the relevant provision of section 10A (2),*
 - (b) the matter that is to be discussed during the closed part of the meeting,*

- (c) *the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee for consideration as the matters and information are:

- a personnel matters concerning particular individuals (other than councillors).

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*.

4.6 NATIONAL TRANSPORT MUSEUM**File Number:** S5.10.145 / 21/24239**Author:** Paul Henry, General Manager**SUMMARY:**

A request has been received from the National Transport Museum to undertake a small expansion at the rear of the main museum area. The Committee is being asked to consider the request.

RECOMMENDATION:

A matter for the Committee.

COMMENTARY:

Council is in receipt of correspondence under the hand of Kevin Dunn, Chairman of the National Transport Museum requesting assistance with closing in an existing undercover area at the rear of the museum.

Mr Dunn explains that by enclosing the area it would allow extra exhibits to be placed which are currently on hold due to lack of space in the main area of the museum.

To substantiate the need to expand the display area of the Museum, Mr Dunn confirms that the volunteer force of the Museum has increased by approx. 20% along with an increase in membership and a number of donated vehicles of high quality. The Museum has also seen of late an increase in the number of bus company tours and Car Club bookings.

The National Transport Museum asks for Council to consider this development with possible input from a grant, financial input from Council and the like from the Transport Museum.

The quotation provided to carry out the expansion amounts to \$43,494.00 Inc. GST.

A copy of the Museum's request is **attached**.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

The National Transport Museum rents its premises from Council. The shed was purpose built and under the original Licence Agreement, the Association is required to pay an Annual Licence Fee of \$28,053.30 (\$25,503.00 GST exclusive) to Council. This amount is equivalent to the repayments on a \$346,000 loan repayable over 20 years at an interest rate of 4.0%. When the project was proposed this amount was agreed to by the Association. The agreement commenced July 2015 but the amount was halved for the years 2016-17 and 2017-18. (\$1,062.62 + GST per month) Council then resolved to continue the rent reduction for the 2018-19 and 2019-20 years.

The Association has struggled to meet the full rent payments since they moved to the new site. Accordingly, on 22 April 2020, Council resolved to set the monthly rent at \$1200 (plus GST) from 1 July, 2021 for two years ending 30 June, 2022. This decision was based on

Council typically spending approximately \$5,000 per annum on building repairs, \$2,600 on building insurance and \$6,800 on rates, which makes a total operational cost of \$14,400 or \$1,200 per month.

Currently they owe \$5,446 on their debtor account for rent to 30 June, 2021 and some other minor charges.

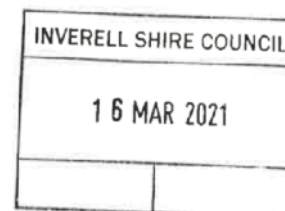
There is no 2021/2022 budget allocation to fund this request. Council could allocate funding from the Building Internally Restricted Reserve; however these funds have been earmarked for the Pool Redevelopment. I recommend that National Transport Museum apply for the next available tourism development grant.

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

1. Request from National Transport Museum for Small Expansion



69 Rifle Range Road
INVERELL NSW 2360
(PO Box 1103)
Phone: 02 67 212270

ABN: 90 113 696 796

DATE: 16/3/2021

Email: transportmuseum@bigpond.com

Website: www.nationaltransportmuseum.com.au

PRESIDENT:
Kevin Dunn

SECRETARY:
Katie McLane

TREASURER:
Graeme Page

PUBLIC OFFICER:
Larry Cameron

Paul Henry - General Manager, Inverell Shire Council

Dear Paul,

The National Transport Museum has recently obtained a quote to enable a small expansion at the rear of the main museum area.

The area is currently being used for storage of several vehicles, however although under cover has exposed sides which are subject to the weather.

The additional area would allow extra exhibits to be placed which are currently on hold due to lack of space in our main area.

The area involved would require the removal of part of the existing back wall (metal sheets) and an access roller door at one side.

We are currently improving our internal display area with a fully enclosed glass display, 11 metres x 1.5 metres x 2.5 metres high to place delicate and valuable displays away from possible damage by the visitors.

We are carrying the cost of construction (\$15,000) and hope such improvements will increase our visitation.

We have had a increase with our volunteer force by about 20 percent and post covid would expect more, also we have had an increase in membership with quite a number of donated vehicles of high quality and an increase in bus company Tours and Car Club bookings

We would ask if the Shire would consider this development with the possible input from a grant, financial input from the Shire and the like from the National Transport Museum, (copy of the quote enclosed).

The Museum has gained quite a reputation on the tourist map and we would like to take advantage of our ever increasing volume of visitors with the ability to add more exhibits to our unique collection.

Kevin Dunn (Chairman)

4.7 REQUEST FOR REDUCTION IN WATER ACCOUNT - MATHER STREET, INVERELL**File Number:** S32.10.1/14 / 21/24375**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

Council has received a request seeking Council's assistance by issuing an amended account for a property in Mather Street, Inverell based on average usage due to a water leak. The Committee is being asked to consider a confidential report in respect of this matter.

RECOMMENDATION:

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

- a personnel matters concerning particular individuals (other than councillors).*

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.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) Personnel matters concerning particular individuals (other than councillors.)*
- (b) The personal hardship of any resident or ratepayer.*
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) Commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret.*
- (e) Information that would, if disclosed, prejudice the maintenance of law.*
- (f) Matters affecting the security of the council, councillors, council staff or council property.*
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

Grounds for closing part of meeting to be specified

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.*
- (2) The grounds must specify the following:*
 - (a) the relevant provision of section 10A (2),*
 - (b) the matter that is to be discussed during the closed part of the meeting,*

- (c) *the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee for consideration as the matters and information are:

- a personnel matters concerning particular individuals (other than councillors).

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*.

4.8 REQUEST FOR REDUCTION IN WATER ACCOUNT - CAMERON STREET, INVERELL**File Number:** S32.10.1/14 / 21/24401**Author:** Kristy Paton, Corporate Support Officer - Publishing**SUMMARY:**

Council has received a request seeking Council's assistance by issuing an amended account for a property in Cameron Street, Inverell based on average usage due to unexplained usage. The Committee is being asked to consider a confidential report in respect of this matter.

RECOMMENDATION:

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

- a personnel matters concerning particular individuals (other than councillors).*

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.

COMMENTARY:

The *Local Government Act 1993* (the Act), and the *Local Government (General) Regulation 2005* makes provision for the closure of meetings to the public and media in specified circumstances. In particular s.10A of the Act provides that Council may close to the public and media so much of a meeting as relates to the discussion and consideration of information identified in s.10A(2). The matters which may be closed to the public and media, as stated in the Act, must involve:

- (a) Personnel matters concerning particular individuals (other than councillors.)*
- (b) The personal hardship of any resident or ratepayer.*
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*
- (d) Commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the council, or*
 - (iii) reveal a trade secret.*
- (e) Information that would, if disclosed, prejudice the maintenance of law.*
- (f) Matters affecting the security of the council, councillors, council staff or council property.*
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.*
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

In considering whether to close a part of a meeting to the public and media, Councillors are also reminded of further provisions of s.10D of the Act which states:

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It is recommended that, pursuant to Section 10A(2) of the *Local Government Act 1993* the matter be referred to Closed Committee for consideration as the matters and information are:

- a personnel matters concerning particular individuals (other than councillors).

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*.

5 GOVERNANCE REPORTS

5.1 GOVERNANCE - MONTHLY INVESTMENT REPORT

File Number: S12.12.2 / 21/24175

Author: Paul Pay, Director Corporate and Economic Services

SUMMARY:

To report the balance of investments held as at 30 June, 2021.

RECOMMENDATION:

The Committee recommend to Council 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.*

COMMENTARY:

Contained within this report are the following items that highlight Council's Investment Portfolio performance for the month to 30 June, 2021 and an update of the investment environment:

- (a) Council's Investments as at 30 June, 2021;
- (b) Council Investments by Fund as at 30 June, 2021;
- (c) Interest – Budgeted vs. Actual;
- (d) Investment Portfolio Performance;
- (e) Investment Commentary; and
- (f) Certification – Responsible Accounting Officer.

A) Council Investments as at 30 June, 2021

Term Deposit Investment Group										
Investment	Borrower	FUND	Rating	Purchase Date	Last Coupon Date	Maturity Date	Current Yield	Principal Value	Current value	Term (days)
20/02	Bank of Queensland	General	BBB+	17-Jul-19	19-Apr-21	19-Jul-21	2.00%	1,500,000	1,500,000	733
21/02	Bank of Sydney	General	NR	31-Jul-20	31-Jul-20	02-Aug-21	0.95%	1,000,000	1,000,000	367
20/03	Bank of Queensland	General	BBB+	27-Aug-19	27-Aug-20	27-Aug-21	1.75%	2,000,000	2,000,000	731
21/05	Bank of Sydney	Water	NR	17-Sep-20	17-Sep-20	17-Sep-21	0.94%	1,000,000	1,000,000	365
20/33	AMP Bank	General	BBB+	24-Mar-20	24-Mar-21	20-Sep-21	1.80%	1,000,000	1,000,000	545
20/08	AMB - Australian Military Bank	Sewer	BBB+	30-Sep-19	30-Sep-19	30-Sep-21	1.77%	1,500,000	1,500,000	731
21/06	St George Bank	General	AA-	02-Oct-20	02-Oct-20	02-Oct-21	0.75%	1,000,000	1,000,000	365
19/10	Westpac Bank	General	AA-	25-Oct-18	30-Apr-21	25-Oct-21	2.97%	2,000,000	2,000,000	1096
21/07	Community First Credit Union	General	NR	25-Nov-20	25-Nov-20	25-Nov-21	0.65%	1,000,000	1,000,000	365
20/35	AMP BANK	General	A-	25-May-20	25-May-21	25-Nov-21	1.45%	1,000,000	1,000,000	549
20/36	AMP BANK	Water	A-	25-May-20	25-May-21	25-Nov-21	1.45%	1,000,000	1,000,000	549
20/37	AMP BANK	General	A-	25-May-20	25-May-21	25-Nov-21	1.45%	1,000,000	1,000,000	549
20/41	AMP BANK	General	A-	10-Jun-20	10-Jun-21	07-Dec-21	1.40%	2,000,000	2,000,000	545
21/09	Warwick Credit Union	General	NR	20-Jan-21	20-Jan-21	20-Jan-22	0.80%	1,000,000	1,000,000	365
20/30	Auswide Bank	General	BBB	02-Mar-20	02-Mar-21	02-Mar-22	1.75%	2,000,000	2,000,000	730
20/31	Warwick Credit Union	General	NR	02-Mar-20	02-Mar-20	02-Mar-22	1.90%	1,000,000	1,000,000	730
21/12	BNK Bank	General	BBB	29-Mar-21	29-Mar-21	29-Mar-22	0.65%	1,950,000	1,950,000	365
19/29	Newcastle Permanent	General	BBB	17-Apr-19	17-Apr-21	19-Apr-22	2.70%	1,000,000	1,000,000	1098
21/08	AMP Bank	General	BBB+	27-Nov-20	27-Nov-20	27-May-22	0.95%	2,000,000	2,000,000	546
20/38	Bank of Queensland	Sewer	BBB+	27-May-20	27-May-20	27-May-22	1.30%	2,000,000	2,000,000	730
19/31	Westpac Bank	Water	AA-	25-Jun-19	25-Jun-21	25-Jun-22	2.30%	1,000,000	1,000,000	1096
19/34	Westpac Bank	General	AA-	25-Jun-19	25-Jun-21	25-Jun-22	2.30%	2,000,000	2,000,000	1096
19/32	Westpac Bank	General	AA-	27-Jun-19	27-Jun-21	27-Jun-22	2.30%	2,000,000	2,000,000	1096
20/05	Bank of Queensland	General	BBB+	03-Sep-19	07-Sep-20	05-Sep-22	1.80%	1,000,000	1,000,000	1098
20/06	Bank of Queensland	General	BBB+	13-Sep-19	14-Sep-20	13-Sep-22	1.80%	1,000,000	1,000,000	1096
21/10	Warwick Credit Union	General	NR	22-Jan-21	22-Jan-21	23-Jan-23	1.00%	1,500,000	1,500,000	731
20/32	Auswide Bank	General	BBB	24-Mar-20	24-Mar-21	24-Mar-23	1.88%	1,000,000	1,000,000	1095
21/16	National Australia Bank	Water	AA-	28-Jun-21	28-Jun-21	28-Jun-23	0.60%	1,000,000	1,000,000	730
21/17	Industrial and Commercial Bank of China (ICBC)	Water	A	29-Jun-21	29-Jun-21	29-Jun-23	0.70%	1,000,000	1,000,000	730
21/18	National Australia Bank	Water	AA-	29-Jun-21	29-Jun-21	29-Jun-23	0.65%	2,000,000	2,000,000	730
21/11	Industrial and Commercial Bank of China (ICBC)	Water	A	26-Mar-21	26-Mar-21	26-Mar-24	0.82%	2,000,000	2,000,000	1096
21/13	Industrial and Commercial Bank of China (ICBC)	Water	A	27-May-21	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
21/14	Industrial and Commercial Bank of China (ICBC)	Sewer	A	27-May-21	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
21/15	Industrial and Commercial Bank of China (ICBC)	General	A	27-May-21	27-May-21	27-May-26	1.40%	1,000,000	1,000,000	1826
							TOTALS	46,450,000	46,450,000	
Floating Rate Notes										
As at Date	Borrower	FUND	Rating	Purchase Date		Coupon End Date	Current Yield*	Principal Value	Current value	Coupon Term
30/6/2021	Commonwealth Bank	General	A1+	11/1/2019		12-Jul-21	1.17%	2,000,000	2,047,206	457
30/6/2021	ANZ Bank	General	A1+	08/2/2019		09-Aug-21	1.14%	2,000,000	2,046,018	458
30/6/2021	ANZ Bank	Water	A1+	08/2/2019		09-Aug-21	1.14%	1,000,000	1,023,009	458
								5,000,000	5,116,233	
* Yield changes every 3 months and is a margin over the 3 month BBSW (Bank Bill Swap Rate)										
180 Day Deposit Accounts										
As at Date	Borrower	FUND	Rating	Purchase Date		Maturity Date	Current Yield	Principal Value	Current value	Term
30/6/21	AMP Bank	General		28/06/2021			0.80%	2,500,000	2,500,000	
Sub Total - Cash Deposits Accounts Investment Group								2,500,000	2,500,000	-
Cash Deposit Accounts										
As at Date	Borrower	FUND	Rating	Purchase Date		Maturity Date	Current Yield	Principal Value	Current value	Term
30/6/2021	Commonwealth Bank	General	A	9/11/2020			0.00%		1,258	
30/6/2021	Macquarie Bank	General	AA-	9/11/2020			0.50%	4,000,000	4,011,560	
30/6/2021	Macquarie Bank	Water	AA-	9/11/2020			0.50%	2,500,000	2,504,313	
30/6/2021	Macquarie Bank	Sewer	AA-	9/11/2020			0.50%	1,500,000	1,501,380	
Sub Total - Cash Deposit Accounts								-	8,018,511	-

B) Council Investments by Fund 30 June, 2021

Portfolio by Fund	31/05/2021	30/06/2021
General Fund	\$40,055,319	\$42,556,042
Water Fund	\$11,526,800	\$13,527,322
Sewer Fund	\$5,001,216	\$6,001,380
TOTAL	\$56,583,335	\$62,084,744

Council's investment portfolio has increased by \$5,501,409 throughout June 2021. This was in respect of normal cash flow movements for receipts collected and payments made during June 2021. Council also invested the advance payment of Finance Assistance Grants and some other grant funding received in advance for ongoing grant schemes.

Interest – Budgeted verses Actual Result to Date

	Ledger	2020/2021 Budget \$	Actuals to Date \$	Accrued Interest to Date \$	TOTAL \$
General Fund	128820	655,405.00	504,934.32	194,630.89	699,565.21
Water Fund	812350	125,000.00	117,755.00	24,857.56	142,612.56
Sewer Fund	906320	58,750.00	21,298.64	41,191.85	62,490.49
TOTAL		839,155.00	643,987.96	260,680.30	904,668.26

Term deposit interest rates have moved to historic lows of approximately .30%-0.35% for a 12 month term deposit. Given our strong investment balances, Council is expected to meet interest revenue targets in 2020/2021. Any additional interest received during 2020/2021 will be allocated to Council's Investment Equalisation Reserves to help fund future budget reductions in interest revenue.

C) Investment Portfolio Performance

Investment Portfolio Return		Benchmarks		
	% pa	RBA Cash Rate	Aus Bond Bank Bill	11am Cash Rate
Benchmark as at 30/6/21		0.10%	0.035%	0.10%
Term Deposits	1.46%			
Cash Deposit Accounts	0.40%			
Floating Rate Notes	1.15%			

D) Investment Commentary

Council's investment portfolio returns exceeded the Australia Bond Bank Bill benchmark in all investment categories except for Council's cash deposit accounts. These accounts are held for liquidity purposes. Term Deposits exceeded all benchmarking indexes.

Council's investment portfolio of \$62M is almost entirely invested in fixed term deposits. Overall, the portfolio is highly liquid, highly rated and short-dated from a counterparty perspective.

E) Certification – Responsible Accounting Officer

I Paul Pay, hereby certify that the investments listed in this report have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the Local Government (General) Regulations 2005 and Council's Investment Policy.

RISK ASSESSMENT:

Nil

POLICY IMPLICATIONS:

Nil

CHIEF FINANCIAL OFFICERS COMMENT:

It is noted that the volatility for current financial markets will not impact on Council's rates and charges, its ability to deliver its existing services across the funds, or its medium or long term sustainability. Council's overall Investment Portfolio remains sound.

LEGAL IMPLICATIONS:

Nil

ATTACHMENTS:

Nil

6 CONFIDENTIAL MATTERS (COMMITTEE-OF-THE-WHOLE)**RECOMMENDATION:**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with the reasons stated in the referral reports:

- 6.1 Permanent Road Closure - Part Campbell's Road Bonshaw**
- 6.2 Offer to Lease/Purchase Land - Brissett Street, Inverell**
- 6.3 Request for Reduction in Water Account - Mather Street, Inverell**
- 6.4 Request for Reduction in Water Account - Cameron Street, Inverell**