

**MINUTES OF INVERELL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, ADMINISTRATIVE CENTRE, 144 OTHO STREET,
INVERELL
ON WEDNESDAY, 22 JULY 2020 AT 3.00 PM**

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

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

1 APOLOGIES

Nil

2 CONFIRMATION OF MINUTES

RESOLUTION 2020/68

Moved: Cr Anthony Michael

Seconded: Cr Paul King OAM

That the Minutes of the Ordinary Meeting of Council held on 24 June, 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

At this juncture, the time being 3.09pm, the Mayor welcomed the members of the public and opened the Public Forum Session by inviting members of the public to speak.

John Ryan – Pump Track for Lions Park Inverell

Mr John Ryan advocated for not proceeding with the half court basket ball court at Lions Park, Inverell and instead remove the existing BMX track and use the materials to construct a pump track, where the baseball diamond is currently located. A pump track is designed to be ridden without pedalling. Mr Ryan said it was the “new thing” in children’s activities compared to basketball, which he called the “old thing”. He said Inverell has a strong association of the sport of cycling and a pump track would cater for young urban riders.

5 NOTICES OF BUSINESS**5.1 NOTICE OF BUSINESS - PROCUREMENT & TENDERING PLANT HIRE PROCESSES S13.5.3****RESOLUTION 2020/69**

Moved: Cr Mal Peters

Seconded: Cr Neil McCosker

That in response to community concerns, the Inverell Shire Council General Manager, provide information regarding the following matters to ensure that Procurement, Tendering and Plant Hire processes and guidelines, and internal audit requirements are satisfied:

1. *What position authorises procurement, tenders for plant hire?*
2. *What position is authorised to countersign this authorisation?*
3. *In regards to contractors, does the contractor have the right to change his price during the contract period?*
4. *In the event that a contractor has the right to change his quote, what staff position deals with this matter, in particular in respect of plant hire quotes – please describe the process.*
5. *Provide a percentage breakdown of plant hire over the last two (2) year period, that is, the Business Name and the name of the piece of equipment.*
6. *In terms of heavy machinery, what is the percentage breakdown in relation to hiring the machinery, for example, % hire of excavator, % hire of truck, % hire of bulldozer, % hire of float. In addition, provision of the associated Business name to whom the equipment was hired from.*

CARRIED**6 QUESTIONS WITH NOTICE**

Nil

7 ADVOCACY REPORTS

Nil

8 COMMITTEE REPORTS**8.1 CIVIL AND ENVIRONMENTAL SERVICES COMMITTEE MINUTES - 8 JULY 2020****RESOLUTION 2020/70**

Moved: Cr Di Baker

Seconded: Cr Stewart Berryman

- i) *That the Minutes of the Civil and Environmental Services Committee held on Wednesday, 8 July, 2020, be received and noted; and*
- ii) *The recommendations of the Civil and Environmental Services Committee be adopted by Council.*

CARRIED

8.1.1 Bitumen Resurfacing Program 2020/2021

That:

- *the 2020-2021 Bitumen Resurfacing Program be adopted as presented; and*
- *the adopted Bitumen Resurfacing Program be placed on Council's website for the information of the community.*

8.1.2 Gravel Resheet Program 2020-2021

That:

- i. the 2020-2021 Gravel Resheeting Program as presented be adopted; and*
- ii. the adopted program be placed on Council's website for the information of the community.*

8.1.3 Strategic Location of Large Format Retail Development

That the Committee be provided with additional information regarding the number of vacant residential blocks and approved residential subdivisions within one kilometre of the B5 Business Development Land Using Zoning on the corner of Jardine Rd and Gwydir Highway, Inverell.

8.1.4 Re-Nomination of Council Representatives to the Northern Regional Planning Panel

That Council re-nominate Councillor Dianna Baker and Mr Brett McInnes, Director Civil and Environmental Services as Council representatives to the Northern Regional Planning Panel until September 2020.

8.2 ECONOMIC AND COMMUNITY SUSTAINABILITY COMMITTEE MINUTES - 8 JULY 2020**RESOLUTION 2020/71**

Moved: Cr Jacki Watts

Seconded: Cr Kate Dight

- i) That the Minutes of the Economic and Community Sustainability Committee held on Wednesday, 8 July, 2020, be received and noted; and*
- ii) The recommendations of the Economic and Community Sustainability Committee be adopted by Council.*

.CARRIED

8.2.1 Local Government Remuneration Tribunal Determination

That for the financial year commencing 1 July, 2020, Council fix the annual fee to be paid to Councillors at the maximum allowed for the Rural Council Category, as determined by the Local Government Remuneration Tribunal; that being an annual fee paid to Councillors of \$12,160 with the Mayor receiving an additional annual fee of \$26,530.

8.2.2 Expressions of Interest to Licence Land - Lot 8 DP 188692 and Lot 7 DP 1101540 Rifle Range Road, Inverell

That:

- i) Council enter into a Licence Agreement with Mr Deon Beckhouse and Ms Emily Kenny for Lot 8, DP 188692 and Lot 7 DP 1101540 Rifle Range Road, Inverell for a five (5) year period with a further five (5) year option;*
- ii) the Licence fee be \$1,820 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.*

8.2.3 Classification of Freehold Tingha Lands

That:

- 1. Council resolve to give public notice that it is intended the following land is held for operational purposes.*

| Location | Description | Purpose |
|----------------------------|---|------------------------------|
| 35 New Valley Road Tingha | Lot 107 DP 722455 | Tingha Depot |
| 29 Diamond Street Tingha | Lot 7 Sect 10 DP 704 | Vacant Land |
| 16-18 Ruby Street Tingha | Lot 2 DP 218026 | Tingha Town Hall & Fire Shed |
| 14 Ruby Street Tingha | Lot 31 DP 1071167; Lot 1 DP 218026; Lot 2 Sect 3 DP 704; Lot 2 DP 587489 | Wing Hing Long Store Tingha |
| 31 Garnet Street Tingha | Lot 4 Sect 16 DP704; Lot 4 Sect 17 DP704; Lot 3 Sect 16 DP704; Lot 3 Sect 17 DP704; Lot 1 Sect 14 DP704; Lot 6 DP668621; Lot 2 Sect 14 DP704; Lot 3 Sect 14 DP704; Lot 4 Sect 14 DP704; Lot 5 Sect 17 DP704; Lot 5 DP229966; Lot 6 DP229966 | Vacant Land |
| 32 Albion Flat Road Tingha | Lot 1 DP 829960 | Water Reservoir |
| 14060 Guyra Road Tingha | Lot 1 DP 1120941 | Sewer Ponds |
| 2-4 Sapphire Street Tingha | Lot 81 DP753655; Lot 1 Sect 4 DP704 | Symes Park & Aged Care Units |

| | | |
|----------------------------|---------------------|--------------------|
| 156 Kempton Road Tingha | Lot 123 DP42110 | Tingha Garbage Tip |
| 23 Garnet Street Tingha | Lot 1 & 2 DP 229966 | Tingha Cemetery |

2. That Council invite submissions on the classification of the land as operational.

8.2.4 Classification of Crown Reserves including Tingha Lands

That:

- For the Crown reserves listed below, that Council make application for ministerial consent to classify and manage Crown land as operational land under the Local Government Act 1993 (LG Act) or Crown reserves managed by Council in accordance with the Crown Land Management Act 2016 (CLM Act).

Crown reserves acquired as part of the Tingha boundary realignment.

| Location | Description | Purpose |
|-----------------------------------|---|--|
| 209 New Valley Road Tingha | Lot 60 DP 753654 - Crown Reserve 68692 | Old Tingha Sanitary Purposes-Vegetable Farm |
| 2472 Thunderbolts Way Stanborough | Lot 95 DP 753655 - Crown Reserve 97203 | Fire Shed - Stanborough |
| 224 Howell Road Tingha | Lot 97 DP 753655 - Crown Reserve 86389 | Tingha Impound Yards |
| 20-22 Ruby Street Tingha | Lot 6 Sect 3 DP 704 Crown Reserve 88768 | Toilets/SES/Fire Shed |
| 54 Winterwood Road Tingha | Lot 7009 DP 1032560 - Crown Reserve 90984 | Old Sanitary Depot |
| 1434 Howell Road Tingha | Lot 7005 DP 1029803- Crown Reserve 35382 ; Lot 7001 DP 1029802; - Crown Reserve 35004 | Howell Cemetery-Cemetery Extensions Plantation, Preservation of Graves |
| 21 Garnet Street Tingha | Lot 1,2,3 DP1150694; Lot 11,12 DP105339; Crown Reserve 1024808 | Tingha Cemetery |
| 50 Old Mill Road Tingha | Lot 316 DP 753678, Crown Reserve 46853 | Old Rubbish Dump |
| 2-4 Sapphire Street Tingha | Lot 96 DP753655; Lot 7004 DP 1030577 Crown Reserve 82908 | Symes Park & Aged Care Units |
| 156 Kempton Road Tingha | Lot 77 DP 753655;; Lot 121 DP 42110; Crown Reserve 69395 | Tingha Garbage Tip |

Crown reserves transferred to Council as part of the Crown land management reforms.

| Description | Purpose |
|--|---------------------------------|
| Lot 7300 DP1150706 Crown Reserve 1026808 | Wallangra Cemetery |
| Lot 7301 DP1150706 Crown Reserve 29419 | Wallangra Cemetery |
| Part Lot 7001 DP1150706 Crown Reserve 39656 | Connecticut Gravel Pit Coolatai |
| Part Lot 7001 DP1150706 Crown Reserve 1026568 | Connecticut Gravel Pit Coolatai |

2. For the Crown reserves listed below that as Council Crown land managers Council notify the Minister administering the Crown Land Management Act 2016 of the initial categorisation assigned to Crown land, as referred to in section 36 of the Local Government Act 1993.

| Crown reserves acquired as part of the Tingha boundary realignment. | | | |
|--|---|--|-----------------------|
| Location | Description | Purpose | Categorisation |
| 2921 Thunderbolts Way Tingha | Lot 118 DP 1133570 - Crown Reserve 1096 | Vacant Land Reserve for Public Purposes | general community use |
| 2 Amethyst Street Tingha | Lot 111 DP 753655 - Crown Reserve 110104 | Grahame Park Reserve for Public Recreation | a park |
| 2277 Howell Road Howell | Lot 179 DP 753664 - Crown Reserve 91076 | Tingha Copeton Dam Recreation area Reserve for Public Recreation | a park |
| Crown reserves where Ministerial approval to reclassify to operational has previously been sought and refused. | | | |
| Purpose | Description | Categorisation | |
| Gilgai Gravel Pit Crown Reserve 62561 | Part Lot 7001 DP1067907; Lot 7003 DP1032659 | general community use | |
| Delungra Homes for the Aged Crown Reserve 94038 | Part Lot 1 Sect 4 DP758348 | general community use | |
| Elsmore Rural Fire Service Crown Reserve 110026 | Part Lot 38 DP753258 | general community use | |
| Gilgai Rubbish Depot Crown Reserve 78986 | Lot 136 DP753271; Lot 9 DP753271 | general community use | |
| Crown reserves transferred to Council as part of the Crown land management reforms. | | | |
| Purpose | Description | Categorisation | |
| Matheson Public Reserve Crown Reserve 73694 | Lot 287 DP750076 | general community use | |
| Weean Reserve – Nullamanna Road Crown Reserve 80668 | Lot 7301 DP1151919 | general community use | |
| Bonshaw Public Recreation Reserve Crown Reserve 95856 | Lots 7302-7303 DP1152292 | general community use | |
| Swamp Oak Public Reserve Crown Reserve 84042 | Lot 218 DP 750121 | general community use | |

8.2.5 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.*

8.2.6 Request for reduction on water account

That an amended account of \$42.78 / quarter be issued for the last two quarters, based on average consumption of accounts prior to the leak, and write off \$526.74.

9 DESTINATION REPORTS

9.1 SUNHAVEN HOSTEL - LAND PURCHASE S3.15.1

RESOLUTION 2020/72

Moved: Cr Jacki Watts

Seconded: Cr Anthony Michael

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

- c information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

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

CARRIED

10 INFORMATION REPORTS

RESOLUTION 2020/73

Moved: Cr Anthony Michael

Seconded: Cr Kate Dight

That the information reports be received and noted.

CARRIED

10.1 STRATEGIC TASKS - 'SIGN OFF' - JULY 2020 S4.13.2

10.2 INFORMATION ON FUTURE LIVING LANDS IN PROXIMITY TO THE B5 BUSINESS DEVELOPMENT ZONE. S13.5.2/13

10.3 STAFF MOVEMENT: - 01 APRIL 2020 TO 30 JUNE 2020 S22.25.1

- 10.4 STATUS OF TOWN WATER SUPPLIES S13.5.2/13
- 10.5 SUMMARY OF DEVELOPMENT APPLICATIONS, CONSTRUCTION CERTIFICATES AND COMPLYING DEVELOPMENT CERTIFICATES DURING JUNE 2020 S13.5.2/13
- 10.6 SEPTIC TANK APPROVALS FOR JUNE 2020 S13.5.2/13
- 10.7 ORDINANCE ACTIVITIES REPORT FOR JUNE 2020 S13.5.2/13
- 10.8 TOURISM & MARKETING UPDATE S13.5.2/13
- 10.9 RENEWABLE ENERGY ZONE (REZ) S7.14.4

RESOLUTION 2020/74

Moved: Cr Mal Peters

Seconded: Cr Anthony Michael

That Council receives a report detailing:

- a) The surplus generation capacity of the local renewable energy industry,*
- b) Total energy consumption of the Inverell Shire,*
- c) Cost to install batteries to cater for that, and*
- d) What are the distribution difficulties related to greater utilisation of renewable energy.*

CARRIED

- 10.10 ROAD NETWORK FUNDING S16.7.26/09

11 GOVERNANCE REPORTS

Nil

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

At 3.50pm, 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 2020/75

Moved: Cr Jacki Watts
 Seconded: Cr Paul King OAM

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

CARRIED

RESOLUTION 2020/76

Moved: Cr Stewart Berryman
 Seconded: Cr Di Baker

That Council proceeds out of Closed Council into Open Council.

CARRIED

Upon resuming Open Council at 3.54pm, 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 SUNHAVEN HOSTEL - LAND PURCHASE S3.15.1

That:

- a) *Council commence the compulsory acquisition of 12 Kneipp Street, Ashford, being Lots 8 & 9, Section 46, DP 758036;*
- b) *Any necessary documents be completed under the Common Seal of Council; and*
- c) *12 Kneipp Street, Ashford be sold to Sunhaven Hostel for a purchase price, as determined during the compulsory acquisition process for this property.*

ADOPTION OF RECOMMENDATIONS

RESOLUTION 2020/77

Moved: Cr Di Baker
 Seconded: Cr Paul King OAM

That the recommendations of Closed Council be adopted.

CARRIED

The Meeting closed at 3.55pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 August 2020.

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CHAIRPERSON