

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON TUESDAY, 18 DECEMBER, 2007, COMMENCING AT 1 PM.

PRESENT: Cr B C Johnston (Mayor) [Chairman], Crs D F Baker, D K Barnes, J L Cameron, H N Castledine, P J Harmon, W J Irvine, D C Jones, K L Kneipp, M P Lewis, P H Lloyd and D B Mudaliar.

The General Manager (Paul Henry), Director Corporate Services (Ken Beddie), Director Technical Services (Greg Moran) and Director Planning & Development (Brett McInnes).

APOLOGIES:

Nil.

CONFIRMATION OF MINUTES

302/07 RESOLVED (Barnes/Baker) that the Minutes of the Ordinary Meeting of Council held on 27 November, 2007, as circulated to members, be confirmed as a true and correct record of that meeting.

303/07 RESOLVED (Baker/Barnes) that the Minutes of the Special Meeting of Council held on 14 November, 2007, 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

At this juncture, the time being 1.03 pm, the following interests were declared:

- Mr Brett McInnes declared a non-pecuniary interest in Section C, General Manager's Reports, Item #5 and Section K, Confidential Reports, Item #3, "Commercial Recycling Collection" and Section D, Corporate Services Reports, Item #1, "Economic Development". The nature of the interest relating to Mr McInnes being a Director on the board of HN McLean Retirement Village.
- Cr Johnston declared a pecuniary interest in Section I, Information Reports, Item #8, "Construction Certificates Approved by Council for November, 2007". The nature of the interest relating to Cr Johnston being the applicant of DA 141/2007.
- Cr Kneipp declared a pecuniary interest in Section I, Information Reports, Item #12, "Development Consents and Refusals During November, 2007". The nature of the interest relating to Cr Kneipp being the applicant of DA 184/07.

Suspension of Standing Orders

At this juncture, the time being 1.06 pm, the Mayor sought agreement to suspend Standing Orders to welcome Mr Richard Porter to the meeting.

The Mayor noted Mr Richard Porter's contribution through Natural Resource Management in the area of Salinity Management and made a presentation to Mr Porter in recognition of his work in this area.

Resumption of Standing Orders

At this juncture, the time being 1.08 pm, Standing Orders resumed and Council considered the balance of the Agenda.

PUBLIC FORUM **13.5.4**

At this juncture, the time being 1.09 pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak:

Ms Pamela Bennett DA-157/07

Ms Bennett spoke in support of her Development Application.

Mr Anthony Riley Stormwater Issues

Mr Riley spoke as a resident of the Bannockburn/Fernhill Road area and asked that Council consider undertaking maintenance and upgrade works in this area. Mr Riley presented details to Council in this matter.

At this juncture, the time being 1.20 pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

SECTION B
ELECTED MEMBERS' REPORTS

GM-A 1. **GREAT INLAND FISHING FESTIVAL** **26.3.8**

304/07 RESOLVED (Castledine/Barnes) that:

- a) the information be noted; and
- b) Council take the issue of water release for environmental flows during the Great Inland Fishing Festival up with State Water.

SECTION C
GENERAL MANAGER'S REPORT

GM-A 1. **NEW ENGLAND LOCAL GOVERNMENT** **30.16.7**

305/07 RESOLVED (Barnes/Cameron) that Council not contribute \$2,000 to a lobbying fund to continue to promote the Northern Inland Rail Corridor.

GM-A 2. **LOCAL GOVERNMENT ELECTIONS 2008** **13.7.4**

306/07 RESOLVED (Barnes/Mudaliar) that Council advise the NSW Electoral Commission that Council wishes to retain its own dedicated Returning Officer for the conduct of the 2008 Local Government Election.

3. **SALE OF LAND - RIFLE RANGE ROAD, INVERELL** **S5.2.49**

307/07 RESOLVED (Irvine/Harmon) that the matter be referred to Closed Council for consideration as:

- a) the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business', (Section 10A(2)(c) of the Local Government Act, 1993);

- b) *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*
- c) *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. LICENCE AGREEMENT - PART LOT 61 DP 753287 RIFLE RANGE ROAD, INVERELL 5.10.89

308/07 RESOLVED (Irvine/Harmon) *that the matter be referred to Closed Council for consideration as:*

- a) *the report includes 'commercial information of a confidential that would, if disclosed prejudice the commercial position of the person who supplied it', (Section 10A(2)(d)(i) of the Local Government Act, 1993);*
- b) *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*
- c) *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. COMMERCIAL RECYCLING COLLECTION S31.2.6 & 31.2.1

309/07 RESOLVED (Irvine/Harmon) *that the matter be referred to Closed Council for consideration as:*

- a) *the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business', (Section 10A(2)(c) of the Local Government Act, 1993);*
- b) *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*
- c) *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.*

6. ARTS & CULTURAL ADVISORY BOARD S26.5.8

310/07 RESOLVED (Irvine/Harmon) *that the matter be referred to Closed Council for consideration as:*

- a) *the report includes 'personnel matters concerning particular individuals (other than councillors)', (Section 10A(2)(a) of the Local Government Act, 1993);*
- b) *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*

b) **Payment of Accounts for Month Ending 30/11/2007** **12.20.2**

317/07 RESOLVED (Harmon/Baker) that the report be received and it be noted that accounts totalling \$1,921,190.10 have been paid.

**SUPPLEMENTARY
SECTION D
CORPORATE SERVICES REPORTS**

318/07 RESOLVED (Baker/Mudaliar) that Council consider the following Supplementary Section D, Corporate Services Report 'Licence Agreement – Part Council Owned Unformed Road, Taylor Avenue'.

ASO-A 5. **LICENCE AGREEMENT – PART COUNCIL OWNED UNFORMED ROAD,
TAYLOR AVENUE** **S5.10.113**

319/07 RESOLVED (Jones/Lewis) that:

- a) Council offer Mr ID and Mrs DJ Farnsworth a three (3) year Licence Agreement for the land being part unformed road, adjoining Lot 2, DP 1040205, Taylor Avenue, Inverell, commencing 1 January, 2008, with a further two (2) year option;
- b) the Licence fee amount be set at \$10.00, including GST, per annum;
- c) the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager; and
- d) all relevant documents be completed under the Common Seal of Council.

**SECTION F
PLANNING & DEVELOPMENT REPORTS**

PDAA-A 1. **NEW ENGLAND CONSERVATORIUM OF MUSIC (NECOM) REQUEST TO
WAIVE HALL HIRE** **5.24.6**

320/07 RESOLVED (Lloyd/Irvine) that Council provide a donation to NECOM in accordance with Council Policy in this matter.

PDAA-A 2. **THE INVERELL AND DISTRICT LAPIDARY CLUB INC. REQUEST FOR
DEVELOPMENT APPLICATION FEE REFUND** **DA-188/2007**

Motion (Irvine/Cameron) that Council advise the Inverell and District Lapidary Club Inc that Council is unable to accede to their request in this matter.

Amendment (Barnes/Jones) that:

- a) Council provide a donation equivalent to 50% of the Development Application fees paid; and
- b) the Inverell and District Lapidary Club Inc be requested to advise Council of the initiatives the Club will be undertaking to advance tourism in the Inverell Shire.

The Amendment on being put to the meeting was LOST.

Prior to Subdivision Certificate

2. A Section 94 Community Services Contribution of \$100.00 is to be paid to Council for each new allotment.
3. A Section 94 General Rural Roads Contribution of \$1,755.00 plus CPI is to be paid to Council for each new allotment. This contribution will be linked to the CPI rate and will increase every financial quarter.
4. A Section 94 of \$15,000.00 plus CPI is to be paid to Council for Lot 2 to go towards the upgrade of Melia Close. This contribution will be linked to the CPI rate and will increase every financial quarter.
5. A Rural Addressing Fee of \$30.00 is to be paid to Council for each new allotment.
6. Water is to be connected to each allotment at the applicant's expense. The connection cost will be by quotation from Council's Technical Services Department and not the standard connection fee.
7. A water contribution of \$9,330.00 is to be paid to Council for each allotment. This is to go towards water recoupment of past costs. This is as per Development Servicing Plan No. 1.
8. Access is to be constructed from Melia Close to serve Lot 2. This will require pipe culverts and headwalls. This work is to be completed to a standard acceptable by Council, at the applicant's expense.
9. To ensure adequate utility services are provided to all lots in the subdivision, the applicant is to provide the following to Council:
 - i. A letter from Country Energy stating that satisfactory arrangements have been made for the provision of electricity supply to each allotment.
 - ii. A letter from an approved telecommunications provider stating that satisfactory arrangements have been made for the provision of telecommunications to each allotment.
10. A Restriction as to User under Section 88b of the Conveyancing Act is to clearly state:
 - i. That the sinking of bore is not permissible on any allotments in the subdivision.
 - ii. That no native vegetation is to be cleared from any allotment, except for minimal clearing necessary for a single dwelling, curtilage and asset protection zone.
 - iii. Any dwelling erected on the Lot 2 is to be serviced by an aerated waste treatment system or equivalent approved by the Department of Health.

On Completion of Development

11. A plan of subdivision and four (4) copies is to be submitted to Council along with a Subdivision Certificate Application and accompanying application fee.
12. Conditions Imposed by the New South Wales Rural Fire Service:

Asset Protection Zone

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building.

- 1) *At the commencement of building works and in perpetuity the property around the existing dwelling for a distance of 20 metres or to the property boundary, shall be managed as an 'Inner Protection Area' as outlined within Planning for Bush Fire Protection 2006 and the Service's document Standards for asset protection zones.*

Design and Construction

- 2) *New construction is to comply with Appendix 3 – Site Bush Fire Attack Assessment of Planning for Bush Fire Protection 2006. In this regard the following design standards for construction are to be incorporated into the development:*
 - a) *The existing building is required to be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen. This includes any sub floor areas where applicable and eaves.*
 - b) *Roofing for the existing dwelling shall be gutterless or have leafless guttering and valleys to prevent the build up of flammable material. Any materials used shall have a Flammability Index no greater than 5.*
13. *Any other condition deemed appropriate by the Director Planning and Development.*

7. DEVELOPMENT APPLICATION 188/2007, ERECTION OF INVERELL AND DISTRICT LAPIDARY CLUB ROOMS 188/2007

326/07 RESOLVED (Cameron/Irvine) that Council consider a Supplementary Report regarding Development Application 188/2007.

**SUPPLEMENTARY
SECTION F
PLANNING AND DEVELOPMENT REPORTS**

DPD-A **8. IMPROVING THE NSW PLANNING SYSTEM DISCUSSION PAPER S18.6.11**

327/07 RESOLVED (Jones/Irvine) that the Director Planning & Development prepare a submission in response to the Improving the NSW Planning System Discussion Paper consistent with those matters raised in the report.

GM-A
PDA-A **9. DEVELOPMENT APPLICATION 188/2007, ERECTION OF INVERELL AND DISTRICT LAPIDARY CLUB ROOMS 188/2007**

328/07 RESOLVED (Irvine/Harmon) that the application be approved by Council subject to:

- A) *This consent expires five (5) years from the date on which it commences to operate in accordance with Section 83 of the Environmental Planning and Assessment Act 1979 unless the work to which it relates has physically commenced on site within that period. Where the approval relates to a use of the land rather than to the carrying out of works then that use must have commenced on site within that five (5) year period.*

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 the erection of a metal frame/metalclad building to be used as a Lapidary Club and construction of a car park.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans prepared by Mrs Ross Provis, dated 26.11.07. Except where amended by any condition of this consent.

Any deviation from this will require the consent of Council.

Prior to Construction

2 *Prior to the commencement of any works taking place a Construction Certificate is to be issued either by Council or an Accredited Certifier.*

3 *A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out, such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed. The sign must include the following:*

- showing the name, address and telephone number of the principal certifying authority for the work, and*
- showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and*
- stating that unauthorised entry to the work site is prohibited.*

4 *Access and facilities are to be provided for the disabled in accordance with the requirements of the Building Code of Australia. Detailed plans shall be submitted to the Principal Certifying Authority with the application for a Construction Certificate, plans should detail levels, ramp slopes, door widths, circulation spaces.*

Reason: to ensure that appropriate access and facilities are provided for the disabled.

5 *Sediment and erosion control of the building site is to be carried out in accordance with Inverell Shire Councils 'Erosion and Sediment Control Policy'. Sediment and erosion control can be achieved by compliance with the policies deemed to comply statement (available from Council) or by compliance with a Sediment and Control Plan submitted by the applicant and approved by Council.*

NB: The Deemed to Comply Statement or the Sediment and Control Plan is to be submitted to Council prior to the commencement of any works and all pre-construction sediment and erosion control measures are to be in place before any Council inspections are requested.

Reason: To minimise soil erosion during construction.

6 *Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site. Each toilet provided:*

- a) Must be a standard flushing toilet, and*
- b) Must be connected:*

- I. To a public sewer, or
- II. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- III. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced. (Pursuant to Clause 78I of the Environmental Planning and Assessment Regulation 2000 and Australian Standard AS3500).

- 7 A sewer junction is required. This is to be to Council's standard, at the applicant's expense.
- 8 If council is to be nominated as the Principal Certifying Authority, the following information is to be provided with the application for a Construction Certificate:
 - a) Plans to scale acceptable to Council showing the floor plan, elevations with finished floor level in comparison to natural ground level, sectional drawings showing structural member sizes and a site plan to scale detailing any cut and fill, land contours with approximate levels and storm water drainage.
 - b) Structural Engineering plans for the proposed RC slab and building framework.
 - c) Plans showing the location and type of all proposed fire safety measures. NB required personal exit doors are to be a minimum 1.0m wide, swing in the direction of egress and be provided with a panic bar locking device.
 - d) Certification from a qualified person that the building complies with Section J Energy Efficiency, of the Building Code of Australia.

NB: All plans and specifications submitted with the application for the Construction Certificate are to show compliance with Volume 1 of the Building Code of Australia in relation to a Class 9b building.

- 9 A detailed, scaled plan of the car parking area is to be submitted to Council for approval prior to any works taking place. The plan is to include the following:
 - a) 13 car spaces (including 1 disabled space) and 1 bus parking space, and
 - b) Landscaping of the car park and associated areas, and
 - c) Turning circles and paths of travel for vehicles.

The car park is to be concreted or bitumen sealed. It is to be designed and maintained in accordance with AS 2890.1: 2004 – Parking facilities – Off-street car parking, and to the satisfaction of Council.

- 10 A detailed plan showing proposed surface water drainage measures, including finished construction levels, is to be submitted to Council for approval prior to commencement of works on the site.

During Construction

- 11 Conditions relating to critical stage inspections:

Council, in the case of being the Principal Certifying Authority, is to be given 24 hours notice of the following critical stage inspections where applicable:

- a) *at the commencement of the building work, and*
 - b) *prior to pouring any in-situ reinforced concrete building element, and*
 - c) *prior to covering of the framework for any floor, wall, roof or other building element, and*
 - d) *prior to covering waterproofing in any wet areas, and*
 - e) *prior to covering any stormwater drainage connections, and*
 - f) *after the building work has been completed and prior to any occupation certificate being issued in relation to the building.*
- 12 *Sanitary facilities for patrons and employees are to be provided in accordance with Table F2.3 and F2.4 with sanitary compartments constructed in accordance with F2.5. and AS 1428 (To comply with the Building Code of Australia Class 2-9).*
- 13 *Light and ventilation is to be provided in accordance with Part F4 of the Building Code of Australia Class 2-9.*
- 14 *The junction of the floor and walls in the closet and shower compartments shall be treated in accordance with Part 3.8.1 of the BCA (Class 1 and 10) or Clause F1.7 (Class 2-9) of the BCA to prevent the entry of moisture into the walls. NB Certification of installation in accordance with the BCA and AS3740 is to be submitted to Council prior to issue of the Occupation Certificate.*
- 15 *Every glazed door or glazed panel capable of being mistaken for being a doorway or unimpeded path of travel, and other glazed panels are to be glazed with safety glazing complying with the provisions of the applicable standard. NB The manufacturer is to provide certification to confirm that all framing and glazing has been completed in accordance with the standards. (Pursuant to the Building Codes of Australia Clause B1.3 (Class 2-9) or Part 3.6 (Class 1 & 10).)*
- 16 *Portable fire extinguishers having at least the protection effectiveness of a 3.5 kg 2A:20B(E) extinguisher are to be provided to service the kitchen and at a minimum 15m walking distance to any one (1) extinguisher. (To comply with the Building Code of Australia Clause E1.6 and AS 2444)*
- 17 *Plumbing and drainage shall be carried out in accordance with the provisions of the NSW Code of Practice and Australian Standard AS 3500.*
- 18 *All drainage work shall be inspected by Council prior to covering or backfilling.*
- 19 *Any aerial plumbing shall be supported in an approved manner, and to Council's satisfaction.*
- 20 *Roofwater shall be drained to the street gutter or alternatively to a water storage tank fitted with an overflow drain connected to the street gutter. (To prevent water ponding on the site or discharging onto adjoining premises.)*
- 21 *To comply with clause 1.10.2 of AS3500.4, sanitary fixtures used for personal hygiene purposes are to be provided with tempering valves to deliver hot water at temperatures not exceeding 43.5oC for childhood centres and 50oC in all other Classes of buildings. The tempering valve is to be located within 1m of the hot water system.*

Prior to Occupation

- 22 *The following compliance certificates are to be provided to Council prior to occupation of the building:*

- a) *Manufacturers Certification and details of roof trusses and wall framing.*
- b) *Certification of wet area flashings, including shower compartments certifying compliance with the Building Code of Australia and AS 3740.*
- c) *Manufactures certification that all glazed assemblies are in accordance with AS 1288 & AS 2047.*

Reason: To safeguard people from injury or loss of amenity.

- 23 *On completion of the proposed building work, or prior to the change of use, the owner of the building is to provide Council with a fire safety certificate (in the form attached) with respect to each fire or other safety measures installed in the building. The owner of the building shall provide Council with an annual fire safety certificate with respect to each fire safety measure installed in the building, at least once in each twelve (12) months thereafter. (Pursuant to Clause 80A of the Environmental Planning and Assessment Regulation 1994, Clause I 1.1 (Class 2-9) of the Building Code of Australia.)*
 - 24 *A copy of the fire safety certificate is to be given to the Commissioner of New South Wales Fire Brigades and a further copy is to be prominently displayed in the building on the wall. (Pursuant to Clause 80E of the Environmental Planning and Assessment Regulation 2000.)*
 - 25 *To comply with the Local Government (Water Services) Regulations 1999, the plumber is to provide Council, prior to backfilling external drainage, a plan of sewer drainage to a standard acceptable to Council.*
 - 26 *Native plants are to be used for the landscaping of the site. The northern boundary of the site is to be landscaped its entire length (with exception of access and egress paths). The plants used must not be greater than 1.5m in overall height once matured.*
 - 27 *The kerb and guttering in McIlveen Street is to be continued along the frontage of the site. This is to be carried out at the applicant's expense to Councils satisfaction.*
- B) *The Inverell and District Lapidary Club Inc be advised that approval of the Development Application does not infer that Council will enter into a Licence Agreement over the land and that the issue of a Licence Agreement of the land will be the subject of a further report to Council.*

329/07 RESOLVED (Cameron/Irvine) *that Council consider the following Supplementary Section F, Planning and Development Report 'Employment Lands Strategy'.*

DPD-A

10. EMPLOYMENT LANDS STRATEGY 5.2.2

330/07 RESOLVED (Cameron/Irvine) *that Council endorse the selection of Collie Pty Ltd to undertake the Inverell Shire Council Employment Lands Strategy.*

**SECTION G
TECHNICAL SERVICES REPORTS**

**1. TENDERS FOR CONSTRUCTION OF SYNTHETIC HOCKEY FIELD
S5.11.48**

331/07 RESOLVED (Harmon/Lloyd) that the matter be referred to Closed Council for consideration as:

- a) the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business', (Section 10A(2)(c) of the Local Government Act, 1993);
- b) 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
- c) 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.

**2. TENDERS FOR SUPPLY AND DELIVERY OF PRECAST COMPONENTS –
SWAN BROOK BRIDGE S28.7.12**

332/07 RESOLVED (Harmon/Lloyd) that the matter be referred to Closed Council for consideration as:

- a) the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business', (Section 10A(2)(c) of the Local Government Act, 1993);
- b) 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
- c) 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.

**SUPPLEMENTARY
SECTION G
TECHNICAL SERVICES REPORTS**

333/07 RESOLVED (Barnes/Castledine) that Council consider the following Supplementary Section G, Technical Services Report 'Traffic Study'.

3. TRAFFIC STUDY S30.11.2

334/07 RESOLVED (Barnes/Castledine) that the matter be referred to Closed Council for consideration as:

- a) the report includes 'Information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business', (Section 10A(2)(c) of the Local Government Act, 1993);

- b) 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
- c) 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.

**SECTION H
COMMITTEES REPORTS**

AO-A
AS-A

1. YOUTH COUNCIL COMMITTEE MEETING MINUTES 24.10.3

335/07 RESOLVED (Irvine/Baker) that the Minutes of the Youth Council Committee Meeting held on Wednesday, 5 December, 2007 be received and noted.

**SECTION I
INFORMATION REPORTS**

1. QUESTIONS WITHOUT NOTICE & PUBLIC FORUM 13.5.5

2. MANAGEMENT TEAM MINUTES 4.11.5

3. DELUNGRA - 2007 TIDY TOWNS PROGRAM 31.3.3

4. LETTER OF APPRECIATION – NATIONAL SERVICEMEN'S ASSOCIATION OF AUSTRALIA NSW INC. - NORTHERN TABLELANDS & NEW ENGLAND SUB-BRANCH 6.8.9

5. NSW SCIENTIFIC COMMITTEE - FINAL DETERMINATION TO LIST THE INVASION AND ESTABLISHMENT OF SCOTCH BROOM AS A KEY THREATENING PROCESS S11.12.4

6. SWANBROOK BRIDGE REPLACEMENT - PROJECT ALLIANCE AGREEMENT S28.16.2

7. COUNCIL INSURANCE COVERAGE S27.3.2

8. CONSTRUCTION CERTIFICATES APPROVED BY COUNCIL FOR NOVEMBER, 2007 7.2.4

9. CONSTRUCTION CERTIFICATES APPROVED BY PRIVATE CERTIFIER FOR NOVEMBER, 2007 7.2.4

10. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING NOVEMBER, 2007 7.2.4

11. COMPLYING DEVELOPMENT CERTIFICATES APPROVED BY PRIVATE CERTIFIER FOR NOVEMBER, 2007 7.2.4

12. DEVELOPMENT CONSENTS AND REFUSALS DURING NOVEMBER, 2007 18.10.2

13. SEPTIC TANK APPROVALS FOR NOVEMBER, 2007 24.9.1

14. PLANNING & DEVELOPMENT ACTIVITIES REPORT FOR NOVEMBER, 2007 18.10.1

- 15. COMPLIANCE ACTIVITIES REPORT FOR NOVEMBER, 2007 19.8.1
- 16. INVESTMENTS S12.12.5
- 17. PROPOSED GABABINAAL EARLY CHILDHOOD CENTRE S3.16.18
- 18. FINANCIAL STATEMENTS 12.11.4 & 12.12.2
- a) Statement of Bank Balances as at 30/11/2007 12.11.4
- b) Statement of Investments Held as at 30/11/2007 12.12.2
- 19. GRAVEL RESHEETING ON SHIRE ROADS 28.21.1 & 15.8.19
- 20. PARKS AND RESERVES 21.8.1
- 21. MAINTENANCE PROGRAMS 28.21.1
- 22. PLANNING REFORM SUBMISSION S18.6.11
- 23. STAFF CHRISTMAS FUNCTION 22.1.2
- 24. TRAFFIC STUDY S30.11.2

336/07 RESOLVED (Irvine/Kneipp) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Tuesday, 27 November, 2007 be received and noted.

**SECTION J
QUESTIONS WITHOUT NOTICE**

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|-------|---|---------------------------------------|--|
| DCS-N | <p>QWN/ORD 129/07 Cr Baker</p> | <p><u>Library Petition</u> S3.6.1</p> | <p>Cr Baker noted the recent petition conducted at the Library and advised that it has been forwarded to the Local Member, the Hon. Richard Torbay, MP.</p> |
| DTS-A | <p>QWN/ORD 130/07 Cr Lewis</p> | <p><u>Cricket Wickets</u> 5.11.46</p> | <p>Cr Lewis noted the recent wet weather and enquired when the new surface would be applied to Brooks Oval. Cr Lewis requested that the Cricket Association be advised of this date.</p> |
| | <p>QWN/ORD 131/07 Cr Jones</p> | <p><u>Yetman Phone Tower</u></p> | <p>Cr Jones advised that the tower is onsite and will be erected during January, 2008.</p> |
| DPD-A | <p>QWN/ORD 132/07 Cr Cameron</p> | <p><u>Noxious Weeds</u> S11.12.6</p> | <p>337/07 RESOLVED (Cameron/Harmon) that Council lodge an application for Noxious Weeds funding to the Catchment Management Authority (CMA) in respect of weeds impacting within the Shire.</p> |

DPD-A **QWN/ORD 133/07** Illegal Signage 19.7.2
Cr Cameron

Cr Cameron enquired whether staff could request that Country Energy remove the illegal signs erected on power poles across the Shire.

ADJOURNMENT

At this juncture, the time being 2.50 pm, Council adjourned.

RESUMPTION

At this juncture, the time being 3.15 pm, Council reconvened.

GM-A **QWN/ORD 134/07** Clean Energy 8.5.4
Cr Lewis

Cr Lewis enquired whether the issue of natural gas deposits at Ashford could be raised with representatives of Country Energy.

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

At **3:31 pm**, the Chairman 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

338/07 RESOLVED (*Baker/Lewis*) 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 5.01 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:

GM-A 1. **SALE OF LAND - RIFLE RANGE ROAD, INVERELL** **S5.2.49**

That Council agree to delay settlement on the Contract for Sale on Lots 7 & 8, DP 1093451, Rifle Range to Allstate Roads Pty Ltd subject to:

- a) an interest charge of 7.89% (current Local Government borrowing rate) being imposed on the outstanding settlement figure, and*
- b) rates and charges be adjusted on settlement back to the original settlement date of 3 December, 2007.*

GM-N 2. **LICENCE AGREEMENT - PART LOT 61 DP 753287 RIFLE RANGE ROAD, INVERELL** **5.10.89**

That the information be received and noted.

GM-A 3. **COMMERCIAL RECYCLING COLLECTION** **S31.2.6 & 31.2.1**

That Council formally consent to Blue Gem Contractors collecting 240 litre mobile recycling bins as part of the commercial sector recycling services currently offered by Northaven.

PRESENTATION BY THE DIRECTOR TECHNICAL SERVICES

Mr Greg Moran, Director Technical Services, conducted a presentation on the recent Institute of Public Works Engineering Australia's Study Tour.

There being no further business, the meeting closed at 5.15 pm.

CR B C JOHNSTON

CHAIRMAN