

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 27 MAY 2020 AT 3.00 PM**

PRESENT: Cr Paul Harmon (Mayor - Chair), Cr Anthony Michael (Deputy Mayor), Cr Di Baker via Zoom, Cr Stewart Berryman, Cr Kate Dight via Zoom, Cr Paul King OAM, Cr Neil McCosker via Zoom, Cr Mal Peters via Zoom and Cr Jacki Watts.

IN ATTENDANCE: Paul Henry (General Manager), Brett McInnes (Director Civil and Environmental Services), Scott Norman (Director Corporate and Economic Services), Paul Pay (Manager Financial Services), Anthony Alliston (Manager Development Services) and Justin Pay (Manager Civil Engineering).

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2020/41

Moved: Cr Jacki Watts
Seconded: Cr Stewart Berryman

That the Minutes of the Ordinary Meeting of Council held on 22 April, 2020, as circulated to members, be confirmed as a true and correct record of that meeting.

CARRIED

3 DISCLOSURE OF INTERESTS / PECUNIARY AND NON-PECUNIARY INTERESTS

Nil

4 PUBLIC FORUM

Nil

5 NOTICES OF BUSINESS

5.1 NOTICE OF BUSINESS - 'SUNRISE' PROMOTIONAL SEGMENTS ON INVERELL S13.5.3

RESOLUTION 2020/42

Moved: Cr Anthony Michael
Seconded: Cr Jacki Watts

That those members of staff involved in securing the 'Sunrise' promotional segments on Inverell be congratulated for their efforts, as the promotion was a great success.

CARRIED

6 QUESTIONS WITH NOTICE

Nil

7 ADVOCACY REPORTS

Nil

8 COMMITTEE REPORTS**8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 13 MAY 2020****RESOLUTION 2020/43**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

- i) *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 13 May, 2020, be received and noted.*
- ii) *The following recommendations of the Economic & Community Sustainability Committee be adopted by Council.*

CARRIED**8.1.1 National Class 1 Load Carrying Vehicle Notices 2020 - Expansion of Over Size Over mass vehicle network**

That the existing B-Double network be approved for inclusion in the Over Size Over Mass Load Carrying Vehicle Network in NSW for the Multi-State Class 1 Load Carrying Vehicle Notice 2020.

8.1.2 Inverell Draft Local Strategic Planning Statement 2036

1. *The Draft Local Strategic Planning Statement 2036 be placed on public exhibition for a minimum period of twenty-eight (28) days.*
2. *If there are no significant objections or suggested changes to the intent of the document as a result of the exhibition period that the Director Civil and Environmental Services be delegated authority to finalise the Draft LSPS for publication on the Department Planning and Environment "portal" to meet the 1 July 2020 deadline.*

8.1.3 COVID-19 Update

That the information be noted.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 13 MAY 2020**RESOLUTION 2020/44**

Moved: Cr Jacki Watts

Seconded: Cr Paul King OAM

- i) *That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 13 May, 2020, be received and noted; and*
- ii) *The recommendations of the Economic & Community Sustainability Committee be adopted by Council.*

CARRIED

8.2.1 Expiring Licence Agreement - Paul Mitrega - North West Aviation

That:

1. *Council renew the agreement with Mr Paul Mitrega – North West Aviation Pty Ltd for Part Portion of land (part lot 4 DP 1029079) located at Inverell Aerodrome, Gilgai;*
2. *The licence agreement be for a three (3) year period with a three (3) year option;*
3. *The Licence fee be \$408.06 per annum (GST Inclusive) with a 3% increase per annum; and*
4. *The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

8.2.2 Expiring Licence Agreement - Albert and Robert Baker

That:

1. *Council renew the agreement with Mr Albert and Robert Baker for Drainage Reserve adjoining Lot 124, DP 750113, Nullamanna;*
2. *The licence agreement be for a three (3) year period with a three (3) year option;*
3. *The Licence fee be \$107.47 per annum (GST Inclusive) with an increase of 3% per annum;*
4. *The Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

8.2.3 2020/2021 Emergency Services Levy

That Council write to Local Government NSW and the Country Mayors Association of NSW requesting they investigate the increases in the Emergency Services Levy Contributions and lobby for alternate funding arrangements as the recent increases have had a substantial impact on Council's ability to fund ongoing operations.

8.2.4 Inverell Showground Land Manager - Request for Reduction in Sewer charges

That “for the financial year 2020-21 Council make a donation in lieu of sewer rates to the Inverell Showground equivalent to 30% of the Sewerage rates for the Showground Trust – the annual sewer charge is to be paid in full prior to the donation being provided.”

8.2.5 Licence Agreement - Inverell Rotary

That:

- i) The principle of preparing a licence agreement that enables the Inverell Rotary Club to erect a storage shed on Council land located at 4 Bent Street, Inverell be approved;*
- ii) The Club be advised that a development application will be required to be lodged and approved (subject to conditions) prior to a licence agreement being considered by Council; and*
- iii) The proposed licence agreement be presented to Council for consideration, after the required development application has been determined.*

8.2.6 Quarterly Budget and Operational Plan 2019/2020

That:

- i) Council’s Quarterly Operational Plan and Budget Review for 31 March, 2020 be adopted; and*
- ii) The proposed variations to budget votes for the 2019/2020 Financial Year be adopted providing an estimated Cash Surplus at 30 June, 2020 from operations of \$4,241.*

8.2.7 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.*

**8.3 AQUATIC CENTRE PLANNING SUNSET COMMITTEE MINUTES - 20 MAY 2020
S4.11.24****RESOLUTION 2020/45**

Moved: Cr Jacki Watts
Seconded: Cr Stewart Berryman

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

- d(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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

CARRIED

9 DESTINATION REPORTS

9.1 REQUEST TO LICENCE LAND - LOT 1 DP 124236 WYNDHAM STREET, INVERELL - MACINTYRE HIGH SCHOOL S5.10.33

RESOLUTION 2020/46

Moved: Cr Di Baker

Seconded: Cr Paul King OAM

That:

1. *Council enter into a Licence Agreement with Macintyre High School for Lot 1 DP 124236, Wyndham Street, Inverell for at two (2) year period;*
2. *the Licence fee be \$350.00 per annum (GST Inclusive) with a 3% increase per annum; and*
3. *the Licence Agreement be subject to any other terms and conditions as negotiated by Council's General Manager.*

CARRIED

9.2 SMOKING IN THE INVERELL CBD S24.12.5

RESOLUTION 2020/47

Moved: Cr Paul King OAM

Seconded: Cr Kate Dight

Council investigate the procedure for banning smoking in Otho and Byron Streets and the costs of erecting preventative signage in these streets.

PROCEDURAL MOTION

Moved: Cr Mal Peters

Seconded: Cr Anthony Michael

CARRIED

That the motion be put.

CARRIED

9.3 COPETON NORTHERN FORESHORES MANAGERS RESIDENCE/KIOSK TENDER S4.19.17

RESOLUTION 2020/48

Moved: Cr Di Baker
 Seconded: Cr Jacki Watts

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

- d(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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

CARRIED

9.4 COPETON NORTHERN FORESHORES AMENITIES BLOCK TENDER S4.19.18

RESOLUTION 2020/49

Moved: Cr Di Baker
 Seconded: Cr Anthony Michael

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

- d(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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

CARRIED

9.5 PUBLIC RECREATION RESERVES - TINGHA S5.19.1

RESOLUTION 2020/50

Moved: Cr Jacki Watts
 Seconded: Cr Paul King OAM

That:

- a) Council consent to accepting Trustee status for the following parcels of Crown Land in Tingha:

 - Skatepark
 - Cricket Oval and adjoining lands, and
 - Football Oval*
- b) The Tingha Recreation Reserve Trust be utilised as a 'consultation' point and partner for management activities on the recreation areas to be managed by Council.*

CARRIED

10 INFORMATION REPORTS**RESOLUTION 2020/51**

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

*That the information reports be received and noted.***CARRIED****10.1 STAFF MOVEMENTS – 01 JANUARY 2020 TO 31 MARCH 2020 S22.25.1****10.2 STRATEGIC TASKS - 'SIGN OFF' - MAY 2020 S4.13.2****10.3 SEPTIC TANK APPROVALS FOR APRIL 2020 S29.19.1****10.4 ORDINANCE ACTIVITIES REPORT FOR APRIL 2020 S13.5.2/13****10.5 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENTS DURING APRIL 2020 S13.5.2/13****10.6 STATUS OF TOWN WATER SUPPLIES S32.15.19****11 GOVERNANCE REPORTS**

Nil

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

At 3.52pm, 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.

RESOLUTION 2020/52

Moved: Cr Anthony Michael

Seconded: Cr Di Baker

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

RESOLUTION 2020/53

Moved: Cr Anthony Michael

Seconded: Cr Di Baker

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 3.59pm, the Chairperson verbally reported that the Council had met in Closed Council, with the Press and Public excluded, and had resolved to recommend to Council the following:

12.1 CONFIDENTIAL AQUATIC CENTRE PLANNING SUNSET COMMITTEE MINUTES - 20 MAY 2020

- i) That the Minutes of the Aquatic Centre Planning Sunset Committee held on Wednesday, 20 May, 2020, be received and noted; and*
- ii) The following recommendations of the Aquatic Centre Planning Sunset Committee be adopted by Council.*

12.1.2 CONTRACT FOR THE MANAGEMENT AND OPERATION OF THE INVERELL SWIMMING POOL AND THE ASHFORD SWIMMING POOL - EVALUATION OF TENDERS (T-4/2020)

That:

- i) Council accept the Tender from New England Aquatics for the sum of \$291,000 (including GST) over the two (2) year term; and*
- ii) The General Manager be authorised to execute the Contract under the common seal of Council.*

12.2 COPETON NORTHERN FORESHORES MANAGERS RESIDENCE/KIOSK TENDER S4.19.17

That:

- a) the Tender from Uniplan Pty Ltd for the Copeton Northern Foreshores Managers Residence/Kiosk for the Tender price of \$334,853.00 (excluding GST) be accepted; and*
- b) the General Manager be authorised to execute the contract as a Simple Works Contract.*

12.3 COPETON NORTHERN FORESHORES AMENITIES BUILDING TENDER S4.19.18

That:

- a) *the Tender from Uniplan Pty Ltd for the Copeton Northern Foreshores Amenities Building for the Tender price of \$269,338.00 (excluding GST) be accepted; and*
- b) *the General Manager be authorised to execute the contract as a Simple Works Contract.*

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2020/54

Moved: Cr Jacki Watts

Seconded: Cr Kate Dight

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 4.01pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 June 2020.

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CHAIRPERSON