

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 28 AUGUST 2019 AT 3.00 PM**

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

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

1 APOLOGIES

APOLOGY

RESOLUTION 2019/74

Moved: Cr Kate Dight

Seconded: Cr Anthony Michael

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

CARRIED

2 CONFIRMATION OF MINUTES

RESOLUTION 2019/75

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

That the Minutes of the Ordinary Meeting of Council held on 24 July, 2019, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

3 DISCLOSURE OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS

Cr Di Baker declared a pecuniary interest in Item 6.1 Civil & Environmental Minutes - Procurement of Bitumen and Aggregate Services - 2019/2020 - Bitumen Resealing Program. Cr Baker stated that her interest arises as she is a shareholder in Boral.

Cr Di Baker declared a non-pecuniary interest in Item 6.1 Civil & Environmental Minutes DA-74/2019 - Demolition of the Existing NSW Police Building & Structures, Site Preparation Works, Construction and Use of New Police Building; and Ancillary Works Including Signage - 109 Otho Street, Inverell DA which has been referred to the Joint Regional Planning Panel (JRPP). Cr Baker stated that her interest arises as she is a member of the JRPP.

Cr Di Baker declared a pecuniary interest in Item 7.1 Delivery Plan Amendments and Funding Opportunities and Item 7.4 Urban Works Program as both items deal with the proposed Town

Centre Renewal Plan and Cr Baker has an interest in a building located at 45-47 Vivian Street Inverell.

Mr McInnes declared a non-pecuniary interest in Item 6.1 Civil & Environmental Minutes DA-74/2019 - Demolition of the Existing NSW Police Building & Structures, Site Preparation Works, Construction and Use of New Police Building; and Ancillary Works Including Signage - 109 Otho Street, Inverell DA which has been referred to the Joint Regional Planning Panel (JRPP). Mr McInnes advised that his interest arises as he is a member of the JRPP, he did not participate in discussion on this matter.

4 PUBLIC FORUM

At this juncture, the time being 3.04pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

Bob Bensley (Town Centre Renewal Plan)

Mr Bob Bensley spoke in favour of continuing the Town Centre Redevelopment Plan. He commended Council on the result achieved in the Otho Street section of the redevelopment and suggested the completion of the remaining sections of the plan should be Council's number 1 priority.

5 ADVOCACY REPORTS

Nil

6 COMMITTEE REPORTS

6.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 14 AUGUST 2019

Receipt of Minutes:

RESOLUTION 2019/76

Moved: Cr Stewart Berryman

Seconded: Cr Paul King

- i) *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 14 August, 2019, be received and noted.*
- ii) *The following recommendations of the Civil & Environmental Services Committee be adopted by Council with the exception of item 6.1.10 DA-65/2019 - two (2) into four (4) lot subdivision - 24 church street, Gilgai which was dealt with separately.*

CARRIED

6.1.1 Gravel Resheet Program 2019/20

That:

- i. The 2019/20 Gravel Resheeting Program as presented be adopted; and*
- ii. The adopted program be placed on Council's website for the information of the community.*

6.1.2 Bitumen Resurfacing Program 2019/20

That:

- i. The 2019/20 Bitumen Resurfacing Program as presented be adopted; and*
- ii. The adopted program be placed on Council's website for the information of the community.*

6.1.3 Tingha Water Standpipe Operation

That the Tingha Standpipe operation be changed from the current Avdata Australia revenue collection system to a coin operated collection system, and the standpipe usage charge be applied at Council's standpipe sales charge, currently \$2.00/kl.

6.1.4 Inverell Sewage Treatment Plant Effluent Options

That:

- 1. Council not request further investigations be undertaken into the feasibility of redirecting treated effluent from Inverell Sewage Treatment Plant to Lake Inverell Dam to supplement river flow.*
- 2. That investigations be undertaken into the feasibility of redirecting treated effluent from Inverell Sewage Treatment Plant to other areas including the Inverell Golf Course, Inverell Show Ground, Riverdale Turf Farm, Inverell Race Course or alternately agricultural pursuits in close proximity to the treatment plant.*

At 3.18pm Cr Di Baker left the meeting.

6.1.5 DA-74/2019 - Demolition of the existing NSW Police building & structures, site preparation works, construction and use of new Police building; and ancillary works including signage - 109 Otho Street, Inverell**RESOLUTION 2019/77**

Moved: Cr Anthony Michael

Seconded: Cr Paul King

That the information be received and noted.

CARRIED

6.1.6 Procurement of Bitumen and Aggregate Services - 2019/2020 - Bitumen Resealing Program**RESOLUTION 2019/78**

Moved: Cr Anthony Michael

Seconded: Cr Paul King

That Council accept the quotation from Colas under a full service contract for the 2019/2020 Resealing Program.

CARRIED

6.1.7 Project Control Group Meeting Minutes 22 July 2019 - Yetman Road Ulupna Reconstruction Project Stage 2

That the information be received and noted.

6.1.8 Project Control Group Meeting Minutes 22 July 2019 - MR 187 Yetman Road Cucumber Creek to Wallangra Reconstruction

That the information be received and noted.

6.1.9 Works Update

That the information be received and noted.

At 3.22pm, Cr Baker re-joined the meeting.

6.1.10 2019/79 DA-65/2019 - Two (2) Into Four (4) Lot Subdivision - 24 Church Street, Gilgai
Dealt with separately.

That Development Application 65/2019 be approved subject to the following conditions of consent:

PRELIMINARY

1. *Inverell Shire Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning and Assessment Act 1979.*

Consent is granted for a two (2) into four (4) lot subdivision;

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

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

DURING SUBDIVISION WORKS

3. *To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the carrying out of subdivision works:*

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

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

4. 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.
5. Prior to issue of a Subdivision Certificate, the existing carport is to be removed and the proposed cantilevered carport constructed on proposed Lot 101. The new cantilevered carport is to be same dimensions and in the same location as the removed carport.
6. Prior to the issue of a Subdivision Certificate, electricity and telecommunications services are to be provided to all lots. The proponent is required to submit to Council, certificates from:
 - An approved electricity service provider indicating that satisfactory arrangements have been made for the provision of electricity to each lot in the subdivision.
 - An approved telecommunications service provider indicating that satisfactory arrangements have been made for the provision of telecommunications to each lot in the subdivision.

Note: Subject to the requirements of the electricity service provider, the power supply for proposed Lot 101 will need to be relocated.

7. Prior to issue of a Subdivision Certificate, inter-allotment drainage is to be provided along the common boundaries of the four (4) proposed lots.

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

necessary beneath fences, to direct drainage to Church Street.

8. *Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for sewer supply to proposed Lots 102, 103 and 104. This will require payment to Council of:*

- A Contribution under Council's Development Servicing Plan No. 1 for 1 equivalent tenement, for proposed Lots 102, 103 and 104; and*
- A sewer junction fee in accordance with Council's fees and charges for proposed Lot 103.*

Note: Existing sewer junctions will serve proposed Lots 101, 102 and 104.

9. *Prior to the issue of a Subdivision Certificate, contributions/fees must be paid to Council for water supply to proposed Lots 101, 103 and 104. This will require payment to Council of:*

- A Contribution per lot under Council's Development Servicing Plan No. 1 for 1 equivalent tenement, for proposed Lots 101, 103 and 104; and*
- A water connection fee in accordance with Council's fees and charges for Lots 101, 103 and 104.*

Note: The existing water service is to be retained for proposed Lot 102.

10. *Prior to the issue of a Subdivision Certificate, a Community Services Contribution per lot must be paid to Council pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 for Lots 102 and 103.*

11. *Prior to issue of a Subdivision Certificate, a concrete access crossing is to be constructed from the kerb in Church Street to the boundary of Lots 101 and 104. The location of the access is to be in accordance with the approved plan. Prior to the commencement of this work the applicant is required to:*

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

The installation of the vehicular access crossing must be carried out under the supervision of Council and the applicant must give Council two (2) working days' notice to inspect the formwork prior to pouring any concrete.

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

12. *Prior to issue of a Subdivision Certificate, the access handles for Lots 101 and 104 are to be:*

- Concreted 3 metres wide; and*
- Incorporate a landscaping strip 500mm wide, being located:*
 - On the northern side of the concrete access for proposed Lot 101; and*
 - On the southern side of the concrete access for proposed Lot 104.*

A minimum 50% of the landscaping is to comprise plant species with a full growth height of at least 1.5 metres.

Prior to construction of the access handles, plans nominating the concrete and landscaping details are to be submitted and approved by Council.

All landscaping is to be maintained in a reasonable manner, in perpetuity.

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

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

CARRIED

6.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 14 AUGUST 2019

Receipt of Minutes:

RESOLUTION 2019/80

Moved: Cr Kate Dight

Seconded: Cr Paul King

- i) *That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 14 August, 2019, be received and noted; and*
- ii) *The following recommendations of the Economic & Community Sustainability Committee be adopted by Council.*

CARRIED

6.2.1 Submission on IPART Report into Rating

That:

1. *Council makes a submission on the relevant recommendations of the IPART review of the Local Government Rating System.*
2. *That the submission reflects the details of the report.*

6.2.2 Request for Sponsorship - Tingha Sport and Recreation Bowling Club Inc.

That Council take premium sponsorship of the Tingha Sport and Recreation Bowling Club Inc for their Inaugural "Mine for Cash" mixed triples bowls Carnival being held on 16 November, 2019 to the value of \$1000.

6.2.3 Inverell Community Garden - Donation Request

That Council contributes \$200 towards advertising, promotion and technical assistance associated with a community screening of the visionary film '2040' as a fundraiser for the relocation of the Inverell Community Gardens.

That Council invite the Executive of the Inverell Community Gardens to present their Strategic Plan for the Community Gardens including plans for long term financial sustainability.

6.2.4 Murray Darling Association - Membership 2019/20

That Council thank the Murray Darling Association (MDA) for the invitation to join the association but decline to join at this time.

6.2.5 Governance - Monthly Investment Report

That:

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

6.2.6 Land Matters

That:

- a) The General Manager be authorised to submit an offer for the land at the amount agreed to in closed meeting;*
- b) The purchase be subject to any terms and conditions as negotiated by the General Manager;*
- c) The land be classified as operational land; and*
- d) When Council's acquisition program is complete that Council invite expressions of interest in the acquisition of the entire parcel of land owned by Council.*

6.3 AUDIT RISK AND IMPROVEMENT COMMITTEE MINUTES - 22 AUGUST 2019**Receipt of Minutes:****MOTION**

Moved: Cr Kate Dight

Seconded: Cr Di Baker

- i. That the Minutes of the Audit Risk and Improvement Committee held on Thursday, 22 August, 2019, be received and noted.
- ii. Audit of the Risk Management Framework:
 1. The recommendations contained in the report be implemented; and
 2. Internal audits be conducted concurrently on the first two risks prioritised in the recommended Internal Audit Program, those being,
 - a) Procurement and Contract Management
 - b) Employee Wellbeing, Culture and Ethics
- iii. Statewide Mutual Risk Initiatives
 - a. To take advantage of Statewide Mutual Free Board Initiative Number 7 – Insurable Risk Analysis – Service 1 (Identification through Scenario Analysis) for the 2019-20 Financial Year.
 - b. To complement this, Council should also engage JLT to complete Insurable Risk Analysis – Service 2 (Asset Insurance Index Review).

AMENDMENT

Moved: Cr Mal Peters

Seconded: Cr Kate Dight

In relation to:

- ii. Audit of the Risk Management Framework.

That Council invite the Chair of the Audit Risk and Improvement Committee to a workshop on the same day as an Ordinary Council Meeting.

That the Workshop examine the draft Risk Management Framework to enable Council to make an informed decision in regard to endorsing the framework.

The amended motion on being put to the meeting was Carried.

CARRIED

6.4 WASTE MANAGEMENT SUNSET COMMITTEE MINUTES - 28 AUGUST 2019**Receipt of Minutes:****MOTION**

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

- i) *That a supplementary report on this matter be received;*
- ii) *That the Minutes of the Waste Management Sunset Committee held on Wednesday, 28 August, 2019, be received and noted; and*
- iii) *The following recommendations of the Waste Management Sunset Committee be adopted by Council.*

CARRIED

6.4.1 Waste Update for Tingha Area

That:

1. *Detailed investigations into the extension of the Rural Kerbside Collection Service in Tingha area be undertaken and a further report be presented to Council for consideration; and*
2. *Council pursue grant funding opportunities for the construction of a Waste Transfer Station at Tingha and the subsequent closure and rehabilitation of the existing landfill.*

6.4.2 Waste Transfer Station Operational Review

That:

1. *Council utilises day labour to manage the Waste Transfer Stations for a further period of 12 months.*
2. *At the conclusion of the 12 month period a further detailed evaluation be undertaken based on the operation of the four (4) transfer stations with a view to determining the most appropriate long term management model.*
3. *Council write to residents of Bonshaw and Delungra advising of the impending changes prior to completion of the construction of the Waste Transfer Stations.*
4. *No waste disposal fees are charged for the first two (2) months of operation of the Bonshaw and Delungra Waste Transfer Stations.*

6.4.3 Investigation of Options to Divert Organic Waste from Landfill

That:

- 1. Council does not commit to an organics waste service at this point in time given higher priority identified works are to be completed within Inverell Shire Council Landfill Environmental Management Plan and Inverell Shire Council Waste Management Strategy 2010;*
- 2. In preparation for a potential future organics waste collection service Council undertake the following steps:*
 - i) A community survey to determine the demand and willingness to pay for an organics service.*
 - ii) A more detailed assessment and review (including financial analysis) of the most appropriate organics processing facility that could be co-located at the Inverell Landfill site.*
 - iii) Further investigation regarding regional collaboration opportunities for organics collection and processing.*
 - iv) Continued monitoring of the policy and regulatory framework relating to waste management to ensure Council has a strategy in place to meet it's obligations.*
 - v) With regards to the steps contained in point ii), the Waste Committee be kept apprised of progress.*

6.4.4 Inverell Materials Recovery Facility Review

That:

- 1. Council discuss the outcomes of the Materials Recovery Facility Review with Northaven;*
- 2. The depot master planning exercise be finalised and presented to Council; and*
- 3. Upon completion of the necessary investigations a further report be prepared regarding future actions associated with the Inverell Materials Recovery Facility.*

7 DESTINATION REPORTS

7.1 DELIVERY PLAN AMENDMENTS AND FUNDING OPPORTUNITIES S4.13.2

RESOLUTION 2019/81

Moved: Cr Stewart Berryman

Seconded: Cr Kate Dight

That:

- i. The following projects be included in the 2017-21 Delivery Plan.*
 - a) Construct a half court basket ball facility.*
 - b) Upgrade sporting facilities at Tingha.*
 - c) Install a "Baby Remembrance Garden" in a suitable public place.*
 - d) Prepare a program of Youth Activities targeting youth in the Shire's villages, including transport options.*
 - e) Investigate the availability of land suitable for residential development in the Shire's villages.*
 - f) Investigate decorative lighting effects for the CBD.*
 - g) Upgrade dog pound.*
 - h) Upgrade Jones Road (Green Valley).*
 - i) Improve Drainage in Murray Street, Inverell.*

At 4.7pm, Cr Baker left the meeting having previously declared a pecuniary interest in respect of the following matter.

- j) Continue the implementation of the Town Centre Renewal Plan.*

At 4.09pm, Cr Baker re-joined the meeting.

- ii. That the following projects be submitted for funding through the Stronger Country Communities Fund (Round 3)*
 - a) Construct a half court basket ball facility.*
 - b) Upgrade sporting facilities at Tingha.*
 - c) Prepare a program of Youth Activities targeting youth in the Shire's villages, including transport options.*
 - d) Continue the implementation of the Town Centre Renewal Plan.*

CARRIED

7.2 SAPPHIRE CITY MOTOR SPORTS CLUB - UPDATE S21.8.18

RESOLUTION 2019/82

Moved: Cr Kate Dight

Seconded: Cr Paul King

That:

- a) The information be noted; and*
- b) Council provide assistance to the Sapphire City Motor Sports Club to examine the most suitable site for the long term needs of the Club.*

CARRIED

7.3 PROPERTY ACQUISITION STANDARDS S4.2.1**RESOLUTION 2019/83**

Moved: Cr Stewart Berryman

Seconded: Cr Anthony Michael

That Council adopt the new Property Acquisition Standards.

CARRIED

At 4.26pm, Cr Baker left the meeting having declared a pecuniary interest in respect of the following matter.

7.4 URBAN WORKS PROGRAM S28.21.1/12**RESOLUTION 2019/84**

Moved: Cr Anthony Michael

Seconded: Cr Stewart Berryman

That Council prioritise the Town Centre Renewal Plan (TCRP) works - Campbell to Vivian Street, for the 2019/20 Urban Works Program.

AMENDMENT

Moved: Cr Mal Peters

Seconded: Cr Neil McCosker

That the funding that was proposed to be spent on the TRCP be spent on rate relief for the businesses effected by the current drought.

LOST

The original motion on being put to the meeting was carried.

CARRIED

At 4.32pm, Cr Baker re-joined the meeting.

8 INFORMATION REPORTS**8.1 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENTS DURING JULY 2019 S13.5.2/12****8.2 SEPTIC TANK APPROVALS FOR JULY 2019 S13.5.2/12****8.3 ORDINANCE ACTIVITIES REPORT FOR JULY 2019 S13.5.2/12**

8.4 EMERGENCY SERVICES LEVY S12.13.1

8.5 STRATEGIC TASKS - 'SIGN OFF' - AUGUST 2019 S4.13.2

Moved: Cr Kate Dight

Seconded: Cr Di Baker

That the information reports be received and noted.

CARRIED

9 GOVERNANCE REPORTS

Nil

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

Nil

The Meeting closed at 4.34pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 September 2019.

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CHAIRPERSON