

MINUTES OF THE ORDINARY MEETING OF INVERELL SHIRE COUNCIL HELD IN THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET, INVERELL ON WEDNESDAY, 22 MAY, 2019, COMMENCING AT 3 PM.

**PRESENT:** Cr P J Harmon (Mayor) [Chairperson], Crs D F Baker, A A Michael, C M Dight, P A King, J N McCosker, S J Berryman and J A Watts.

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

**SECTION A**

**APOLOGIES S13.6.9/11**

The General Manager advised that Cr Peters tendered his apology and sought leave of absence for personal reasons.

**34/19 RESOLVED** (*Watts/McCosker*) *that the apology from Cr Peters due to his absence for personal reasons be accepted, and that leave of absence be granted.*

**CONFIRMATION OF MINUTES S13.5.2/11**

**35/19 RESOLVED** (*Baker/Michael*) *that the Minutes of the Ordinary Meeting of Council held on 24 April, 2019, as circulated to members be confirmed as a true and correct record of that meeting.*

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

There were no interests declared.

**PUBLIC FORUM S13.5.6/11**

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

Pam McLeay Boys Matter Too Program

Pam delivered an update on the "Boys Matter Too" event being run by Inverell Sunrise CWA. She thanked Council for their support and encouraged Councillors to attend.

At this juncture, the time being 3.07 pm, the Public Forum Session closed and Council resumed the balance of the Agenda.

**SECTION B  
ADVOCACY REPORTS**

Cr Harmon Cr Harmon attended the following events in May:

The Inverell Junior PSSA Tennis Carnival, the Opening of the Contemporary Art Exhibition at the Inverell Art Gallery, the Northern Tablelands Weeds Meeting on 14 May, the Regional Food Safety Group Meeting hosted by Inverell Shire Council and the Danthonia 20<sup>th</sup> Year Celebration.

Cr Michael Cr Michael attended the following events in May:

The opening of the Contemporary Art Exhibition at the Inverell Art Gallery, the finish of the Grafton to Inverell Cycle Race and commented on the good crowd and also attended the Multicultural Festival held in conjunction with the Grafton to Inverell Cycle Race.

Cr McCosker      Grafton to Inverell Cycle Race and Dinner

Cr McCosker attended the finish of the Grafton to Inverell Cycle Race and Dinner. He commented it gave him great pride that his Son rode with a visiting A Grade Team.

Cr Dight            Contemporary Art Exhibition

Cr Dight attended the opening of the Contemporary Art Exhibition at the Inverell Art Gallery.

Cr Watts            Delungra Community Meeting

Cr Watts attended a Delungra Community Meeting on the 9 May, 2019.

Cr Baker            Cr Baker attended the following events in May:

The Nullamanna Team Penning and Camp draft and noted the Mayor and the General Manager also attended.

Cr Baker has been active with the Inverell Singers, and has recently sung at a Rotary Function and will be singing at the Opening of the Equestrian Stables. Cr Baker also attended the Danthonia 20<sup>th</sup> Year Celebration.

Cr King             Cr King attended the following events in May:

The Liquor Accord Meeting on 21 May, 2019, the finish of the Grafton to Inverell Cycle Race, the Multicultural Festival and the Inverell Girl Guides Fete.

Cr King wished to recognise the National Volunteers Week.

1.      BORDER REGIONAL ORGANISATION OF COUNCILS (BROC) MEETING, MAY 2019 S14.10.1

**36/19 RESOLVED** (Dight/Baker) that:

- i)      *Inverell Shire Council writes to Goondiwindi Regional Council to invite them to collaboratively write a submission to the Cross Border Commission for support to upgrade Cunningham's Weir on the QLD, NSW border;*
- ii)     *For the purposes of this Council, could Inverell Shire Council provide an assessment and summary of the domestic water availability for all the communities in our shire and the outlook for future water supply; and*
- iii)    *Inverell Shire Council writes to Adam Marshall for an update on the latest water storage opportunities for the upper catchment areas of the Murray Darling Basin and the progress that these are making, i.e. what studies are currently being undertaken to investigate these opportunities.*

**SECTION C  
COMMITTEE REPORTS**

**1. CIVIL & ENVIRONMENTAL SERVICES COMMITTEE MEETING MINUTES – 8 MAY 2019 S4.11.16/11**

Note: The S.375A record of voting recorded on page 9 relates to the adoption of the motion detailed below and covers DA 23/2019 and DA29/2019.

**37/19 RESOLVED** (Baker/Watts) that:

- i) *the Minutes of the Civil & Environmental Services Committee Meeting held on Wednesday, 8 May, 2019, be received and noted; and*
- ii) *the following recommendation of the Civil & Environmental Services Committee be adopted by Council:*

**1. DA-23/2019 – DEMOLITION, CONSTRUCTION OF DUAL OCCUPANCY (ATTACHED), CONSTRUCTION OF DWELLING AND SUBDIVISION – 63 GRANVILLE STREET, INVERELL DA-23/2019**

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:*

- *Demolition of all structures;*
- *One (1) into Two (2) Lot Subdivision, being;*
  - *Lot 1 – 504.2m<sup>2</sup> rectangular lot;*
  - *Lot 2 – 507.7m<sup>2</sup> battle-axe lot;*
- *Construction of Dual Occupancy (Attached) on the rectangular lot; and*
- *Construction of a dwelling on the battle-axe lot.*

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

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

**CONDITIONS RELATING TO DEMOLITION**

3. *All demolition work is to be carried out in accordance with Australian Standard 2601 The demolition of structures.*
4. *At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:*
  - *The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work;*
  - *Precautions are to be taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes; and*
  - *The site shall be sealed off at all times against the unauthorised entry of persons or vehicles.*

5. *All utilities are to be disconnected from the dwelling and capped to the satisfaction of the relevant authority.*
6. *If the development is found to contain asbestos the applicant/builder must investigate, and carry out, their obligations as specified under WorkCover, the Work Health and Safety Regulation 2011 and the Protection of the Environment Operations (Waste) Regulation 1996.*
7. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the demolition period:*
  - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
  - *Demolition may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no demolition is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
  - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
  - *Operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
  - *Demolition waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
  - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
  - *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.*

#### **CONDITIONS RELATING TO THE ONE (1) INTO TWO (2) LOT SUBDIVISION**

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

#### **CONDITIONS RELATING TO THE CONSTRUCTION OF THE DWELLING**

##### **Prior to Commencement of Works**

10. *Prior to the commencement of any works (including earthworks) on the site a*

*Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment Act 1979. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.*

11. *Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for sewerage work, water supply work and stormwater drainage work.*
12. *Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained for the construction of the concrete access crossing in Granville Street.*
13. *New water and sewer connections are to be provided for the dwelling. Prior to issue of a Construction Certificate, the following is to be paid to Council:*
  - *A water connection fee in accordance with Council's fees and charges;*
  - and*
  - *A sewer junction fee in accordance with Council's fees and charges.*
14. *Prior to issue of a Construction Certificate, stormwater drainage plans, prepared by a suitably qualified engineer, are to be submitted to and approved by Council. These plans are to show:*
  - *Inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached);*
  - *Drainage of the concrete driveway; and*
  - *Roof water drainage.*

#### **During Construction**

15. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:*
  - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
  - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*
  - *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
  - *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
  - *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
  - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
  - *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW*

*Land Registry Services.*

16. *A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:*
- *by the pegging of the site prior to the commencement of work; and*
  - *on completion of footings.*

**Prior to Occupation**

17. *Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.*

*Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:*

- *all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and*
  - *any preconditions to the issue of the certificate required by a development consent have been met.*
18. *Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:*
- *All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction; and*
  - *The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.*
19. *Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.*
20. *Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage and driveway drainage shall be drained in accordance with the approved engineering and Australian Standard 3500.3 Plumbing and drainage.*
21. *Prior to issue of an Occupation Certificate, the concrete access crossing, concrete access handle and turning areas are to be constructed in accordance with the approved plans and approval under Section 138 of the Roads Act 1993.*
22. *Prior to issue of an Occupation Certificate, all landscaping is to be completed as per the approved plan.*

**Ongoing Use**

23. *A vehicle access door (e.g. roller door or similar) must not be installed within the garage wall facing Granville Lane.*
24. *All landscaping must be maintained in perpetuity in a reasonable manner.*

**CONDITIONS RELATING TO THE CONSTRUCTION OF THE DUAL OCCUPANCY  
(ATTACHED)**

### **Prior to Commencement of Works**

25. *Prior to the commencement of any works (including earthworks) on the site a Construction Certificate must be issued in accordance with Section 109C (1)(b) and 81A (2) of the Environmental Planning and Assessment Act 1979. The application for a Construction Certificate shall include plans and specifications demonstrating full compliance with the Building Code of Australia and associated standards.*
26. *Prior to issue of a Construction Certificate, approval under Section 68 of the Local Government Act 1993 is to be obtained for sewerage work, water supply work and stormwater drainage work.*
27. *Prior to issue of a Construction Certificate, approval under Section 138 of the Roads Act 1993 is to be obtained for the construction of the concrete access crossings.*
28. *Prior to the issue of a Construction Certificate, two Community Services Contributions must be paid to Council pursuant to Section 7.11 (formerly Section 94) of the Environmental Planning and Assessment Act 1979.*
29. *Separate sewer connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for sewer supply and separate sewer connections. This will require payment to Council of:*
  - *A Contribution under Council's Development Servicing Plan No. 1 for 2 equivalent tenements; and*
  - *A sewer junction fee (Unit B) in accordance with Council's fees and charges.*

*Note: Unit A will utilise the existing sewer junction.*
30. *Separate water connections are to be provided to each dwelling within the dual occupancy (attached). Prior to the issue of a Construction Certificate, contributions/fees must be paid to Council for water supply and water connections. This will require payment to Council of:*
  - *A Contribution per lot under Council's Development Servicing Plan No. 1 for 1.6 equivalent tenements; and*
  - *Water connection fees in accordance with Council's fees and charges*
31. *Prior to issue of a Construction Certificate, plans of the inter-allotment drainage along the common boundary between the dwelling and the dual occupancy (attached), prepared by a suitably qualified engineer, are to be submitted to and approved by Council.*

### **During Construction**

32. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:*
  - *Works on site are to be carried out in accordance with the Protection of the Environment Operations Act 1997 in relation to noise, dust and associated nuisances from the site. The carrying out of works shall not interfere with the quiet enjoyment of the surrounding neighbourhood;*
  - *Construction may only be carried out between 7.00am and 5.00pm, Monday to Saturday, and no construction is to be carried out at any time on a Sunday or Public Holiday. Council may consent to vary these hours in particular circumstances where it can be demonstrated that it is unavoidable;*

- *Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path of easement, natural watercourse, footpath, kerb or road surface and shall implement measures to prevent the movement of such material off site;*
  - *Building operations such as brick cutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site;*
  - *Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained and removed to a waste disposal depot;*
  - *Sediment and erosion control measures are to be implemented onsite and maintained until the site is fully stabilised, in accordance with Council's Erosion and Sedimentation Control Policy 2004; and*
  - *Where the proposed development involves the disturbance of any existing survey monuments, those monuments affected will need to be relocated by a registered surveyor under the Surveying and Spatial Information Act 2002. A plan showing the relocated monuments will then be required to be lodged as a matter of public record at the NSW Land Registry Services.*
33. *A survey report is required to ensure that the proposed development is located on the correct allotment and at the approved distance from the boundary. The survey report is to be prepared by a registered land surveyor and be provided to the Principal Certifying Authority prior to works proceeding past floor level. This report is to be verified:*
- *by the pegging of the site prior to the commencement of work; and*
  - *on completion of footings.*

#### **Prior to Occupation**

34. *Prior to occupation of the premises, an Occupation Certificate must be issued in accordance with Section 109M of the Environmental Planning and Assessment Act 1979.*
- Note: Prior to issue of the Occupation Certificate, the Principal Certifying Authority is required to be satisfied, amongst other things, that:*
- *all required inspections (including each applicable mandatory critical stage inspection) have been carried out; and*
  - *any preconditions to the issue of the certificate required by a development consent have been met.*
35. *Prior to issue of an Occupation Certificate, where applicable, the following works are to be completed:*
- *All adjacent public and private land must be cleared of obstructions such as stockpiles of topsoil, building material, waste and other material associated with construction; and*
  - *The applicant will repair/restore, or pay the full costs associated with repairing/restoring, any footpath, public reserve and infrastructure that is damaged by the development.*
36. *Prior to issue of an Occupation Certificate, the plan of subdivision relating to the one (1) into two (2) lot subdivision approved under this consent, must be registered with the NSW Land Registry Services.*
37. *Prior to issue of an Occupation Certificate, all stormwater including inter-allotment drainage shall be drained in accordance with the approved engineering and Australian Standard 3500.3 Plumbing and drainage.*
38. *Prior to issue of Occupation Certificate, a concrete access crossing and*



*driveway is to be constructed from Granville Street to the garage of each unit in accordance with the approved under Section 138 of the Roads Act 1993.*

39. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*
2. DA-29/2019 – SINGLE DWELLING USE – 124 TRAFALGAR LANE, GUM FLAT – VARIATION TO MINIMUM LOT SIZE DEVELOPMENT STANDARD DA-29/2019

*Subject to concurrence being received from the NSW Department of Planning and Environment, DA-29/2019 be approved subject to the following conditions:*

**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 a single dwelling use only on Lot 308 DP 754840.*

**Advice Only**

2. *The following matters are not conditions of consent, but will require consideration in the design of any proposed dwelling:*
  - *A separate application is to be approved for the actual construction of a dwelling.*
  - *Any new dwelling is to comply with the provisions of Planning for Bush Fire Protection 2006.*
  - *Approval is required under Sec. 68 of the Local Government Act 1993 for the installation and operation of an onsite sewage management system.*
  - *No native vegetation should be removed as a result of the construction of a dwelling without the approval of Council.*
  - *The external colours of the dwelling should be sympathetic with the surrounding rural landscape.*
3. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*
3. DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL DA-26/2019

*That additional information regarding the proposed fence be presented in a report to the May 2019 Council meeting.*

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

**2. ECONOMIC & COMMUNITY SUSTAINABILITY COMMITTEE MEETING MINUTES – 8 MAY 2019 S4.11.17/11**

**38/19 RESOLVED** (Watts/Dight) that:

- i) *the Minutes of the Economic & Community Sustainability Committee Meeting held on Wednesday, 8 May, 2019, be received and noted; and*
- ii) *the following recommendations of the Economic & Community Sustainability Committee be adopted by Council:*

**1. EXPIRING LICENCE AGREEMENTS S4.11.9**

- a) BP Australia Pty Ltd - Lot A, DP 385492, Inverell Airport, Gilgai 5.10.1
  - i) *Council renew the agreement with BP Pty Ltd, Lot A, DP 385492, Inverell Airport, Gilgai for a five (5) year period with a further five (5) year option under the same terms and conditions;*
  - ii) *the licence fee be \$396.64 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.*
- b) Licence Agreement, Essential Energy – Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood 5.10.57
  - i) *Council renew the agreement with Essential Energy for a five (5) year period with a further two (2) year option under the same terms and conditions;*
  - ii) *the licence fee be \$1336.08 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.*
- c) Licence Agreement, National Parks and Wildlife Service – Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood. 5.10.58
  - i) *Council renew the agreement with National Parks and Wildlife Service for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5) year period with a further five (5) year option under the same terms and conditions;*
  - ii) *the licence fee be \$1365.01 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.*
- d) Licence Agreement, NSW State Emergency Service - Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood 5.10.60
  - i) *Council renew the agreement with NSW State Emergency Service for Mandoe Radio Site, Lot 22 DP 721168, Mount Hallam Road, Atholwood for a five (5)*

*year period with a further five (5) year option under the same terms and conditions;*

- ii) the licence fee be \$1340.00 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.*
  - e) Licence Agreement, Mr G & R Brown - Part Unformed Road, Eastern Boundary of Lots 227 & 333 DP 753287, Inverell 5.10.102
  - i) *Council renew the agreement with Mr Garry and Mrs Robyn Brown for Part Unformed Road, Eastern Boundary of Lots 227 & 333 DP 753287, Inverell for a three (3) year period with a further three (3) year option under the same terms and conditions;*
  - ii) the licence fee be \$81.14 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.*
  - f) Licence Agreement, Mr G & R Brown - Part Unformed Road, Eastern Boundary of Lot 263, DP 753287, Inverell 5.10.66
  - i) *Council renew the agreement with Mr Garry and Mrs Robyn Brown for Part Unformed Road, Eastern Boundary of Lot 263, DP 753287, Inverell, for a three (3) year period with a further three (3) year option under the same terms and conditions;*
  - ii) the licence fee be \$95.48 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.*
2. BOUNDARY ADJUSTMENT - ARMIDALE REGIONAL COUNCIL S13.1.1

*That:*

- i) The information be received and noted; and*
- ii) The actions proposed in respect of outstanding rates and charges be endorsed.*

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

*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.*

4. QUARTERLY BUDGET AND OPERATIONAL PLAN REVIEW 2018/2019 S12.5.1

*That:*

- i) *Council's Quarterly Operational Plan and Budget Review for 31 March, 2019 be adopted; and*
- ii) *the proposed variations to budget votes for the 2018/2019 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2019 from operations of \$5,427.*

5. EMERGENCY SERVICES LEVY INCREASE S12.13.1

*That:*

- A. *Inverell Shire Council supports Local Government NSW's calls for:*
  - a. *the NSW Government to cover the initial additional \$19M increase to local governments for the first year; and*
  - b. *the NSW Government to work with NSW local governments to redesign the funding mechanism for the scheme to ensure fairness into the future.*
- B. *Requests that the General Manager liaise with Local Government NSW to provide information on:*
  - a. *The impact on council budgets; and*
  - b. *Council advocacy actions undertaken.*
- C. *Requests that the Mayor:*
  - a. *write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and Shadow Minister for Local Government, and local state member/s to:*
    - i. *call upon the NSW Government to fund the 12 months of this extra cost rather than requiring councils to find the funds at short notice when budgets have already been allocated;*
    - ii. *explain how this sudden increase will impact council services / the local community;*
    - iii. *highlight that councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018;*
    - iv. *explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector;*
    - v. *ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for councils and communities into the future;*
    - vi. *Questioning the mechanism used to estimate and administer the self managed insurance scheme that covers the increased workers compensations claims that the majority of the increase is attributed to; and furthermore how future surpluses and deficits relating to the scheme will be reported and dealt with.*

6. INDUSTRY SUPPORT FUND S12.22.1/12

*That:*

- i) *Council contribute to upgrading the car park surface at the new dentist surgery at 82 Campbell Street, Inverell from bitumen to concrete; the estimated cost being \$58,000; and*

- ii) *The contribution be funded from the Industrial Promotion Vote.*

7. INVERELL GIRL GUIDES ASSOCIATION - REQUEST FOR ASSISTANCE S12.22.1/12

*That additional information is sought in regards to the Inverell Girl Guides Association request for assistance and the matter be represented for Council's consideration.*

**SECTION D  
DESTINATION REPORTS**

1. BRIEFING – PLANNING MATTER (LISTING) DA-11/2019

**39/19 RESOLVED** (Watts/Baker) *that the matter be referred to closed Council for consideration as:*

- i) *the report includes 'Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege' (Section 10A(2)(g) of the Local Government Act, 1993); and*
- ii) *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.*

EXA- Policy 2. LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION S13.6.4/12

**40/19 RESOLVED** (Michael/Baker) *that an increase of 2.5% in fees for Mayors and Councillors be applied for the 2019/2020 financial year as recommended by the Local Government Remuneration Tribunal.*

3. INVERELL FRIENDS OF THE LIBRARY S3.6.5

**41/19 RESOLVED** (Baker/King) *that:*

- i) *the information be received and noted; and*
- ii) *the following persons be authorised as office bearers of the Inverell Friends of the Library Committee:*

<i>President:</i>	<i>Mrs Bev Parlevliet</i>
<i>Vice President:</i>	<i>Mrs Catherine Hunt</i>
<i>Secretary:</i>	<i>Ms Nancy Wilkins</i>
<i>Assistant Secretary:</i>	<i>Mrs Neroli O'Brien</i>
<i>Treasurer:</i>	<i>Mrs Jill Burtenshaw</i>
<i>Assistant Treasurer:</i>	<i>Mr Bruce Hunt</i>
<i>Publicity Officer:</i>	<i>Mrs Patty Provis</i>
<i>Archive Recorder:</i>	<i>Mrs Anna Moorsee</i>

4. DA-26/2019 – NEW COLORBOND FENCE – 6375 GWYDIR HIGHWAY, INVERELL DA-26/2019

**42/19 RESOLVED** (Michael/Berryman) *that the information be noted and Development Application 26/2019 be approved subject to the following conditions of consent:*

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 a colorbond fence within Lot 3 DP 1101540 at the front of the RSM Clay Target Club.*

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

2. *The fence must be setback a minimum 1 metre from the front and eastern boundary of Lot 3 DP 1101540, with landscaping to be provided between the colorbond fence and the boundaries. This landscaping must take the form a hedge (or similar dense planting) with a minimum mature growth height of 4 metres.*

*Prior to installation of the fence, a landscaping plan must be submitted to and approved by Council nominating plant species, planting size, size at maturity and location.*

3. *Within 6 months of completion of the fence, all landscaping must be completed in accordance with the approved landscaping plan.*
4. *All landscaping is to be maintained in perpetuity in a reasonable manner, with replacement plantings undertaken in the event of any loss of plants.*
5. *Any other condition deemed appropriate by the Director Civil and Environmental Services.*

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

5. DRAFT RISK APPETITE STATEMENTS S4.11.21

**43/19 RESOLVED** (Watts/Berryman) *that Council adopt the draft Risk Appetite Statements and refer them to the Audit, Risk and Improvement Committee for inclusion in the Enterprise Risk Management Framework.*

6. MODEL CODE OF MEETING PRACTICE S4.12.1

**44/19 RESOLVED** (Berryman/Dight) *that Council:*

- i) *Adopt the Draft Code (as amended),*
- ii) *Place the Draft Code on public exhibition of a period of not less than 28 days,*
- iv) *Invite public submissions on the Draft Code for a period not less than 42 days commencing from the date which the Draft Code was placed on public exhibition.*

## **SECTION E INFORMATION REPORTS**

1. RENEW OUR LIBRARIES PUBLIC LIBRARY FUNDING CAMPAIGN S.3.6.1/13
2. STRATEGIC TASKS – ‘SIGN OFF’ – MAY 2019 S4.13.2
3. QUESTIONS WITHOUT NOTICE – APRIL 2019 S13.5.5/12
4. CHANGES TO CROWN LAND MANAGEMENT S4.13.2
5. STAFF MOVEMENTS: - 01 OCTOBER 2018 TO 31 DECEMBER 2018 S22.25.1
6. STAFF MOVEMENTS: - 01 JANUARY 2019 TO 31 MARCH 2019 S22.25.1
7. CONSTRUCTION CERTIFICATES APPROVED FOR APRIL 2019 S7.2.4/12
8. COMPLYING DEVELOPMENT CERTIFICATES APPROVED DURING APRIL 2019 S7.2.4/12
9. SUMMARY OF BUILDING CONSTRUCTION FOR APRIL 2019 S7.2.4/12
10. DEVELOPMENT CONSENTS AND REFUSALS DURING APRIL 2019 S18.10.2/12
11. VARIATION TO DEVELOPMENT STANDARDS APPROVED DURING APRIL 2019 S18.10.2/12
12. SEPTIC TANK APPROVALS FOR APRIL 2019 S29.19.1
13. ORDINANCE ACTIVITIES REPORT FOR APRIL 2019 S18.10.1
14. PROJECT UPDATE - YOUTH OPPORTUNITIES PROGRAM S15.8.92
15. PROJECT UPDATE – DROUGHT COMMUNITIES PROGRAMME S15.8.90

**45/19 RESOLVED** (Michael/Baker) that the items contained in the Information Reports to the Ordinary Meeting of Council held on Wednesday, 22 May, 2019, be received and noted.

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

**QWN/ORD 13/19** Precinct Meetings S2.17.7

Cr Dight

Cr Dight requested that Council consider holding meetings in outlying areas of the Shire before the end of this term of Council.

**QWN/ORD 14/19** Additional Flights S30.16.4

Cr Dight

Cr Dight asked Council to advocate for additional flights between Inverell to Sydney and Brisbane.

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

At 4.16pm, the Chairperson noted that no members of the public or press were in attendance at the meeting therefore Council proceeded to consider the motion to close the meeting to the press and public.

### **CLOSED COUNCIL REPORTS**

**46/19 RESOLVED** (Baker/Watts) *that Council proceed into Closed Council to discuss the matters referred to it, for the reasons stated in the motions of referral.*

Upon resuming Open Council at 4.24pm, 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:

1. BRIEFING – PLANNING MATTER DA-11/2019

*That the information be received and noted.*

### **ADOPTION OF RECOMMENDATIONS**

**47/19 RESOLVED** (Watts/Baker) *that the recommendations of Closed Council be adopted.*

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

CR P J HARMON

CHAIRPERSON